

No. 21-7712

FILED
APR 12 2022

OFFICE OF THE CLERK
SUPREME COURT OF TEXAS

IN THE
SUPREME COURT OF THE UNITED STATES

ORIGINAL

CURTIS LEE SHEPPARD, JR. PETITIONER
(Your Name)

vs.

MICHAEL COLLUM, ASSISTANT WARDEN — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

THE EASTERN DISTRICT OF TEXAS (TYLER AND BEAUMONT DIVISIONS)
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

CURTIS LEE SHEPPARD, JR.
(Your Name)

2664 FM 2054
(Address)

TENNESSEE COLONY, TX 75886
(City, State, Zip Code)

254-319-3179
(Phone Number)

QUESTION(S) PRESENTED

1. COLLUSION OF TREASON ORDERS TO COVER-UP
A (VIDEO RECORDED) FEDERAL HATE CRIME
2. FALSIFYING GOVERNMENT COURT RECORDS
3. DENYING EVERY FEDERAL PROTECTION STATUTES,
RULES, AND PROCEDURES UNDER THE 13TH AMEND-
MENT EXCEPTION CLAUSE
4. ABUSING 28 U.S.C. § 1915 (g) DISREGARDING
(UNDER IMMINENT DANGER OF SERIOUS INJURY)

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

[X] 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:

MAGISTRATE JUDGE K. NICOLE MITCHELL
MAGISTRATE JUDGE CHRISTINE L. STETSON
MAGISTRATE JUDGE JEREMY D. KERNODLE
MAGISTRATE JUDGE J. CAMPBELL BARKER

RELATED CASES

UNITED STATES V. BROUSSARD, FIFTH CIRCUIT COURT OF APPEALS CASE NO. 17-30298 (FEB 5, 2018),
UNITED STATES V. HATLEY, 717 FED. APPX. 457 (5TH CIR. 2018), AND QUENNESS V. SZORE, 771 F.2d 289 (7TH CIR. 1985); MUNSON V. FRISKE, 754 F.2d 683, 883 F. SUPP 225 (SD NY 1985)

LEWIS V. CASEY, 518 U.S. 343 (1996), STATED THAT IN ORDER TO GET AN "INJUNCTION" A PRISONER MUST SHOW "ACTUAL OR IMMINENT INJURY" IN THIS CONTEXT "INJURY" DOES NOT HAVE TO MEAN PHYSICAL DAMAGE TO YOUR BODY, IT JUST MEAN THAT YOU ARE, OR WILL BE, WORSE OFF BECAUSE OF THE ILLEGAL ACTS OF THE PRISON STAFF, SEE, (APPENDIX A BEFORE AND AFTER HATE CRIME PHOTO)

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CIVIL ACTION NO. 6:21-CV-55

APPENDIX C - FALSIFICATION OF RECORDS, SHEPPARD NEVER FILED IN THE (BEAUMONT DIVISION)

APPENDIX D - COLLUSION OF AN CONSPIRACY TO OBSTRUCT JUSTICE
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TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
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<u>COOPER V. AARON</u> , 358 U.S. 785, Ct. 1398, - - - - -	4-5
<u>MAINE V. THE BORITOT</u> , 448 U.S. 1, 100 S.Ct. 5202, - - - - -	5
<u>PORTER V. NUZZLE</u> , 534 U.S. 516 (2002) - - - - -	6
<u>BOOTH V. CHURNER</u> , 532 U.S. 731 (2001) - - - - -	5
<u>HAFFER V. MELD</u> , 500 U.S. 21 - - - - -	5

