

21-7485

No.

FILED

DEC 20 2022

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SUPREME COURT, U.S.

## IN THE

**SUPREME COURT OF THE UNITED STATES**

3:20-CV-631 (SRU) 3:20-cv-1751(SRU)

Terrell Staton — PETITIONER  
(Your Name)

vs.

Ned Lamont, (et.al) — RESPONDENT(S)

**ON PETITION FOR A WRIT OF CERTIORARI TO**

U.S. COURT OF APPEALS 2ND CIRCUIT 21-461, 21-463 (20-39986)  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

**PETITION FOR WRIT OF CERTIORARI**

Terrell Staton #218482  
(Your Name)

(Address)

Enfield, CT. 06082

(City, State, Zip Code)

(860) 253-8262

**(Phone Number)**

## QUESTION(S) PRESENTED

1. DID C.C.T. NOTHE EXPOSE THE PLAINTIFF TO DANGEROUS LIVING CONDITIONS BY HIS RELUCTANCE AND INSUBORDINATION TO WEAR HIS MASK APPROPRIATELY? (AS WELL AS MULTIPLE DEFENDANTS).
2. DID C.C.T. NOTHE ABUSE HIS OFFICIAL POWERS BY FALSELY WRITING A DISCIPLINARY REPORT AGAINST THE PLAINTIFF FOR VERBALLY EXPRESSING DISAPPROVAL OF C.C.T. NOTHE'S INSUBORDINATION TO WEAR HIS FACE MASK AMONGST THE INMATES DURING THE HEIGHT OF THE PANDEMIC? (ALSO RETALIATED IN COLLUSION AGAINST PLAINTIFF TO MAKE PAROLE AUGUST 30, 2021).
3. DID LT. LEE PROPERLY EXECUTE PROCEDURALLY THE GRIEVANCE OF THE INMATE AGAINST C.C.T. NOTHE BY HIS RELUCTANCE TO WEAR A MASK AMONGST THE INMATES?
4. DID LT. LEE VIOLATE PROCEDURE BY PLACING THE PLAINTIFF INTO RESTRICTIVE HOUSING UNIT AND ATTENDANCE TO HIS STRIP SEARCH?
5. AFTER CONSIDERING THE PLAINTIFF INDIGENT DID THE COURT VIOLATE ITS DISCRETION BY SEEKING A PAYMENT FROM THE PLAINTIFF (SUPREME COURT) JANUARY 19, 2021
6. THE PLAINTIFF NOT BEING AN ATTORNEY HIMSELF WAS DENIED ASSISTANCE OF AN ATTORNEY WHEN IT WAS OBVIOUS HE COULD NOT PRESENT HIS CLAIM APPROPRIATELY. DID THE APPEAL COURT VIOLATE THE 14 AMENDMENT BY DENYING THE PLAINTIFF EQUAL PROTECTIONS OF THE LAW?
7. ARE STATE ACTORS EXEMPT FROM GROSS NEGLIGENCE AND MALICIOUS INTENT DURING THE PANDEMIC?
8. DID STATE ACTORS DENY THE PETITIONER THE RIGHT NOT TO BE EXPOSED TO CRUEL AND UNUSUAL PUNISHMENT VIOLATING THE EIGHTH AMENDMENT THROUGH DELIBERATE INDIFFERENCE?
9. DID APPEAL COURT APPROPRIATELY CONSIDER EVIDENCE PRESENTED TO DOCKET NO. 3:20-CV-631 (SRU) JULY 6, 2020 - OCTOBER 8, 2020 BY WHICH [PARTIAL] SUMMARY JUDGMENT LEAD COURT TO DISMISS THE CLAIM?
10. DID THE SUPREME COURTS DENIAL OF [PARTIAL] SUMMARY JUDGMENT IMPOSE A HARDSHIP ON THE PLAINTIFF AFTER PLAINTIFF DISCLOSED EVIDENCE TO DOCKET 3:20-CV-631?
11. DID APPEAL COURTS DENIAL OF OCTOBER 13, 2021 DISCLOSED EVIDENCE OF WARDEN OF THE DISTRICT NICK RODRIGUEZ DENIAL TO UPHOLD DISCIPLINARY REPORT OF LT. LEE JULY 23, 2020 CURTAIL THE PLAINTIFFS ABILITY TO PREVAIL THE CLAIM?
12. JUDGE GARFINKLE IMPOSED INDIGENT INMATE PAY A FILING FEE FOR THE PLAINTIFFS CLAIM AFTER IN FORMA PAUPERI IMPOSED 3:20-CV-631 (SRU) AND 3:21-CV-1751 (SRU)

## 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:

NED LAMONT, ROLLIN COOK, VARDEN CARON  
C.C.T. NOTHE, LT. LEE, LT. SHEEHAN, % ROSE, % ZIEMINICKI, % STOVALL  
% IRWIN, % POPEC, % WANNAMAKER, % PIERCE, % L. WILLIAMS, % AUCLAIR  
% BEZZ % CERV J.H.O. CRIMALDI

## RELATED CASES

BELL V. WOLFISH, 441 U.S. 520, 558-59 (1979)

CANTON V. HARRIS, 489 U.S. 378, 388 NOTE:7, 109 S.Ct. 1197 (1989)

COVINO V. PATRISSI, 967 F.2d 73, 78 (2d Cir. 1992)

FARMER V. BRENNAN, 511 U.S. 835-36 (1994)

FORTS V. WARD, 621 F.2d 1210, 1217 (2d Cir. 1980)

HELLING V. MCKINNEY, 509 U.S. 25, 33 (1993)

AL-JUNDI V. ESTATE OF ROCKEFELLER, 885 F.2d 1060 (2d Cir. 1989)

BLACK V. COUGHLIN, 76 F.3d 72, 74 (2d Cir. 1996)

ISMAIL V. COHEN, 899 F.2d 183, 187 (2d Cir. 1990)

SMITH V. WADE, 461 U.S. 30, 51 (1983)

ANDERSON V. COUGHLIN, 757 F.2d 33, 35 (2d Cir. 1985)

WILSON V. SEITER, 501 U.S. 294, 297 (1991).

SECURITY AND LAW ENFORCEMENT EMPLOYEES V. CAREY, 737 F.2d 187, 208 (2d Cir. 1984).

WHALEN V. ROE, 429 U.S. 589, 599 (1977)

WYATT V. COLE, 504 U.S. 158, 161 (1992)

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### STATUTES AND RULES

EIGHTH AMENDMENT OF THE UNITED STATES CONSTITUTIONAL AMENDMENTS BILL OF RIGHTS.

CRUEL AND UNUSUAL PUNISHMENTS INFILCTED:

DELIBERATE INDIFFERENCE

USE OF FORCE

PER SE LIBERTY INTEREST FORFEITURE

SEXUAL HARRASSMENT

HUMILIATION

ABUSE OF POWER

FOURTEENTH AMENDMENT EQUAL PROTECTS OF THE LAW. U.S.CA. BILL OF RIGHTS

PARTIAL SUMMARY JUDGMENT

IN FORMA PAUPERI

ASSISTANCE OF COUNSEL

### OTHER

)

## JURISDICTION

For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was DECEMBER 7, 2021.

<sup>T.S.</sup> 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: DECEMBER 7, 2021, and a copy of the order denying rehearing appears at Appendix F.

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).

