

Supreme Court, U.S.  
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No. 22-154

In the  
Supreme Court of the United States

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SIYU YANG, LU YANG,  
PETITIONER,

v.

UNIVERSITY OF ROCHESTER  
EASTMAN SCHOOL OF MUSIC et al.  
RESPONDENT.

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

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PETITION FOR A WRIT OF CERTIORARI

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Appellants Petition of Siyu Yang, Lu Yang  
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## **QUESTIONS PRESENTED FOR REVIEW**

1. This case naturally has federal law issues. First of all, it is necessary to examine whether the remarks of the petitioner SIYU YANG (abbreviation: SY) belong to "racism", which itself is the first and inevitable federal issue object that the Federal Court must examine and adjust. was the original subject of this case.
2. Examining that the defendant treated the petitioner differently. "Racial discrimination" against plaintiff SY.
3. Reviewing the U.S. Second Circuit Judge's hearing, The petitioners are treated differently. "Racial discrimination" against plaintiffs SY and LY.
4. All of the leading justices in this matter violated the 14th Amendment to the U.S. Constitution, which relates to civil rights, due process, and equal protection.
5. Judge ELIZABETH A. WOLFORD(abbreviation: EW ) of the Federal Western District Court , vaguely

ascertained and distorted the facts. Abuse of case law, abuse of federal civil procedure Rule 12(b), abuse of discretion.

6. Examining the criminal liability of defendants to submit fraudulent affidavits to the judicial system. Review of federal circuit and Monroe County, N.Y., court judges for shielding defendants' malfeasance.

7. Review the "defamatory conduct" by the defendant against the plaintiff SY.

8. Review the defendant's collusion with the CCP to persecute young people.

9. Review the defendant's violation of the petitioner's right to free speech.

10. Review the defendant's specific violation of New York State law, namely contract law, in violation of the University's Student Handbook. Due process and equal protection were not granted in the expulsion of petitioner SY. University management also continued to commit fraudulent practices during the grievance process.

All of the above questions are supported by a chain of evidence.

## **PARTIES TO THE PROCEEDINGS**

The parties to the proceedings before this court are as follows:

Siyu Yang & Lu Yang, Pro Se.

EASTMAN SCHOOL OF MUSIC / UNIVERSITY OF  
ROCHESTER, MATTHEW ARDIZZONE, JAMAL J.  
ROSSI, MERCEDES RAMIREZ FERNANDEZ, and  
SARAH C. MANGELSDORF,

## **LIST OF PROCEEDINGS**

United States District Court for the Western District of  
New York DECISION AND ORDER

Trial Court Case No. 6:20-CV-06691 EAW , 6:21-CV-06168  
EAW, SIYU YANG, LU YANG v. University of  
Rochester/Eastman School of Music et al

Judge ELIZABETH A. WOLFORD issued an order of  
dismissal on 05/19/2021.

UNITED STATES COURT OF APPEALS FOR THE  
SECOND CIRCUIT Case No. 21-1482-CV  
SIYU YANG , LU YANG v. University of  
Rochester/Eastman School of Music et al  
Judgment Dated 04/07/2022 , District Court's  
Judgment AFFIRMED .

### **Appendix List**

Appendix A , Order of Judge of the Federal Western  
District Court, issued 05/19/2021, case numbers: 6:20-cv-  
006691-EAW, 6:21-cv-06168-EAW, United States District  
Judge : ELIZABETH A. WOLFORD .

v

Appendix B , "SUMMARY ORDER" issued by the  
Second Federal Circuit on 04/07/2022 . case numbers: 21-  
1482-cv ,  
Circuit Judges : GUIDO CALABRESI, GERARD E.  
LYNCH , RAYMOND J. LOHIER, JR .

## TABLE OF AUTHORITIES

### Constitution

1. First Amendment to the Constitution, .....	/ 9, 21
2. Fourteenth Amendment to	
the Constitution( The judge did not obey the law).....	/ 1
.....	/ 4-6
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### Federal law

1. Title VI of the Civil Rights Act, .....	/ 1-5 , 8-13
.....	/ 16-22
2. 28 U.S. Code Section 1331 -	
Federal question.....	/ 21

### State law

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### Rules

1. Federal Rule of Civil Procedure 12(b).....	/1, 4-6, 10
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### CASE

1. Osborn v. Bank of the United States, 22 U.S. 738 (1824), (28 U.S. Code Section 1331 -Federal question) .....	/21
2. Dioguardi v. Durning - 139 F.2d 774 (2d Cir. 1944)...	/ 21
3. Ryan v. Hofstra University, 67 Misc.2d 651,324 N.Y.S.2d 964 (N.Y.Sup.Ct.1971).....	/ 8 ,21
4. Please refer to all the "defamation" cases in US judicial history. ( On the premise that the facts, right and wrong are not clear or deliberately not clear, the appellant does not cite specific cases here ).	