STATUTES AND RULES

(RLUIPA) OF 2000 - SECTION #3 (42 U.S.C. § 62000c-1A, (1-2) (114 STAT. 804)
42 U.S.C. § 1997e(a) EXHAUSTION OF ADMINISTRATIVE REMEDIES
28 U.S.C. § 1915 (g)
29 U.S.C. § 455 (a) AND (b)
28 U.S.C. § 1915 (e)(1), THE IN-FORMA-PAUPERIS LAW ALLOWS A U.S. DISTRICT JUDGE TO REQUEST AN ATTORNEY
THE "THREE STRIKES PROVISION" DOES NOT APPLY WHEN A PRISONER IS IN IMM. INEVIT DANGER OF SERIOUS PHYSICAL INJURY "
UNDER FEDERAL RULES OF CIVIL PROCEDURE RULE 26(b)(1) YOU HAVE A RIGHT TO LEGAL ANYTHING WHICH IS IN ANYWAY "RELEVANT" TO ANY PARTY'S CLAIM OR DEFENSE
42 U.S.C. § 242 DEPRIVING A PRISONER OF HIS RIGHTS - 18 U.S.C. 2422 OTHER § 1985 (3)
THE PLRA IS VERY ANTI- PRISONER, AND WORKS TO LIMIT PRISONER'S ACCESS TO THE FEDERAL COURTS AND EXPLAINS "WHY" THE TYLER AND BEAUMONT DECISIONS) ENGAGED IN AN ACT OF TREASON AND ALLOWED SHEPPARD TO BE AN VICTIM OF A FEDERAL MATE CRIME AND DOCUMENTED IT WITH IT'S (BIAS AND PREJUDICE) COURT ORDERS, THE PLRA DESIGNED IT THAT WAY, SEE, (APPENDIX A)

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 B to the petition and is

☒ reported at SHEPPARD V. COLLUM CASE NO. 6:21-CV-55; 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 15, 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: MARCH 3, 2022, and a copy of the order denying rehearing appears at Appendix 8.

☐ 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

- 1) THE FREE EXERCISE CLAUSE OF THE FIRST AMENDMENT PROTECTS YOUR RIGHT TO FOLLOW THE PRACTICES OF YOUR RELIGION, LIKE WEARING / GROWING DREADLOCKS
- 2) THE ESTABLISHMENT CLAUSE OF THE FIRST AMENDMENT KEEPS THE GOVERNMENT FROM ENCOURAGING YOU TO FOLLOW A CERTAIN RELIGION, OR BE RELIGIOUS
- 3) THE FOURTEENTH AMENDMENT MEANS THAT THE GOVERNMENT CAN'T DISCRIMINATE AGAINST YOU OR TREAT YOU POORLY BECAUSE OF YOUR RELIGION
- 4) THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT PROVIDES ADDITIONAL PROTECTION FOR ALL PRISONERS
- 5) THE HATE CRIME PREVENTION ACT
- 6) THE 13TH AMENDMENT EXCEPTION CLAUSE

STATEMENT OF THE CASE

"IF A MAGISTRATE JUDGE OR UNITED STATES DISTRICT JUDGE DOES NOT FULLY COMPLY WITH THE CONSTITUTION THEN HIS OR HER ORDERS ARE VOID, IN RE SAWYER, 24 U.S. 2000 (1888); HE/SHE IS WITHOUT JURISDICTION AND HE/SHE HAS ENGAGED IN ACT OF TREASON, (CLEARLY) ESTABLISHED IN K. NICOLE MITCHELL REPORT AND RECOMMENDATION (TYLER DIVISION) OF TWO (2) CIVIL ACTIONS SEVEN (7) MONTHS APART CIVIL ACTION NO. 6:21-CV-55, SEE (APPENDIX A & B) THE ONLY 1983 CIVIL RIGHTS LAWSUIT FILED BY SHEPPARD #1656666 IN THIS FEDERAL HATE CRIME AND CIVIL ACTION NO. 6:21-CV-380 REPORT AND RECOMMENDATION WAS IMPLEMENTED BY THE (TYLER AND BEAUMONT DIVISIONS), IT'S NO CIVIL ACTION FILED BY SHEPPARD #1656666 IN THIS CASE NO., IN WHICH (APPENDIX C) IS COLLUSION OF TREASON ORDERS COVERED-UP BY ABUSING 28 U.S.C. § 1915 (g) DISMISSED WITH PREJUDICE FOR THE PURPOSE OF IN-FORMA-PAUPERES WITH DIRECT EVIDENCE OF THE FEDERAL HATE CRIME THAT WAS COMMITTED AGAINST SHEPPARD (OCTOBER 16, 2020) (APPENDIX A BEFORE AND AFTER PHOTO) MODERN-DAY-LYNCHING AND, IT'S NOT HARD TO SEE THE MALICIOUS INTENT OF THIS FEDERAL HATE CRIME (SCALPED LIKE AN SLAVE UNDER THE 13TH AMENDMENT EXCEPTION CLAUSE) THEN THE (BEAUMONT DIVISION IN APPENDIX C) CLAIMED TO HAVE SEVERED MY LAWSUIT INTO TWO (2) SEPARATE LAWSUITS WITHOUT ME FILING FOR THEIR ASSISTANCE IN CIVIL ACTION NO. 1:21-CV-474 ORIGINALLY FILED IN CIVIL ACTION NO. 1:12-CV-164 (10 YEARS AGO) BUT YET, REFUSES TO FOLLOW (BENSON PRECEDENT) IN WARE V. LOUISIANA DEPARTMENT OF CORRECTIONS, 866 F.3d 263 (5TH CIR, 2017) (CERT. DENIED FEBRUARY 26, 2018) THAT RULED ON THIS SPECIFIC MATTER OF DEADLOCKS THAT WOULD HAVE PREVENTED THE (OCTOBER 16, 2020) FEDERAL HATE CRIME FROM HAPPENING, SEE, COOPER V. AARON, 358 U.S.