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

THIS COURT HAS JURISDICTION PURSUANT TO 28 U.S.C.S. 1331 BECAUSE THIS CASE ADDRESSES A FEDERAL QUESTION, 28 U.S.C.S. 1333 (A)(3) BECAUSE THE CASE ALLEGES CLAIMS BROUGHT UNDER THE CIVIL RIGHTS LAWS, AND 28 U.S.C.S. 1337 BECAUSE THE CASE ALSO ALLEGES CLAIMS BROUGHT UNDER STATE LAW

AS A GENERAL RULE, A CITIZEN CAN NOT SUE A STATE IN FEDERAL COURT U.S.C.A. ~~XI~~ HOWEVER, STATE OFFICIALS MAY BE SUED IN FEDERAL COURT TO ENJOIN ONGOING AND FUTURE VIOLATIONS OF FEDERAL STATUTORY AND CONSTITUTIONAL LAW.

*EX PARTE YOUNG*, 209 U.S. 123 (1908); *KENTUCKY V. GRAHAM*, 473 U.S. 159, 167 n. 14, 105 S.Ct. 3099, 3106 n. 14, 87 L.Ed.2d 114 (1985).

IN THIS CASE JURISDICTION OVER THE FEDERAL COURTS DISTRICT OF CT. AND THE APPELLATE COURT THE PLAINTIFF MET OPPRESSIVE COURT PROCEEDINGS AS A LAYMAN. IN INFILCTION OF PAIN OR ILLNESS THROUGH EXTREME CONDITIONS OF CONFINEMENT *RINEHART V. ALFORD*, 2003 WL 23473098, \*2 (N.D. TEX., MARCH 3, 2003) HOLDING THAT SEVERE HEADACHES ..., ATTRIBUTED ..., SUFFICIENTLY ALLEGED PHYSICAL INJURY 18 U.S.C. § 242 (IF BODILY INJURY RESULTS FROM THE ACTS COMMITTED IN VIOLATION OF THIS SECTION ... [THE DEFENDANT SHALL BE FINED UNDER THIS TITLE OR IMPRISONED NOT MORE THAN 10 YEARS OR BOTH. 18 U.S.C. § 831(f)(5); 18 U.S.C. § 1365(h)(4); 18 U.S.C. § 1515 (A)(5); 18 U.S.C. 1864 (D)(2). SOME CONFUSION AND APPARENT CONTRADICTIONS HAVE RESULTED FROM THE POSSIBLE OVERLAPPING OF CAUSES OF ACTION IN CASES WHERE PROCESS HAS EITHER WRONGFULLY ISSUED OR BEEN USED OPPRESSIVELY.

## STATEMENT OF THE CASE

ON JULY 1, 2020 IN THE DEPARTMENT OF CORRECTIONS AT CARL ROBINSON GL. THE INJURED PARTY WAS AN INMATE IN THE STATE OF CT. FINISHING A VIOLATION OF PROBATION JAIL TERM OF 4 1/2 YEARS. ON MARCH 5, 2020 THE PLAINTIFF WAS HOUSED AT THE CARL ROBINSON CORRECTIONAL IN ENFIELD, CT. BY WHICH THE CONFOUNDED COVID-19 HAD MANDATED BY GOVERNOR LAMONT'S EXECUTIVE ORDER 7BB THAT ALL STATE EMPLOYEES MUST ~~WEAR~~ T.S. WEAR A MASK MEMOED: APRIL 22, 2020. JUDGE GARFINKLES SETTLEMENT AGREEMENT AND GENERAL RELEASE IN THE MCPHERSON (et.al.) V. NED LAMONT (et.al.) 3:20-cv-0534 (JBA) JUNE 6, 2020 SANITATION PARAGRAPH 23. STATES: STAFF IN CORRECTIONAL FACILITIES WILL BE REQUIRED TO WEAR MASKS WHEN SOCIAL DISTANCING IS NOT POSSIBLE. THEY MAY BE EXEMPTED FROM THIS ONLY IF MEDICALLY NECESSARY.

ON JULY 1, 2020 THIS INJURED PARTY OBSERVED C.C.T. <sup>NOTHE</sup> TO BE DELIBERATELY NOT IN COMPLIANCE OF GOVERNOR NED LAMONT'S EXECUTIVE (7BB) ORDER AND NON-COMPLIANT TO THE SETTLEMENT AGREEMENT OF MCPHERSON (et.al.) V. LAMONT (et.al.). WHEN THIS PLAINTIFF ASKED C.C.T. NOTHE TO PUT HIS MASK ON WHILE HE HAD A FULL BLOWN CONVERSATION OVER EACH TRAY THIS DEFENDANT FALSIFIED A DISCIP. LINARU REPORT THAT THE PLAINTIFF USED PROFANITY IN ASKING HIM TO PUT ON HIS MASK. WITH MALICIOUS INTENT DID LT. LEE ENGAGE IN USE OF FORCE TO PLACE THE PLAINTIFF INTO RESTRICTIVE HOUSING. SEXUALLY HARASSING AND HUMILIATING THE PLAINTIFF LT. LEE WHO IS A FEMALE ENGAGED AT ATTENDANCE WHILE THE PLAINTIFF WAS STRIP SEARCHED DESPOTICALLY IN USE OF FORCE. THE DEFENDANTS IMPOSED TO USE THE DISCIPLINARY PROCESS HERE AT THE PRISON FOR QUIET ENJOYMENT AND ABUSE OF POWER. D.H.O GRIMALDI FOUND THE PLAINTIFF GUILTY JULY 16, 2020. NICK RODRIGUEZ THE DISTRICT WARDEN OVERTURNED THE DISCIPLINARY CONVICTION JULY 23, 2020. ON JULY 16, 2020 THE PLAINTIFF TOOK A LABORATORY BLOOD TEST AND WAS FOUND POSITIVE TO COVID-19 EXPOSURE BY WHICH C.C.T. NOTHE AND OTHER DEFENDANTS CONTRIBUTED TO THE PLAINTIFF'S EXPOSURE BY LACK OF DUE DILIGENCE TO WEAR MASK.

WRIT OF CERTIORARI

STATON

3:20-cv-631 (SRU)

v.

NO. 3:20-cv-1751 (SRU)

21-463

NED LAMONT (et. al.)

STATEMENT OF CASE

ON JULY 1, 2020 THE PLAINTIFF INJURED PARTY WAS EXPOSED TO CLEAR DELIBERATE INDIFFERENCE, SYSTEMATIC DEFICIENCIES, PER SE LIBERTY INTEREST FORFEITURE DESPOTICALLY, DEFAMATION OF CHARACTER, ABUSE OF AUTHORITY, REPRISAL AND PERSISTENT EXPOSURE TO PRISON OFFICIALS INSUBORDINATION TO WEAR A MASK.

THE DISTRICT COURT AND THE APPEALS COURT PRESUMPTIVELY DENIED SUMMARY JUDGEMENT IN FAVOR OF THE PLAINTIFF WHERE THE CONDITIONS OF PRISON HAVE CHANGED ALONG WITH COVID-19'S IMPACT THEREBY, EXPOSING THE PLAINTIFF TO GRAVE AND DEPLORABLE LIVING CONDITIONS. THE TYRANNY AND OPPRESSION RESEMBLING NEGLIGENCE FOUND IN 3RD WORLD COUNTRIES.

THE PLAINTIFF CONCEDES THAT THE COURTS DENIED HIM ASSISTANCE OF AN ATTORNEY BY WHICH IT IS CLEAR ACCORDING TO THE PROCEEDINGS AND FILINGS THAT THE PLAINTIFF LACKED THE RESOURCES AND THE ACCESS TO LAW LIBRARY TO PRESENT A FORMIDABLE CLAIM WHICH IS A TACTIC THE COURTS HAVE CONSPIRED WITH THE PRISONS TO CURTAIL INJUSTICES IMPOSED ON <sup>CT.</sup> INMATES. SERIAL VIOLATIONS OF CONSTITUTIONAL DIMENSIONS DERIVED DOES NOT AND SHOULD NOT GIVE PRISONS AND PRISON OFFICIALS FREE REIGN TO VIOLATE INMATES PER SE LIBERTY INTERESTS AND LIBERTY INTEREST DURING A LIFE THREATENING PANDEMIC. OCTOBER 19, 2021 PLACEMENT INTO RESTRICTIVE HOUSING DEFENDANTS DESTROYED HIS F.R.A.P. 2007 EDIT.

