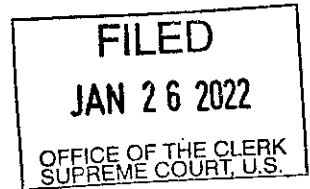


No. 21-7571 ORIGINAL



IN THE
SUPREME COURT OF THE UNITED STATES

Anton Liverpool — PETITIONER
(Your Name)

vs.

The city of New York et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Appellate court of New York 2nd circuit New York
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Anton Liverpool
(Your Name)

Intake center po. Box 8249
(Address)

Cranston RI 02920
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

- (1) In (my) plaintiff district and appellate court briefs did I ~~or~~ did I not raise/present an argument of genuine dispute (disagreement) to officer Cleveland Claims that I committed an act of concealed hand movement on or about Oct 15th 2014?
- (2) Is not the issue at hand the criminal charge(s) of public lewdness and indecent exposure and, therefore, admittedly the defendant to have no knowledge of me having committed ~~or~~ done the prong on which the issue of justifiable arrest to have been hung (ie the case decided).
- (3) Does not the fact that the district attorney involved/overseeing the criminal matter my claim was derived from viewed surveillance footage of my actions on Oct 15th 2014 and decided that they were not criminal of genuine dispute to defenses claims as presented in my briefs to the district and appellate courts?
- (4) Was their probable cause to believe the criminal proceedings could succeed and, hence, should be commenced.
- (5) If I really thought he saw plaintiff commit a crime on Oct 15th 2014 outside IS-77 or if plaintiff committed an act of concealed hand movement why didn't officer Cleveland approach question or arrest the plaintiff right there and then. Why did he have to spread numerous different false claims and wait till plaintiff (Liverpool) had traversed several blocks and gather a group of officers to search for and arrest plaintiff when he Cleveland (defendant) admittedly stated while deposed that (I) plaintiff (Liverpool) proceeded past him (Cleveland) at a normal walking pace past IS 77 towards Myrtle Ave.
- (6) Does not other allegations made by the other defendants (via information ^(exposure) given to them by defendant Cleveland) need to have the element of concealed hand movement and by plaintiff's denial of their ever having to accused also state that he ~~did~~ not engage in the alleged ~~concealed~~ hand movement.

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: The city of New York, Reggie Cleveland, Micheal Merritt J. A. Rampersant, Officer Joseph Balam, Officer REiman

RELATED CASES

Davis V. City of New York 373 F. Supp. 2d 322, 333 (S.D.N.Y. 2005)

Richardson V. City of New York, No. 02-cv-3651, 2006 U.S. Dist. LEXIS 69577, 2006 WL 2792768
- at *7 (E.D.N.Y. Sept. 27, 2006)

Granito V. Tiska, 181 F. Supp. 2d 106, 118 (N.D.N.Y. 2001)

42 USC Ricciuti, 124 F.3d at 130, Jovanovic V. City of New York, 486 Fed. App'x 149, 152 (2d Cir. 2012)

O'Neill V. Krzeminski

Anderson V. Branen

Ricciuti V. New York

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TABLE OF AUTHORITIES CITED

CASES

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STATUTES AND RULES

The statutes for public lewdness indicate "with the intent to be seen or viewed by others," not as the defence even falsely claim of concealed hand movement.

OTHER

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 _____; 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 ~~November 18th 2021~~
May 26th, 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: November 19th 2021, 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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