78 S.Ct. 1398; MAINE V. THIBORSTOT, 448 U.S. 1, 100 S.
CT 5202; HAFFER V. MELO, 502 U.S. 21, OFFICERS OF THE
COURT HAVE NO IMMUNITY WHEN VIOLATING A CONSTITUTIONAL
RIGHT FROM LIABILITY FOR THEY ARE DEEMED TO KNOW THE LAW "CLEARLY VIOLATED IN SHEPPARD'S
#1656666 (APPENDIX A-D) DOCUMENTED EASTERN DISTRICT OF TEXAS (TYLER AND BEAUMONT DIVISIONS)
(COLLUSION OF FALSIFYING COURT RECORDS/ COURT ORDERS AND WHEN THE (TYLER DIVISIONS) SENT SHEPPARD
#1656666 (CIVIL ACTION NO. 6:21-CV-380 FNU DEFENDANTS) 7 MONTHS AFTER MAGISTRATE JUDGE K. NICOLE MITCHELL ALREADY FILED HER REPORT AND RECOMMENDATION IN CIVIL ACTION NO. 6:21-CV-55 (3/24/21), SHEPPARD #1656666 KNEW THEN TO MAKE AN PAPER TRAIL AND RESPOND TO EVERYTHING IN THE (TYLER AND BEAUMONT DIVISIONS) SHEPPARD #1656666 HAS RAISED SERIOUS DOCUMENTED (APPENDIX A-D EVIDENCE) COLLUSION OF PERJURY ENGAGING IN AN ACT OF TREASON OF AN UNRECORDED FEDERAL HATE CRIME (OCTOBER 16, 2020), MOREOVER, SHEPPARD #1656666 ONLY SIGNED ONE (1) CIVIL ACTION (UNDER THE PENALTY OF PERJURY CASE NO. 6:21-CV-55 SHEPPARD V. COLLUM), AND, IT'S ALL AN MATTER OF COURT RECORDS, (APPENDIX C-D) COURT RECORDS, RULINGS, AND ORDERS IS PERJURY ENACTED BY CONSPIRACY BETWEEN (TYLER AND BEAUMONT DIVISIONS) UNITED STATES MAGISTRATE JUDGES, PLEASE SUBPOENA ALL THE COURT RECORDS FROM THE (TYLER AND BEAUMONT DIVISIONS) THAT WILL PROVE THAT, I'VE BEEN REQUESTING PROTECTION FOR (10 YEARS) AND BEEN DENIED BY BIAS & PREJUDICE PROCEDURAL BARRIERS,