#### STATUS

ON AUGUST 19, 2021 THE PLAINTIFF'S CASE WAS ~~DENIED~~ DENIED APPEAL WITH THE 2D CIRCUIT COURT OF APPEALS CLAIMING UNDER NEITZKE V. WILLIAMS, 490 U.S. 319, 325 (1989) 28 U.S.C. § 1915 (e). "LACKS AN ARGUABLE BASIS EITHER IN LAW OR FACT." WHICH IS MALARKEY AND CLEARLY BIAS. THE COURT SUPPORTS THE LACK OF INMATE LEGAL ASSISTANCE PROGRAM WHICH FORWARDS THAT THEY DO NOT HELP IN LITIGATION PURPOSES BY WHICH INMATE LITIGANTS ARE LEFT AT A DISADVANTAGE TO WIN. IT THEREBY THE DECISION OF THE APPEALS COURT IS BIAS AND UNJUST.

## ISSUES PRESENTED FOR REVIEW

THE PLAINTIFF CITED FARMER V. BRENNAN, 511 U.S. AT 835-36 AND WILSON V. SEITER, 501 U.S. AT 297-304. GROSS NEGLIGENCE IS A 'NEBULOUS' TERM THAT GENERALLY MEANS SOMETHING SIMILAR TO THE CIVIL LAW RECKLESS STANDARDS.

THESE CASES WERE CITED IN THE PETITIONERS BRIEF AND LEST THE BRIEF EXCEED OVERWHELMINGLY THE PAGE CONSIDERED APPROPRIATE TO FILING A BRIEF FOR APPEAL THE PLAINTIFF DID WHAT HE COULD WITH THE RESOURCES HE HAD OR IRRATIONALITY IS ALLOWED ACCORDING TO THE CIRCUMSTANCES.

### SUMMARY OF ARGUMENT

#### DELIBERATE INDIFFERENCE

IS IN EIGHTH AMENDMENT CASES FELL BETWEEN MERE NEGLIGENCE AND ACTUAL MALICE (INTENT TO CAUSE HARM) IT AMOUNTS TO RECKLESSNESS.

INMATES AS THE TERM "FISH IN A BARREL", ARE NON-RESISTANT TO PRISON OFFICIALS EXPOSING THEM TO CONTAGIOUS DISEASES. ESPECIALLY BY INSUBORDINATION OF OFFICIALS NOT WEARING MASK.

#### SUBJECTIVE COMPONENT:

C.C.T. NOTHE ON JULY 1, 2020 WAS IN THE 5 BUILDING FOYER OF CARL ROBINSON CORRECTIONAL INSTITUTION AT 11:15 A.M. - 11:26 A.M. SERVING INMATES TRAYS WITH HIS FACIAL RESPIRATION APPARATUS OR MASK ~~OR~~ NOT COVERING HIS ORAL NOR NASAL CAVITY AFTER HE HAD BEEN ON LEAVE FROM MAY 1, 2020 - MAY 25, 2020 BY WHICH THE

PLAINTIFF HAD NOT BEEN GIVEN THE MOTION FOR DISCLOSURE OPPORTUNITY TO EXPOSE WHY C.C.T. NOTHE HAD BEEN OUT ON LEAVE. JUNE 1, 2020 - JUNE 9, 2020 C.C.T. NOTHE TOOK ANOTHER LEAVE OF ABSENCE WHICH HELD HIS ACTIONS MOTIVES AND DISPOSITION QUESTIONABLE WHICH THE ASSISTANCE OF AN ATTORNEY WOULD HAVE DISCLOSED APPROPRIATELY.

ON JULY 1, 2020 THE PLAINTIFF APPROACHED THE 5-BUILDING FOYER TO GRAB HIS TRAY. AT WHICH TIME HE OBSERVES 1% DULKA WEARING HIS MASK AND A LADY ASSISTANT WEARING HER MASK WHILE C.C.T. NOTHE WOULD BE HANDED INMATES TRAYS FROM 1% DULKA TAKING THE LIDS OFF OF THE TRAYS, AND HANDING THEM INDIVIDUALLY TO C.C.T. NOTHE WHO HAD A FULLY BLOWN CONVERSATION OVER EACH TRAY AS TO UNDERMIND THE INMATES AND IMPOSE UNDER GROSS NEGLIGENCE, INMATES EXPOSURE TO COVID-19 INFECTION.

CANTON v. HARRIS, 489 U.S. 378, 388 NOTE:7, 109 S.Ct. 1197(1989)  
IN TELLING C.C.T. ~~████████~~ NOTHE TO PUT ON HIS MASK THE PLAINTIFF WAS MET WITH HOSTILE OPPOSITION FROM C.C.T. NOTHE WHICH IS WHEN THE PLAINTIFF ASKED 1% AUCLAIR FOR A "LT." SUPERVISER TO GRIEVANCE THE CONDUCT OF C.C.T. NOTHE.

(S.C.T. HELD PRISON OFFICIAL CAN BE FOUND RECKLESS OR DELIBERATELY INDIFFERENT IF THE OFFICIAL

KNOWS OF AND DISREGARDS AN EXCESSIVE RISK TO INMATE HEALTH OR SAFETY. THIS IS THE SAME STANDARD OF RECKLESSNESS THAT IS USED IN CRIMINAL LAW AND IT IS SOMETIMES CALLED THE "SUBJECTIVE" APPROACH TO RECKLESSNESS.)

THE PLAINTIFF WAS APPROACHED BY LT. LEE WHILE HE WAS ENGAGED IN ~~EATING~~ CONSUMING HIS TURKEY SANDWICH MEAL AT 11:38 A.M. LT. LEE APPROACHED TAUNTINGLY IN MOCKING C.C.T. NOTHE AND ASKED "WHAT SEEMS TO BE THE PROBLEM"? I REPLIED, "YOUR COLLEAGUE WAS NOT WEARING HIS MASK SERVING TRAYS IN THE VERY SAME MANNER THAT YOUR APPROACHING ME NOW." I.E. WEARING THE MASK AS DECORATION AND NOT ITS INTENDED PURPOSE.

LT. LEE PLACED ME INTO CELL 12-B OF THE RESTRICTED HOUSING UNIT OF THE CARL ROBINSON CORR. INSTITUTION PRESENT IN OBSERVING MY STRIP SEARCH AS FEMALE PRISON OFFICIALS SHOULD NOT BE PRESENT DURING STRIP SEARCHES (VIOLATING DIRECTIVES 2.17 OF EMPLOYEE CONDUCT)

FORTS V. WARD, 621 F.2d 1210, 1217 (2d Cir. 1980)  
INMATES MAY HAVE A FOURTH AMENDMENT RIGHT NOT TO BE VIEWED NAKED BY MEMBERS OF THE OPPOSITE SEX WHO ARE EMPLOYED AS PRISON GUARDS.

SECURITY AND LAW ENFORCEMENT EMPLOYEES V. CAREY, 737 F.2d 187, 208 (2d Cir. 1984) VISUAL BODY CAVITY AND

STRIP SEARCHES MUST BE CONDUCTED WITH RESPECT FOR INDIVIDUALS' SENSITIVITY TO THIS "MAJOR INVASION OF PRIVACY."