8th and 14th Amendment's

STATEMENT OF THE CASE

On or about Oct 15th 2014 I Anton Liverpool was walking past school I.S.77 Ridgewood Queens NY. As stated in my district court brief I saw officer Reggie Cleveland standing out side the school looking at me but I just kept on walking. After a brief walk on Myrtle Ave I returned towards the Brooklyn section of Brooklyn. Before I could reach Bushwick area I was stoped assaulted and harass ed, and eventually arrested by school safety Agents Michael Merritt, Reggie Cleveland, J.A. Rampersant, Joseph Belam, for public lewdness. The criminal charges were eventually dismissed after me spending about forty five days incarcerated. I filed a claim of civil rights violation in the Southern District of New York. Upon being deposed officer Cleveland the complaining witness in the criminal matter stated that he never saw me expose my penis as stated in the criminal complaint taken by Agent J.A. Rampersant. Agent Cleveland also stated that he never saw me fondle myself (penis) as Agent Merritt claims Cleveland told him. I argued to the court's that if my arrest was for indecent exposure or and public lewdness and the one person that saw me at the time and place the allegation took place say's they never saw or have proof of me committing the alleged act then my arrest was on justified. The court ruled that I did not agree that I had not committed an act of concealed hand movement, and therefore my arrest was justified. In my appeal I argued that I did state in my district court brief that I had not committed an act of concealed hand movement and that I stated that all I did was walk past I.S.77 on Oct 15 2014. I also argued that according to Agent Cleveland's deposition I was not on surveillance cameras committing any of the above allegations (concealed hand movement public lewdness or Indecent exposure). I also argued that I was not allowed to depose any other persons that viewed such surveillance of the day in question such as the district attorney involved or Agent Cleveland partner on the day in question. the appellate court's affirmed the district court's decision. for my appeal I was not provided with a majority of the depositions I had taken of defendant's or exhibits I presented (i.e. photocopies) to the district court.

REASONS FOR GRANTING THE PETITION

The defendant's in this case have been allowed to extract a regular citizen from the streets and incarcerate him on one set of charges from allegations (public lewdness and indecent exposure) later recanted in depositions and escape justice (accountability) by changing the narrative (thereclaim) and not found to be in contradiction of the evidence. Defendant Cleveland the complaining witness and a participating arresting officer gives one reason in the criminal complaint for plaintiff's arrest to officers then with the advise of his counsel changes these reasons when deposed. Being so, it gives the appearance to the public that they can be charged with one offense unfounded, then the complaining witness and/or arresting officers can give a different excuse for their false complaint when found to be so by a criminal court of law in order that said defendant's be allowed to escape accountability in a civil litigation. In this case the lower court's assert that officers are allowed qualified immunity but plaintiff asserted that officers knew that no crime had been witnessed by officer Cleveland just by his statement to them that he "didn't know what plaintiff was doing until he heard the call over the radio and put two and two together and figured it out." Being officer Cleveland assumed that since he heard statements over his radio alleging an act of public lewdness by innocent exposure in the area, and he comes out of I.S. 77 and sees plaintiff walking by that plaintiff must have been the person in question. Officer Cleveland did not any one in the area of plaintiff's actions he just assumed that plaintiff had committed the crime. The lower court's asked for my version of the event's and when given arbitrarily sided with law enforcement's varied accounts. If this is the procedure of the court's then why even ask for a plaintiff's deposition or allow a citizen to bring a claim against officer's. At a time when public trust in law enforcement and the justice system is waning this court has the opportunity to assure the public that their voice will be heard. I clearly refuted the defenses claim as to any concealed hand movement while passing I.S. 77 on or about Oct 15, 2014 and my statements were totally disregarded by the court's. As I stated in deposition and brief All I did was "walk past I.S. 77" when asked (deposed) about any other actions (allegations) including concealed hand movement as stated in my district and appellate court brief I stated that I had not engaged in any other activity, that I just walked past I.S. 77. and I also refuted directly that I had not committed any act of concealed hand movement. Are citizen's to be arrested and rounded up for concealed hand movement and the word of a officer be blived with out any criminal proceedings by the court's. I remind the court that the allegations against me that were dismissed in criminal court were not concealed hand movement.

but the character~~ing~~ defaming allegation's of public lewdness
indigent exposure via of the criminal complaint and police report
both statements taken from and given by defendant Cleveland

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Anton Liverpool

Date: 3-28-22