REASONS FOR GRANTING THE PETITION

HATE CRIMES ARE CRIMINAL OFFENSES COMMITTED AGAINST PERSONS, PROPERTY OR SOCIETY MOTIVATED BY PREJUDICE OR BIAS AGAINST AN INDIVIDUAL'S OR GROUP'S RACE, RELIGION, DISABILITY, SEXUAL ORIENTATION OR NATIONAL ORIGIN, HERE, THE PAINSTAKING (UNETHICAL BREACH OF OATH OF ETHICS AND OATH OF OFFICE) (NAMELY: K. NICOLE MITCHELL, UNITED STATES MAGISTRATE JUDGE), HAS ENDEAVORED OBSTRUCTION OF JUSTICE MEANT TO WHITE WASH SHEPPARD'S RELIEF OF AN OBVIOUS FEDERAL HATE CRIME BY FALSELY DOING (APPENDIX C AND D) COURT RECORDS, FURTHERMORE, THE REPORT AND RECOMMENDATION CASE NO. 6: 21-CV-00055-JDK-KJM DOCUMENTS FILED 03/24/21 PAGE 3 OF 4 PAGE 10 & 165 "STATED - SHEPPARD DOES NOT ALLEGE, MUCH LESS SHOW, THAT AN INCIDENT WHICH OCCURRED IN OCTOBER OF 2020 PLACED HIM IN IMMINENT DANGER OF SERIOUS PHYSICAL INJURY AS OF THE DATE HE FILED THE COMPLAINT, WHICH WAS SIGNED ON JANUARY 26, 2021" BECAUSE SHEPPARD #165666 FOLLOWED THE LANGUAGE OF THE PLRA WHICH SAYS THAT THE EXHAUSTION REQUIREMENT APPLIES TO CASES REGARDING "PRISON CONDITIONS", ALTHOUGH "PRISON CONDITIONS" SOUNDS LIKE IT MIGHT ONLY INCLUDE CLAIMS ABOUT THINGS LIKE INADEQUATE FOOD OR DIRTY CELLS, IN A CASE CALLED PORTER V. NUSSLE, 534 U.S. 516 (2002), THE SUPREME COURT HELD THAT "PRISON CONDITIONS" REFERS TO EVERYTHING THAT HAPPENS IN PRISON, INCLUDING SINGLE INCIDENTS OF GUARD BRUTALITY OR INADEQUATE MEDICAL CARE, UNDER ANOTHER IMPORTANT SUPREME COURT CASE, BOOTH V. CHURNER, 532 U.S. 731 (2001), YOU HAVE TO USE THE PRISON'S GRIEVANCE SYSTEM EVEN IF IT DOES NOT OFFER THE TYPE OF RELIEF YOU WOULD LIKE TO SUE FOR, FOR AND ON THE RECORD. ALL THESE UNITED STATES MAGISTRATE JUDGES DEPRIVED SHEPPARD OF HIS RIGHT FOR PROPER PROTECTION AS GUARANTEED BY THE U.S. CONSTITUTION AND ALLOWED AN APPROPRIATE CIVIL ACTION NO. 6:21-CV-380 THAT DIDN'T HAVE SHEPPARD'S SIGNATURE (UNDER THE PENALTY OF PERJURY) AND FETTERED AN CRIMINAL ACT (LAWL OUTPOST) VIOLATING THE RULE OF LAW AND USING PREJUDICE AND BIAS (DEEMLESSLY WITH PREJUDICE FOR THE PURPOSE OF IN-FORMA-PAUPEREE) THAT'S FRAUDULENT AND (VOID) CARRYING OUT THIS MASS ANNIHILATION ON FEDERAL HATE CRIMES RELIEF SUPPORTED

BY ATTACHED (APPENDIX EXHIBITS A-D), IT'S AMAZING HOW "THE DEFENDANT'S" DOCUMENTED THEIR TROUBLEMAKERS AND DENY THAT AN FEDERAL HATE OCCURED TO DENY SHEPPARD'S RELIEF, REVEALING THAT THE TYLER AND BEAUMONT DEVISSONE) CONSIDERED TO FALSELY (APPENDIX D) EVIDENCE, I AM AN VICTIM OF AN (FEDERAL HATE CRIME AND I AM ENTITLED TO RELIEF TO REDRESS PERJURIOUS COURT DECISIONS, WASN REVIEW OF DETENTIONER WAST OF CAPTIVITY OF SUSPECTAL MISCONDUCT THAT LED TO SERIOUS DEGRADATION OF CURRENT OF SHEPPARD'S RECORD - LOOKS 21ST CENTURY LONG STANDING PATTERN OF COVER-UP FEDERAL HATE CRIMES, GRANT SHEPPARD'S RELIEF IMMEDIATELY, ON HIS MERITORIOUS CLAIMS OF AN (FEDERAL HATE CRIME) (VIDEO RECORDED BY OFFICER AVA MOORE OCTOBER 16, 2020), (SEE, APPENDIX A) "A PICTURE SPEAKS LOUDER THAN A THOUSAND WORDS"

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Curtis Lee Sheppard, Jr

Date: APRIL 8, 2022