COVINO V. PATRISSI, 967 F.2d 73, 78 (2d Cir. 1992)

BELL V. WOLFISH, 441 U.S. 520, 558-59 (1979)

THE FOURTH AMENDMENT GUARANTEES THAT VISUAL BODY CAVITY SEARCHES BE CARRIED OUT IN RELATIVE PRIVACY, WITH PROPER HYGIENE OBSERVED, WITH AS FEW INDIVIDUALS PRESENT AS POSSIBLE (AND GENERALLY NO MEMBERS OF THE OPPOSITE SEX ...) "THE SEARCHES MUST BE CONDUCTED IN A REASONABLE MANNER.

LT. LEE THEN RETURNED TO BUILDING 5-B AFTER 1:00 P.M. TAUNTING "CRACKHEADS THINK THEY CAN DO WHAT THEY WANT!" BY WHICH ISRAEL GONZALEZ, COREY UNDERHILL, GATSON V. GOUGHLIN, DARRELL FLOYD, TERRELL PETTAWAY, AND (679 F.Supp. 270, 273 W.D.N.Y., 1988) CAN CONFIRM BY ISSUE OF SUBPOENA OR DEPOSITION OF PRIVATE INVESTIGATOR SERVICES. JULY 1, 2020 5 BUILDING C.R.C.I.

WHALEN V. ROE, 429 U.S. 589, 599 (1977)

BARRY V. CITY OF NEW YORK, 712 F.2d 1554, 1559 (2d Cir. 1983).

VIOLATION OF CT. D.O.C. ADM. DIRECTIVE 4.4(4).

CONFIDENTIALITY OF INMATE FILES IS PROTECTED TO A LIMITED EXTENT. DIRECT ACCESS TO INMATE RECORDS IS

"AVAILABLE ONLY FOR CRIMINAL JUSTICE PURPOSES AND ONLY TO THE EXTENT NECESSARY FOR THE PERFORMANCE OF DUTY."

UPON BEING PLACED INTO R.H.U. 12-B CELL THERE WAS FOUND A USED COVID-19 MASK BENEATH THE BUNK WHICH ENTAILED THAT THE CELL HAD NOT BEEN CLEANED PRIOR TO THE PLAINTIFFS PLACEMENT INTO RESTRICTIVE HOUSING UNIT 12-B JULY 1, 2020 AT 12:58 P.M. AT THE CARL ROBINSON CORRECTIONAL INSTITUTION ON JULY 1, 2020.

LT. LEE FALSIFIED A DISCIPLINARY REPORT THAT THE PLAINTIFF HAD 'RESISTED' TO BE CUFFED, BY WHICH THE CAMERA OPERATIONS COULD CLEARLY OBSERVE THE PLAINTIFF FULLY COMPLY IN GIVING LT. LEE HIS WRIST TO BE CUFFED FOR R.H.U. PLACEMENT. LT. LEE'S DISCIPLINARY REPORT ENTAILED THAT THE PLAINTIFF ENGAGED WITH TAMPERING WITH SAFETY AND SECURITY WHICH WAS A RECKLESS DISREGARD FOR THE TRUTH BY MALICE AND MALICE INTENT. LT. LEE DEFAMED THE PLAINTIFFS CHARACTER A VIOLATION OF HIS FOURTEENTH AMENDMENT RIGHT SUBJECTING HIM TO CRUEL AND UNUSUAL PUNISHMENT TREATING HIM QUANTITIVELY DIFFERENT FROM INMATES SIMILARLY SITUATED.

SERIAL VIOLATIONS OF CONSTITUTIONAL AMENDMENTS GRADUALLY MAKE ASSISTANCE OF AN ATTORNEY APPROPRIATE, WHICH THE DISTRICT COURT AND THE APPEAL COURT FAILED TO UPHOLD. NOTHE'S DISCIPLINARY REPORT WAS FOR INSULTING LANGUAGE.

AS NOT ONLY ARE DAMAGES SOUGHT FOR THE HANDS ON VIOLATION OF CONSTITUTIONAL RIGHTS BUT THE ATMOSPHERE HAD DRAMATICALLY CHANGED AND THE PLAINTIFF CLEARLY UNDERSTANDS THE NEED TO CANCEL VISITS AND RECREATION

YET THE INSUBORDINATION OF NAMED DEFENDANTS INABILITY TO COMPLY WITH WEARING MASK IMPOSED A POST TRAUMATIC MENTAL HEALTH AND PSYCHIATRIC BURDEN ON THE INMATES WHOM OF WHICH CANNOT ARTICULATE THE BURDEN IMPOSED ON THEM BY THE DEPARTMENT OF CORRECTIONS BY CORRECTIONAL EMPLOYEES ABJECT ABILITY TO FULFILL, THE OBLIGATION TO ABIDE BY GOVERNOR NED LAMONTS EXECUTIVE ORDER 7.B.B.

THIS BURDEN IMPOSED ON THIS PLAINTIFF ALONG WITH HIS IRREPARABLE INJURIES OF C.C.T. NOTHE AND LT. LEE ARE STILL EFFECTING THE PLAINTIFF 17 MONTHS AFTER INCIDENT.

DECLARATORY RELIEF WAS ASKED FOR BY WHICH THE BURDEN OF BEING SUBJECT TO TYRANNY BY THE DEFENDANTS WHOSE CONDUCT HURT THE PETITIONERS FEELINGS BY BURDENING HIM WITH THE UNCERTAINTY OF DEATH EACH WAKING DAY HIM HAVING TO RECORD EACH OFFICER WHO WAS NOT WEARING A MASK IS EXHAUSTING AND TOLLING. THE PLAINTIFF SEEKS HIS 14,000,000.00 JUDGMENT NOW TOLLING AT \$17,000,000.00 AS THE ADMINISTRATION HAS DENIED HIS PAROLE ON AUGUST 30, 2021 IN RETALIATION AND REPRISAL WHICH THE PLAINTIFF SEEKS AN ADDITIONAL \$1,000,000.00 EACH MONTH HE IS BURDENED WITH THE UNCERTAINTY OF DEATH WHERE SOCIAL DISTANCING IS OBSOLETE AND HE IS RECORDING EVERY CORRECTIONAL OFFICERS LACK OF WEARING A MASK SINCE APRIL 2, 2020 TO AUGUST 30, 2021 PUTTING HIS LIFE AT RISK REGARDLESS OF VACCINATION WHICH HAS A RECORD OF HAVING CAUSED THE DEMISE OF 40,000 FIRST RESPONDERS THAT HAD BEEN VACCINATED.

PRISON OFFICIALS SUBJECTTED THE PRISONER TO SUFFERING FROM "UNQUESTIONED AND SERIOUS DEPRIVATION OF BASIC HUMAN NEEDS", THAT HAS LEAD TO ACTUAL HARM AND IS LIKELY TO LEAD TO FUTURE HARM. VIOLATION OF § CONN. GEN. STAT. 18-7. ANDERSON V. COUGHLIN, 757 F.2d 33, 35 (2d Cir. 1985)

PRISON OFFICIALS SUBJECTTED THE PRISONER TO THIS DEPRIVATION WITH "DELIBERATE INDIFFERENCE".

THE EIGHTH AMENDMENT TO THE UNITED STATES CONSTITUTION PROHIBITS THE INFILCTION OF "CRUEL AND UNUSUAL PUNISHMENTS" ON PRISONERS. WILSON V. SEITER, 501 U.S. 294, 297 (1991).