Criminal law ( Eastman School of Music Dean JAMAL J. ROSSI and Associate Dean MATTHEW ARDIZZONE SUBMIT perjury to the judicial System ).....	/ 3-4,13-14,17-18
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## **PETITION FOR A WRIT OF CERTIORARI**

The Petitioner respectfully requests that a Writ of Certiorari be issued to review the UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NEW YORK's order dismissing the appellants. which was affirmed by the United States Court Of Appeals For The Second Circuit.

### **BASIS FOR JURISDICTION IN THIS COURT**

The United States Court Of Appeals For The Second Circuit entered SUMMARY ORDER on 04/07/2022. This Court has jurisdiction under Article 3 of the U.S. Constitution , 28 U.S.C. § 1254 .

### **CONSTITUTIONAL PROVISIONS INVOLVED**

1. The 14th Amendment to the U.S. Constitution, this case involves civil rights, due process, and equal protection clauses. All judges violated this article in their trials.
2. The First Amendment to the U.S. Constitution deals with freedom of speech.

## **STATUTORY PROVISIONS INVOLVED**

### **Federal law**

Title VI of the Civil Rights Act .

### **State law**

### **Contract law**

### **Rules**

Federal Rule of Civil Procedure 12(b).

University of Rochester Student Handbook 2019 Edition

### **CASE**

Please refer to all the "defamation" cases in US judicial history. (On the premise that the facts, right and wrong are not clear or deliberately not clear, the appellant does not cite specific cases here).

### **Criminal law**

Eastman School of Music Dean JAMAL J. ROSSI and Associate Dean MATTHEW ARDIZZONE SUBMIT perjury to the judicial system .

## STATEMENT OF THE CASE

The petitioner SIYU YANG published an investigative political review article on FACEBOOK on 06/08/2020. Almost everything in it is based on the opinions of others. The article simply cannot reflect that the so-called "racist" ideas had already formed in the 19-year-old at the time. The cited authors also do not have any "racist" tendencies, but only express a rational, forward-looking and advanced thinking. But the school officials wantonly take things out of context and go their own way! However, at that time, the petitioner was reported to the Eastman Conservatory of Music by the CCP network "Little Pink" and the " CCP 50 Cent Party " by sending an E-MAIL. The specific whistleblower has been covered up by Matthew Ardizzone (referred to as MA), the associate dean of the Eastman School of Music, by tampering with evidence. On 07/06/2020, the Eastman School of Music expelled the petitioner SY on the grounds of so-called "racial

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discrimination". Subsequently, the petitioner appealed to the dean of the Eastman School of Music, requesting the school to hold a hearing to deal with the case openly and fairly. Dean JAMAL J. ROSSI (abbreviation: JR ) confirmed the decision of his subordinates on 07/24/2020 . The petitioner appealed to Ms. SARAH C. MANGELSDORF (referred to as: SM), President of the University of Rochester, and also requested a hearing. On 07/31/2020, Ms. SM, President of the University, also rejected the petitioner's request, confirming and upholding the wrong decision of the Eastman School of Music . Therefore, the petitioner submitted a letter of appeal to the CEO of the University of Rochester, Mr. Richard B. Handler, on 08/08/2020. We again request a hearing to deal with this case openly, fairly and equitably. But so far no reply.

### **Procedural History**

1. The petitioner sued in the U.S. Eastern District Court on 08/24/2020. The case was then ordered by the judge to be transferred to the Federal Western District Court, case number: 6:20-cv--06691-EAW.
2. The petitioner sued in the Federal Western District Court on 02/18/2021, case number: 6:21-cv-06168-EAW.
3. Judge **ELIZABETH A. WOLFORD** of the Federal Western District Court joined the two cases into one. An order was issued on 05/19/2021 to dismiss the petitioner's complaint .
4. The petitioner further appealed to the U.S. Second Circuit on 06/11/2021, case number: 21-1482-cv.
5. Meanwhile, on 06/14/2021, the petitioner filed a civil lawsuit in the court of Monroe County, New York, case number: E2021005417. In Monroe County Court, Eastman School of Music JR Dean and MA Associate Dean simultaneously filed sworn perjury in Monroe County Court. And these perjury just proved the essence of the

## XII

case . Judge Ann Marie Taddeo of the Monroe County Court in New York avoided the question.

