

QUESTION(S) PRESENTED

1. Whether the Court of Appeals correctly Affirm the denial Petitioner's argument that Administrative Order number 2021-03 does it give absolute authority to a Magistrate Judge to rule upon Constitutional issues as the District Judge claim.
2. Whether the United States District Magistrates Judge, **28 USCS 631 to 39 pp** abused his discretion upon ruling on Petitioner Constitutional issues without proper consent of the Petitioner as required by United States Supreme Court case laws and Congress legislation.

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 judgment is the subject of this petition is as follows:

AMISUB (SFH), INC. d/b/a Saint Francis Hospital Memphis “et, al” – Respondent (S)

Tenet Healthcare Corporation “et, al-Respondent (S)

Ms. Allison A. Fish (Attorney)

Mr. Frank Daniel Woods Jr. (Attorney)

RELATED CASES

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 A to the petition and is
☒ reported at Document: 26-2; 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☒ is unpublished.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 B to the petition
and is
[☒] reported at Document: 94; 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[] is unpublished.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 N/A; or, [
] has been designated for publication but is not yet reported; or,
[] is unpublished.

The opinion of the N/A court
appears at Appendix to the petition and is
[] reported at N/A; 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] has been designated for publication but is not yet reported; or, [] is unpublished.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 09, 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: N/A, and a copy of the order denying rehearing appears at Appendix N/A.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including N/A (date) on N/A (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. §1254(1).

This Court has Jurisdiction over this Appeal pursuant to 28 U.S.C., § 1254(1).

The United States Court of Appeals for The Sixth Circuit issued its Order Affirm the District Court Judgment dismissing Morgan's complaint with prejudice on November 09, 2021 (Doc. 94 pp.691) Petitioner's Notice of Appeal (Doc. 99) was filed on January 13, 2021. The petition for writ of certiorari was timely filed on February 03, 2022, pursuant to 28 U. S. C. S. § 2101.

☐ 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 N/A.

☐ A timely petition for rehearing was there after denied on the following date: N/A, and a copy of the order denying rehearing appears at Appendix N/A.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including N/A (date) on N/A (date) in Application No. N/A A N/A.

The jurisdiction of this Court is invoked under 28 U. S. C. §1257(a).

STATEMENT OF THE CASE

Cliffrie Morgan pro se, a Tennessee litigant filed a timely appeals the District Court's judgement dismiss her complaint for failure comply with Defendant's discovery order (Doc.59), and the Magistrate Judge's issue an Order constructed the Petitioner to response (Doc.57). Petitioner's reply to response to Defendant compel motion on June 04, 2020 (Doc. 66) Pry to Petitioner's Order of Protection (Doc.53), as her duty rights to protect privilege information as allowed by Federal Civil Procedure Rule 26. Defendant filed a document opposing Petitioner rights for her protective order. District Court Magistrate Judge issue an Order denial Petitioner's protective order in part, Petitioner states that her Order of Protection involved Constitutional Rights that the Magistrate Judge ruled upon when he issue an Order instead of issuing a Report and recommendation as required by the authority of an Article I Judge when there is not a consent form on record of the Court with Petitioner's signature.

REASONS FOR GRANTING THE PETITIONER

Petitioner advert that she did not give the United States Magistrate judge consent to trial her case there is no record within the District Court clerk office on file with the Petitioner signature stating that she authorized the Magistrate judge to trial her case

(c) Notwithstanding any provision of law to the contrary—

(1) Upon the consent of the parties, a full-time United States magistrate [magistrate judge] or a part-time United States magistrate [magistrate judge] who serves as a full-time judicial officer may conduct any or all proceedings in a jury or nonjury civil matter and order the entry of judgment in the case, when specially designated to exercise such jurisdiction by the district court or courts he serves. Upon the consent of the parties, pursuant to their specific written request, any other part-time magistrate [magistrate judge] may exercise such jurisdiction

See: 28 U.S.C S 636 (c).

According to the statue cited above Magistrate judge can only inter an “order the entry of judgement in the case” upon consent of the parties, in this situation the Magistrate judge abused its discretion willful and intently knowingly issue an order without having the Petitioner’s consent and the District Judge conceited with the Magistrate Judge action knowing that the Petitioner did not give consent because there was no record upon the court stating that the Petitioner had consented.

This action was a violation of the Petitioner to a fair trial.

CONCLUSION

WHEREFORE: Petitioner pray that for the reason, this Court shall intervene because the Sixth Circuit Court of Appeals and the United States District Court violation Petitioner Constitutional Rights to a fair and impartial trial. Petitioner request that this Court grant her a fair hearing and all relief as this Court deems Proper.

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Cliffrie Morgan pro se

Date: May 25, 2022