#### REASONABLE SAFETY

THE PRISON WENT ON LOCKDOWN MARCH 12, 2020. (THE ADMINISTRATION WAS HEREBY INFORMED AND FULLY AWARE OF THE THREAT OF COVID-19 IMPACT TO BE IMPOSED ON THE INMATE POPULATION AND THEIR MISSION STATEMENT(S) OF CT. D.O.C. AND CARL ROBINSON C.I. WERE TO IMPOSE SENIORITY OVER THEIR VERY OWN WILL. "ENSURE A SAFE LIVING ENVIRONMENT FOR INMATES." DIRECTIVES 2.17 OF EMPLOYEE CONDUCT 1. ~~■■■■■~~ POLICY: "EACH EMPLOYEE OF THE DEPARTMENT OF CORRECTION SHALL ENGAGE IN APPROPRIATE AND ETHICAL CONDUCT WHILE CARRYING OUT OFFICIAL DUTIES AND WHILE ENGAGED IN OFF DUTY ACTIVITIES WHICH DIRECTLY REFLECT ON THE DEPARTMENT." DIRECTIVE 2.17 S.A. 4. STANDARDS OF CONDUCT. ENSURE THAT A SAFE, SECURE AND SANITARY WORK ENVIRONMENT IS MAINTAINED.

**DISPUTED FACTS:**  
**JUDGMENT BASED ON ITS RESOLUTION**

ON APRIL 22, 2020 NED LAMONT IMPOSED EXECUTIVE ORDER 7BB. MEMOED THROUGHOUT CONNECTICUT D.O.C. THAT "STATE EMPLOYEES MUST WEAR A MASK." WEARING OF MASK WERE AND IS A REASONABLE REQUIREMENT OF SAFETY NOT ONLY FOR STAFF BUT FOR INMATES ALSO.

MOST OFFICERS PLACED AS DEFENDANTS i.e. PRISON OFFICIALS SUBJECTED THE PLAINTIFF TO A DEPRIVATION OF SAFETY, A SAFE ENVIRONMENT, AND NORMAL CONDITIONS OF PRISON LIFE HAVING CHANGED DRAMATICALLY FOR INMATES. THE BURDEN THAT PRISON OFFICIALS HAD TO ENDURE IS NOTHING COMPARED TO DESPAIR, OF UNCERTAINTY AS TO THE ACT OF PRISON OFFICIALS NOT WEARING MASK LEAVING THE IMPACT OF COVID-19 TO RANDOMLY IMPOSE ITS GRAVE QUALITIES ON INMATES. THE SAME TOKEN OF POST-TRAUMATIC STRESS SYNDROME CAN BE PLACED ON A SOLDIER OF THE U.S. GOVERNMENT WHERE AT LEAST THEY HAD THE RESOURCES TO RESIST BEING IMPACTED BY THEIR THREAT OF HIS DEMISE WHERE ALL INMATES HAD WAS A MEMO FROM THE GOVERNOR.

NOW THE QUESTION WAS WHO WAS GOING TO REPRIMAND AND ENFORCE THE MEMO? OF EXECUTIVE ORDER 7BB. 67 DAYS AFTER THE MEMO THIS INJURED PARTY HAD TO DO THE HONORS OF BEING THE SACRIFICIAL LAMB FOR HIS BEING DEPRIVED OF BASIC HUMAN NEEDS. OVERALL CONDITIONS OF COVID-19 IMPACT NEEDED ADEQUATE DUE DILIGENCE OF PROVIDING A

SAFE AND HUMANE LIVING ENVIRONMENT

**OBJECTIVE COMPONENT:**

THE PLAINTIFF WAS PLACED INTO RESTRICTIVE HOUSING HE WAS FOUND GUILTY ON HIS DISCIPLINARY REPORT OF LT. LEE TAMPERING WITH SAFETY AND SECURITY DISCIPLINARY REPORT JULY 16, 2020.

UPON RELEASE OF THE WRONGFUL IMPRISONMENT THE PLAINTIFF TOOK A BLOOD TEST FOR COVID-19 ANTIBODIES BY WHICH HE WAS FOUND TO BE POSITIVE AS AN ASYMPTOMATIC CARRIER OF COVID-19 JULY 23, 2020 RESULTS OF QUEST DIAGNOSTICS IN MASSACHUSETTES.

C.C.T. NOTHE'S DISCIPLINARY REPORT WAS NOT EVEN CONSIDERED FOR A DISCIPLINARY HEARING IT IS NOT CLEAR AS TO THE STATUS OF C.C.T. NOTHE'S DISCIPLINARY REPORT AS WAS THE REASON THE PETITIONER WAS PLACED INTO R.H.U. THE PLAINTIFF PETITIONER WAS NEVER INFORMED OF THE DISCIPLINARY INVESTIGATION OF THE DISCIPLINARY REPORT OF C.C.T. NOTHE BY WHICH HE COULD DEFINE A LEGAL DEFINITION FOR THE DISCLOSURE AND SUDEN DISAPPEARANCE OF THE INFRACTION WHICH INITIATED THE LEGALITY OF THIS SUIT. THE DISCIPLINARY REPORT WAS WRITTEN FOR 'INSULTING LANGUAGE' WHICH WAS NEVER ASCERTAINED FOR A DISCIPLINARY HEARING BY WHICH ABUSE OF AUTHORITY AND DEFAMATION OF CHARACTER ENSUED. LIBEL AND ABUSE OF POWER.

OBJECTIVELY NED LAMONT'S EXECUTIVE ORDER TBR, DIRECTIVES 2.17 OF EMPLOYEE CONDUCT THE

PUBLIC, NEWS, RADIO STATIONS AND NOTHE'S UNINVESTIGATED LEAVE OF ABSENCE MAY 1, 2020 THROUGH MAY 25, 2020 AND JULY 1, 2020 THROUGH JULY 9, 2020 WAS NEVER INVESTIGATED FOR THE CLARITY OF NOTHE HAVING TO HAVE BEEN A COVID-19 CARRIER AS A-SYMPOMATIC. MOTION FOR DISCLOSURE OF HIS MEDICAL RECORDS AND REASON FOR SUCH A LENGTHY LEAVE IS ASKED TO BE INVESTIGATED BY THE COURT ~~BY~~ THE PLAINTIFF. DISCLOSURE SPECULATORY & THE PLAINTIFF SEEKS TO ASCERTAIN IF C.C.T. NOTHE HAD ACTUALLY AND INTENTIONALLY BEEN SEEKING TO GET INMATES SICK AS HE OBVIOUSLY TOOK LEAVE OF ABSENCE IN MAY 1, 2020 - MAY 25, 2020 AND JULY 1, 2020 - JULY 9, 2020 WHERE HE POSSIBLY ALSO WAS SICK. THE DISTRICT COURT NEVER GAVE THE PROPER CONSIDERATION FOR DISCOVERY AND DISCLOSURE AS PARTIAL SUMMARY JUDGMENT AFFECTED THE WHOLE CASE 3:20-cv-631 (SRU). DISCLOSURE CHANGES THE ACTS OF NOTHE FROM NEGLIGENCE OR DILIBERATE INDIFFERENCE TO INTENTIONALLY ACTING AS A PRISON OFFICIAL WHO WAS PREVIOUSLY SICK HAD ACTED "MALICIOUSLY AND SADISTICALLY FOR THE VERY PURPOSE OF CAUSING HARM. THROUGH BAD MOTIVE AND MALICIOUS INTENT."

NOTHE WAS AWARE OF HIS ACT AS HE DID HAVE A MASK, WAS WEARING A MASK AS DECORATION AND NOT FOR ITS DESIGNATED PURPOSE BY WHICH EXPOSES NOTHE TO HAVE KNOWN THAT INMATES FACED A SUBSTANTIAL RISK OF SERIOUS HARM AND DISREGARDED THAT RISK BY FAILING TO TAKE REASONABLE MEASURES TO ABATE IT. LT. LEE ALSO.