6. On 11/12/2021, the Court of Monroe County, New York made an unlawful decision to dismiss the plaintiff .

7. The petitioner appealed to the Fourth Judicial Division of the New York State Court of Appeals on 12/03/2021, and the case is currently in the "perfect stage". During the "Period of Perfection" the appellants encountered various artificial obstacles.... . The petitioner will expose the issue as necessary (Case No. CA 21-01792).

8. Likewise, the petitioner submitted these perjury to the Second Federal Circuit for review, and the Federal Circuit judge also recused the defendants for their criminal conduct.

9. The Federal Second Circuit made a "SUMMARY ORDER" on 04/07/2022 .

10. On 05/02/2022, the petitioner filed a petition with the Second Federal Circuit, requesting that the full justices of

## **REASONS TO GRANT THIS PETITION**

### **Petition Request:**

1. Request a full review of the case by the Justices of the Federal Supreme Court.
2. Ask the Justices of the Supreme Court to comprehensively review and vacate the unlawful judgment (order) made by the District Court for the Western District of the United States. The order willfully misrepresents facts, abuses historical cases, abuses federal 12(b)(6) rule of civil procedure, and abuses discretion.
3. Asking the Supreme Court Justice to review and quash the unlawful order made by the Second Circuit on 04/07/2022.

**First, the appellants makes a special statement here**

1. The appellants arrived at the Second Circuit Court of New York at 09:00 am on 04/05/2022 30 minutes early (Note: the hearing time was notified at 10:00 am, Room 1703), There were three cases ahead of us in the queue, and it wasn't our turn until around 10:45am (note: scheduled at

end). The average hearing time of the three previous cases with lawyers was basically more than 15 minutes, but the time for plaintiff LY with language barriers and no lawyers was only 5 minutes. After deducting the time for translation, it is actually very absurd to give the plaintiff time to speak. In this case, the presiding judge couldn't wait to stop the plaintiff's speech, which can not only achieve the purpose of show, but also achieve the goal of almost not letting the plaintiff speak! Obviously, the appellant encountered obvious "differential treatment" again during the appeal process, and this kind of "differential treatment" is not simply "racial discrimination". At this time, the main thing is to shut up the appellant as much as possible.(Note: Appellant LY believes that there was no overall and systemic racial discrimination in the United States, but there is individual discrimination, and the excessive and irrational promotion of racism is not only stupid but also despicable. It is the evil forces inside and outside the United States that are provoking inter-racial struggles. It is essentially a

conspiracy to mess up the United States, and this case is one of the special cases that involves and reflects such issues).

**I . Refute "Summary Order" page 3 ( Manual,Pages 5 - 6 ), lines 1-16**

1. First of all, the judge of the circuit court and the judge of the Federal Western District Court EW arbitrarily determined the facts. The judge was helping the defendant to confuse the public from the beginning. At that time, the university could no longer arbitrarily cancel the so-called "enrollment qualification" of the appellant SY. Because SY had already accepted the offer at that time and had already rejected the offer from many universities such as Johns Hopkins University, SY was already an official student of the university, and both parties should be bound by the "Student Handbook". Of course, it is necessary to give the appellant the protection of due process and hold a public hearing, instead of holding a so-called fraud conference to discuss. The defendant's conduct has been suspected of providing perjury to the judicial

system (Note: See Supplemental Appendix, pages 1 to 73 for details, Second U.S. Circuit Court,DOC. # 57, 10/19/2021 , This directory is blocked ).

2. The defendant defamed the appellant SY for promoting so-called "racist" remarks, and confirming whether SY has "racist" remarks is the first federal subject to be resolved in this case, and this subject is the first element that the "Federal Court" should first adjust .However, the court of first instance deliberately did not review it, and deliberately caused judicial injustice. This review should be decided by a jury and should not be confirmed by a judge who deliberately distorts the facts and is unfair. The current jury system in the United States has been destroyed by these derelict judges, resulting in judicial absurdity.