FARMER V. BRENNAN, 511 U.S. 825, 847 (1994).

PURPOSES TO EXCLUDE ANY STATE EMPLOYEES FROM WEARING MASK WERE RESPIRATORY AILMENTS THAT WERE PRE-EXISTING AND ACCORDING TO THE CIRCUMSTANCES SUCH EMPLOYEES WERE NOT APPROPRIATE TO DWELL AMONG INMATES HAVING CONVERSATIONS OVER THEIR FOOD TRAYS WHICH ANY PERSON INVOLVED IN FOOD PREPARATION AND SERVING SHALL MAINTAIN A HIGH LEVEL OF PERSONAL CLEANLINESS, WEAR PROTECTIVE GEAR OVER HEAD AND HANDS, BE TRAINED IN APPROPRIATE SANITARY REGULATIONS PRIOR TO ASSIGNMENT, AND WASH THEIR HANDS AT THE START OF EACH SHIFT, THROUGHOUT THE SHIFT AS NEEDED.

PROPER PRECAUTIONS WERE NECESSARY WITHOUT WAITING FOR AN ATTACK OF DYSENTERY (OF COVID-19'S IMPACT)  
HELLING V. MCKINNEY, 509 U.S. 25, 33 (1993)

CIVILIZED STANDARDS OF HUMANE DECENCY WAS INADEQUATELY FORWARDED BY THE DEFENDANTS. INMATES HAVE A RIGHT NOT TO BE HOUSED IN CONDITIONS THAT ARE UNSAFE. THE EIGHTH AMENDMENT PROTECTS INMATES FROM "THREATS TO PERSONAL SAFETY WHICH INCLUDES; MINGLING OF INMATES WITH SERIOUS CONTAGIOUS DISEASES WITH OTHER PRISON INMATES, IF THOSE CONDITIONS ARE THE RESULT OF DELIBERATE INDIFFERENCE ON THE PART OF PRISON OFFICIALS.

RELIEF

SINCE COVID-19 IMPACT THE PLAINTIFF HAS ENDURED AN EXCESS OF 45+ HEADACHES, BRAIN FOG, LETHARGY, DEPRESSION BY WHICH IT HURTS HIS FEELINGS TO FATHOM NEVER TO SEE HIS DAUGHTER AGAIN. COMPENSATORY DAMAGES ARE SOUGHT TO MAKE THE PETITIONER WHOLE AS HE ENTERED CARL ROBINSON C.I. MARCH 5, 2020 TO BE IMPACTED BY PRISON~~ER~~ OFFICIALS INADEQUATE AND ABJECT ABILITY TO PROVIDE A SAFE HUMANE LIVING ENVIRONMENT.

PUNITIVE DAMAGES ARE SOUGHT FOR THE FORFEITURE OF HIS PER SE LIBERTY INTEREST AS NICK RODRIGUEZ OVERTURNED LT. LEE'S TAMPERING WITH SAFETY AND SECURITY DISCIPLINARY REPORT BY WHICH C.C.T. NOTHE'S UNCHALLENGED DISCIPLINARY REPORT OF INSULTING LANGUAGE HAD NOT BEEN PROPERLY EXECUTED BY DUE PROCESS. NOTHE'S CALLOUS DISREGARD SHOWED A RECKLESS MINDSET EXHIBITING WILLFULL AND WANTON INFILCTION OF PAIN AND SUFFERING. A BONAFIDE EIGHTH AMENDMENT VIOLATION OF CRUEL AND UNUSUAL PUNISHMENT INFILCTED BY PROHIBITED ACTS OF EMPLOYEE CONDUCT DIRECTIVES 2.17 5.B. IN THE CONNECTICUT DEPARTMENT OF CORRECTIONS IT WAS OBJECTIVELY CRUEL NOT TO WEAR A MASK, SERVE TRAYS, BE ACKNOWLEDGED OF WRONGDOING, TAKE AN OFFENSE AND RETALIATE USING OFFICIAL POSITION TO GAIN A PERSONAL ADVANTAGE HAVING LT. LEE CONSPIRE AND

ENGAGE IN A CONFLICT OF INTEREST BY WHICH HER  
HAVING THE PLAINTIFF STRIP SEARCHED AS SHE COLED ON  
ENGAGED IN BEHAVIOR WHICH IS SEXUALLY, EMOTIONALLY  
AND PHYSICALLY ABUSIVE. ALSO ATYPICAL AND SIGNIFICANT  
HARDSHIP. USING HER OFFICIAL POSITION, UNIFORM, IDENT-  
IFICATION AND STATUS IN AN IMPROPER AND UNAUTHORIZED  
MANNER, LYING AND GIVING FALSE TESTIMONY DURING  
A DEPARTMENT INVESTIGATION. BOTH NOTHE AND LEE  
FALSIFIED DOCUMENTS IN RELATION TO ORDINARY INCIDENTS OF  
PRISON LIFE. LEE RELEASED CONFIDENTIAL INFORMATION OF THE  
PLAINTIFFS SUBSTANCE ABUSE VIOLATING H.I.P.A.A. WITH  
MALICE. NOTHE AS COUNSELOR OF THE PLAINTIFF<sup>V</sup> IN JULY 6,  
2021 - AUGUST 30, 2021 ~~8~~ MALICIOUSLY PRESENTED  
TO THE BOARD OF PAROLE FALSIFICATION OF RECORDS  
ENGAGING IN CONDUCT THAT CONSTITUTES, OR GIVES  
RISE TO, THE APPEARANCE OF A CONFLICT OF INTEREST  
BY WHICH THE PLAINTIFF HAS FILED 3:21-CV-1302(VLB)  
WHICH THE DEFENDANT WILL ALSO BE MADE A DEFEND-  
ANT TO THIS ACTION OF SUIT AFTER DISCLOSURE  
AND DISCOVERY PHASE OF PRELIMINARY ACTION, FOR  
RETALIATION AND REPRISAL. THIS ACT CAUSED THE PLAINTIFF  
TO BE DENIED PAROLE ON AUGUST 30, 2021 WHILE THIS  
DEFENDANT WAS ENGAGED IN THIS SUIT. [AUGUST 19, 2021]  
DENIAL OF THIS SUIT BY THE APPEALS COURT GAVE  
THIS ADMINISTRATION THE GAUL TO INFILCT A NEW  
COMPONENTS OF SERIAL VIOLATIONS OF CONSTITUTIONAL

DIMENSIONS. SORT OF LIKE THIS APPELLATE COURT CONSPIRED ITSELF TO BECOME A PARTY OF THIS SUIT BY CLAIMING NO FACT NOR LAW FOR ARGUABLE BASIS EXIST. AUGUST 9, 2021 PAROLE DATE WAS MOVED TO AUGUST 30, 2021. NOTHING THAT I'M PRESENTING HERE WAS NOT PRESENTED IN THE BRIEF FILED IN MAY. THEREFORE, THE PLAINTIFF STRIKES THIS COURTS DISMISSAL AND SEEKS TO HAVE THIS CASE RE-OPENED OR PRESENTED BEFORE THE UNITED STATES SUPREME COURT. BIAS TO LET THE COMMISSIONER AND GOVERNOR NED LAMONT RE-SCHEDULE THIS PLAINTIFFS AUGUST 9, 2021 PAROLE HEARING WHILE WAITING FOR THE THE BRIEFS STATUS AUGUST 19, 2021. THEN THE DEFENDANTS RE-SCHEDULE THE PLAINTIFFS AUGUST 9, 2021 PAROLE HEARING TO AUGUST 30, 2021. THE AUGUST 19, 2021 DISMISSAL OF THE CASE <sup>V</sup> VOIDED THE INJUNCTION BY WHICH THE DEFENDANTS COULD VIOLATE THE PROTECTIVE ORDER OF THE INJUNCTION IMPOSED BY THE PLAINTIFF AT THE INITIATION OF THIS SUIT. I'M NOT THE BRIGHTEST BULB IN THE BUILDING BUT I'M NOT THE DULLEST BULB EITHER, CONSPIRACY AND BIAS DOES FIT AS THIS COURTS RULING IMPOSED CONSPIRACY THEORY ETHICS.

THIS COURT ALONG WITH THE DEFENDANTS KNEW THAT THIS PLAINTIFFS PAROLE DATE WAS UPON HIM.

CURTAILING HIS ABILITY TO NOT BE OPPRESSED BY  
A COVID-19 ENVIRONMENT SUBJECTS THIS COURT TO  
TYRANNY AND OPPRESSION WHICH I SEEK TO BRIEVE  
WITH THE DEPARTMENT OF JUSTICE IMMEDIATELY.

THE PLAINTIFF PRESENTED CLEAR EIGHTH  
AMENDMENT VIOLATIONS <sup>3:20-cv-631 (SRU)</sup> PRESENTING <sup>1.</sup> LT. LEES.

DISCIPLINARY REPORT <sup>2.</sup> NOTHE'S DISCIPLINARY REPORT

<sup>3.</sup> THE CT. D.O.C. MISSION STATEMENT AND <sup>4.</sup> CARL  
ROBINSON C.I. MISSION STATEMENT. <sup>5.</sup> VIRENT VIDEO

FOOTAGE OF THE DISCIPLINARY REPORT PERSUASION

AND <sup>6.</sup> INSUBORDINATE TO WEAR MASK CORRECTIONS

OFFICERS IMPOSING THREAT TOWARDS MY SAFETY, <sup>7.</sup> VIRENT  
VIDEO DATES AND TIMES. ROSE, ZIEMINICKI, IRWIN

WANNAMAKER, STOVALL, PIERCE, <sup>8.</sup> L. WILLIAMS, (ET AL.)

LT. SHEEHAN, <sup>9.</sup> STRIP SEARCH OFFICERS WHO WERE WITNESS

TO LT. LEES' PRESENCE ASSISTING HER SEXUAL

HARRASSMENT. <sup>10.</sup> THE OCTOBER 6, 2021 PRESENTATION  
TO THIS COURT OF APPEALS

OF NICK RODRIGUEZ OVERTURNING LT. LEES' TICKET

DISCIPLINARY INFRACTION. <sup>11.</sup> COVID-19 POSITIVITY OF BLOOD

TEST ANALYSIS BY QUEST DIAGNOSTICS JULY 16, 2020

AFTER C.C.T. NOTHE TO HAD TALKED OVER MY

JULY 1, 2020 TURKEY SANDWICH MEAL WITHOUT HIS

MASK BEING ADEQUATELY PLACED OVER HIS ORAL AND

NASAL CAVITIES. <sup>12.</sup> COVID-19 GOVERNOR NED LAMONT'S

EXECUTIVE ORDER 7BB. <sup>13.</sup> TRE MCPHERSON (ET AL.)

N. NED LAMONT ~~JUNE 6, 2020~~ SUMMARY

JUDGMENT AND SETTLEMENT AGREEMENT BY JUDGE GARFINKLE WHO ALSO RULED (THE STATE EMPLOYEES MUST WEAR A MASK). ON JULY 1, 2020 GIVING C.C.T. NOTHE ENOUGH AMPLE TIME TO BE NOTIFIED AND TO ACKNOWLEDGE THE SEVERITY OF THE PANDEMICS IMPACT, SHOWING THAT NOTHE WAS LAWLESS TO HIS EMPLOYER AND TO A JUDGES RULING INSUBORDINATE AND GROSSLY NEGIGENT AS HE KNEW THE PUBLIC WAS SHUT DOWN. KNEW THE PRISON HE WORKS FOR HAS BEEN LOCKDOWN SINCE MARCH 12, 2020 KNEW ABOUT ROLL CALL CONCERNS AND CHANGES IN POLICY (MARCH 12, 2020 - MAY 1, 2020, MAY 25, 2020 - JUNE 1, 2020, JUNE 9, 2020 - JULY 1, 2020).

#### PUNITIVE DAMAGES

WILLFUL INSUBORDINATION, BECKLESS DISREGARD BECOMES CALLOUS DISREGARD IF HE HAD CONTRACTED THE VIRUS WHICH CAUSED HIM TO BE OUT ON LEAVE MAY 1, 2020 - MAY 25, 2020 THIS DEFENDANT WAS GROSSLY NEGIGENT AND HIS ACTIONS SHOULD NOT HAVE ENJOINED THE FRATERNAL ORDER OF CORRECTIONS OFFICERS TO ASSIST HIM IN HIS WRONGDOINGS BY WHICH NED LAMONT, ROLLIN COOK, (ANGEL QUIROS) AND WARDEN CARON ALL ARE MADE PARTIES (QUIROS EXCLUDED), FOR INDIRECT PARTICIPATION.

WYATT V. COLE, 504 U.S. 158, 161 (1992)

GREASON V. KEMP, 891 F.2d 829, 836 (11th Cir. 1990)

AL-JUNDI V. ESTATE OF ROCKEFELLER, 885 F.2d  
1060 (2d Cir. 1989)

BLACK V. COUGHLIN, 76 F.3d 72, 74 (2d Cir. 1996)

SMITH V. WADE, 461 U.S. 30, 51 (1983)

IF THIS COURT CAN RE-COLLECT HOW IN MAY  
2020 - JULY 2020 BUSINESSES WERE CLOSED  
MASKS WERE MANDATED AND THE THREAT OF COVID-19  
WAS OVERWHELMINGLY A PUBLIC HEALTH CONCERN  
THEN IT IS OBVIOUS THAT C.C.T. NOTHE WHO  
WORKS 7-3 MONDAY - FRIDAY AT A CORRECTION-  
AL INSTITUTION KNEW THAT HE WAS OPPOSING THE  
ETHICS OF SOCIETY. KNEW THAT HIS ACTS WERE  
DEMEANING, DEADLY AND VILE. YET, DID NOT  
TRY TO ABATE HIS RECKLESSNESS BY HIS OWN  
VOLITION AS HE WAS REMINDED BY %0 DUCKA<sup>V</sup> HAND-  
ING HIM TRAYS, HE NOTHE BY HIS OWN VOLITION  
CHOSE TO BE GROSSLY NEGLECTFUL BY HIS INSUBORD-  
INATE BEHAVIOR NOT TO WEAR HIS MASK DEPENDING  
ON THE SECURITY OF HIS UNION TO OPPOSE CHANGE  
OF THE POLICY MANDATED FOR THE SAFETY OF INMATES  
HIS UNION SHALL ALSO BE LIABLE FOR THE CONFIDENT  
STANCE OF HIS CLEAR INSUBORDINATION AND GUILE.

COMPENSATORY DAMAGES

ISMAIL V. COHEN, 899 F.2d 183, 187 (2d Cir. 1990)



TERRELL STATION #218482

285 SHAKER RD.

ENFIELD, CT. 06082

## REASONS FOR GRANTING THE PETITION

THE PLAINTIFF FORWARDED TO INTRODUCE A CLAIM INTO A PRE-EXISTING CLAIM ON JULY 6, 2020 TO DOCKET NO. 3:20-cv-631 (SRU). THE PLAINTIFF HAD APPROPRIATELY FILED THE I.F.P. (IN FORMA PAUPERI) AS HE IS INDIGENT AND HIS CLAIM OF HIS CONVICTION INITIATED HIS 42 U.S.C. 1983 PETITION BY WHICH THE DELIBERATE INDIFFERENCE OF STATE EMPLOYEES NON-COMPLIANCE TO WEAR A MASK EXPOSED THE PLAINTIFF TO LIVING CONDITIONS THAT ARE DETRIMENTAL TO HIS SAFETY, HEALTH AND LIFE. EXPOSING HIM TO GRAVE AND DEPLORABLE LIVING CONDITIONS WHEREBY STAFF SHOWED CLEAR INSUBORDINATION TO COMPLY WITH THEIR MISSION STATEMENTS OF THE CT. D.O.C. AND THE CARL ROBINSONS MISSION STATEMENT UNDER THE COLOR OF THE LAW

JUDGE GARFINKLE WRONGFULLY IMPOSED THAT THE PLAINTIFF PAY THE \$450.00 PETITION FEE AS THE PLAINTIFF IS INDIGENT AND DEPENDS ON GIFTS AND DONATIONS TO SUSTAIN HIS HYGIENE PURPOSES HERE AT THE CARL ROBINSON CORRECTIONAL INSTITUTION. OCTOBER 19, 2020; JANUARY 19, 2021 (APPENDIX E) P.L.R.A.

THE PLAINTIFF APPEALED JUDGE GARFINKLES DEMAND AS IT IS UNFAIR TO IMPOSE PAYMENT OF THE PETITION WHEN IT WAS CLEAR THAT THE PETITIONER IS INDIGENT. I.F.P. MAY 1, 2021 AND JUNE 2020 (I.F.P.) DECEMBER 3, 2020.

THE APPEAL COURT WRONGLY DENIED THE PLAINTIFF ASSISTANCE OF COUNSEL AS IT IS CLEAR THAT HE IS INDIGENT SERVING HIS TERM OF FOUR (HALF) YEARS.

THE PLAINTIFF'S ABILITY TO INVESTIGATE THE FACTS, CONFlicting EVIDENCE IMPLICATING THE NEED FOR CROSS-EXAMINATION WILL BE IMPORTANT TO THE CASE. FACTS ARE EXPECTED TO BE STRONGLY DISPUTED. THE COMPLEXITY AND DIFFICULTY OF THE CASE BY WHICH THE COURT WAS ABLE TO CONJURE WITHOUT FACTS ARE JUST THE COMPOUND FRACTURES THE PLAINTIFF NEEDS ASSISTANCE OF AN ATTORNEY IN. TESTIMONY OF MULTIPLE WITNESSES, WITHOUT RETALIATION NOR REPRISAL TO BE IMPOSED ON THEM FOR THEIR PARTICIPATION. THE FACT THAT THE CASE MAY BE TRIED BEFORE A JURY ALSO SUPPORTS THE APPOINTMENT OF COUNSEL. EIGHTH AMENDMENT "TOTALITY OF THE CONDITIONS" STANDARD. "STATE OF MIND" ISSUES FOR DELIBERATE INDIFFERENCE, EVALUATING CONSISTENT DEPRAVED LIVING CONDITIONS; THE PLAINTIFFS STRIP SEARCH FOR FORFEITURE OF HIS PER SE LIBERTY INTEREST FOR VOICING THAT HIS CIVIL RIGHTS WERE BEING VIOLATED. DECLARATORY DAMAGES BY WHICH THE CONSTITUTIONALITY OF A FEDERAL STATUTE IS TO BE IMPOSED. EXTENT OF THE PLAINTIFFS RIGHTS AS A DISABLED PRISONER AND THE PLAINTIFFS APRIL 27, 2020 CLASS ACTION TORT CLAIM THAT WAS NEVER RETURNED TO HIM NOR WAS IT EVER ASCERTAINED THAT THE CLAIM REACHED ATTORNEY SALLY ROBERTS 40 RUSS ST. ON HARTFORD, CT. 06150. THE PLAINTIFF WROTE TO KISKOFF & KISKOFF 350 FAIRFIELD AVE. BRIDGEPORT, CT. 06604 TO BE REJECTED FOR LEGAL REPRESENTATION IN THESE MATTERS BY ATTORNEY PONVERT. COOPER V. A. SARGENTI CO., INC., 877 F.2d 170, 173-74 (2d Cir. 1989) THE MOST IMPORTANT DISABILITY OF THE POOR CLAIMANT MAY NOT BE SO MUCH HIS LACK OF FUNDS BUT HIS LACK OF PRACTICAL ACCESS TO ATTORNEYS. "IF THE PLAINTIFF IS A PRISON INMATE ..., HE MAY HAVE NO EFFECTIVE MEANS OF BRINGING HIS CLAIM TO THE ATTENTION OF THE LAWYER MARKETPLACE TO HAVE ITS MERIT APPRAISED."

MONTGOMERY V. PINTCHAK, 294 F.3d 492, 502<sup>v</sup> (3d Cir. 2007.)

PLAINTIFF NEVER GOT ACCESS TO RELEVANT REGULATIONS THROUGH  
DISCOVERY, DIRECTING APPOINTMENT TO COUNSEL BECAUSE  
IMPRISONED PLAINTIFF COULD NOT TAKE NECESSARY DEPOSITIONS  
AND ENCOUNTERED MULTIPLE ~~IN~~ OBSTACLES DURING [IN  
DISCOVERY] IN THE INTRACIES OF THE DISCOVERY RULES.

OCTOBER 3, 2021 PLAINTIFF RECEIVED ANNOTATED F.R.A.P. 2007 ED.

THEN ON OCTOBER 19, 2021 IT WAS TURN PROPERTY WAS  
VANDALIZED BY PRISON OFFICIALS BY WHICH HE WAS

FOUND ON OCTOBER 29, 2021 TO HAVE HIS EYEGLASSES  
CONFISCATED, HIS F.R.A.P. 2007 EDITION WITH HIS PRAYER RUG

SHAMPOOED BY ANOTHER INMATES CROSS-CONTAMINATED  
COVID-19 SHAMPOO BOTTLE. TABRON V. GRACE, 6 F.3d 16156

(3d Cir. 1993) EXCEPTIONAL CIRCUMSTANCES BARANOWSKI V. HART, 486  
F.3d 112, 126 (5th Cir. 2007) PLAINTIFF LACKS EDUCATION AND  
IS NOT AN EXPERIENCED "JAILHOUSE LAWYER" AND THE COMPLEXITY ~~OF~~  
AND DIFFICULTY OF THE CASE, MEDICAL ISSUES ARE COMPLEX AND  
EXPERT WITNESSES ARE NEEDED.

THE PLAINTIFF WAS DENIED ASSISTANCE OF COUNSEL WRONGFULLY AND BIAS'D  
OUTSIDE OF THE SCOPE OF THE LAW AS IT PERTAINS TO INDIGENT INMATES  
THE CERTIORARI IS REQUESTED BY THE U.S. SUPREME COURT TO HOLD THE  
CT. DISTRICT SUPREME COURT THE 3d APPEALS COURT ACCOUNTABLE FOR THEIR  
BLIND ATTEMPT TO FORFEIT THE PLAINTIFFS EQUAL PROTECTIONS OF THE  
LAW WHERE WAS OBVIOUS HE DOES NOT HAVE THE KNOWLEDGE NOR THE RESOURCES  
TO MOVE FORWARD AND PRESENT A FORMIDABLE CLAIM.

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: 3/7/22