3. The appellant has refuted the defendant's lawyers and judges' abuse of the 12(b) rules of federal litigation from different aspects and levels since the filing of the lawsuit. Here again the circuit court judge is talking nonsense.(Note: Judge EW of the U.S. District Court did

not expressly state in his "order" that he ruled under Rule 12(b)(6), but the Circuit Judge helped supplement that rule in "Summary ORDER"). The appellant clarified the relief requirements not on the surface but in essence. The judges of the Federal Circuit continued to implement unfair black-box operations, protect officials and protect the lower judges on the unjust benchmark of the lower court itself. His method, like Judge EW, shields and ignores the plaintiff's key evidence, distorts the facts and the original intention of the plaintiff's article. In the Federal Second Circuit, the presiding judge stopped the appellant's normal speech in the middle of an extremely short hearing. The essence of this case is that EW and the circuit court judges deliberately confuse the concept of facts and the nature of the case by relying on judicial power, so as to use the so-called Federal Rule 12(b)(6) to conspire to dismiss the plaintiff's lawsuit and deprive the plaintiff of the right of action in disguise! The verdict is the solidified evidence This case will not stand the test of history.

**II. Refute of "Summary Order" page 4 ( Manual, Pages 7 - 8 ) , lines 1-17**

1. The facts and nature of this case are not based on inference. The defendant's illegal and criminal acts have been proved by the plaintiff with conclusive evidence and clear explanations. The essence of the problem lies in the fact that the judge deliberately did not conduct a court investigation and deliberately did not conduct cross-examination in court to verify the evidence provided by the plaintiff. On the premise that the defendant does not provide any evidence, the original intention of the plaintiff's article can be distorted, so that part of the facts and nature of the case can be distorted and the basis for the judgment of bending the law will be laid.

2. The appellant LY is of course qualified to be the plaintiff, and the appellant LY clearly stated a number of reasons why LY is qualified as the plaintiff when refuting the defendant's lawyer, so it is necessary to reiterate here;

(1) First, there is evidence to prove that the main person directly persecuted by the CCP in China is the

plaintiff LY, and one of the actual motives of the defendant in this case is that the university is suspected of collaborating with the CCP to transfer the persecution to the plaintiff SY. Therefore, the plaintiff LY is the most critical stakeholder in this case.

(2) The defendant's slander against the plaintiff and the illegal decision to remove his name not only caused irreparable damage to SY, but also brought substantial damage to his parents' reputation, body and spirit. All the family members had the right to sue the defendant!

Therefore, the plaintiff, LY, was the first person who had a stake in the case.

(3) The decision of the school will of course affect the financial expenditure of the parents for education, otherwise there is no concept of the Federal Parent PLUS loan, and the amount of the loan will of course be affected by the decision of the school!

(4) All the documents in this case were written by the plaintiff LY and translated and modified by the translation software and the plaintiff SY. Therefore, LY is the most

important participant in this case (note: this reason is a secondary factor).

3. It's not just the so-called juvenile abuse, the circuit court judge is deliberately confusing concepts, and here the judge is interpreting the truth indiscriminately. This personal judicial act of the circuit court judge has in fact deepened the damage to a kind student who loves America to tell the truth, and is in fact a continuation of the defendant's persecution of young people.

**III. Refute "Summary Order" pages 5 to 7 ( Manual, Pages 9 - 14 ),**

1. Here, the judge deliberately misinterpreted the original intention of the appellant, according to the case of Ryan v.Hofstra University, 67 Misc.2d 651,324 N.Y.S.2d 964 (N.Y.Sup.Ct.1971). What the appellant wants to explain is that the university should give the plaintiff SY the protection of due process, instead of implementing the CCP-style dictatorship on the university campus, and then developing into the current judicial dictatorship.

2. Both private and public universities must be procedurally fair. The plaintiff accuses the defendant of violating the plaintiff SY's human rights and freedom of speech (constitutional concepts). Both the plaintiff and the defendant are private legal subjects and should enjoy equal protection of freedom of speech. This has nothing to do with determining whether the other party (defendant) has acted by the state. Everyone is free to express their opinions and is responsible for abusing this power. The federal court jury should first examine whether SY's remarks have reached the level of "racial discrimination". Degree. And to examine whether the defendant's written decision and conduct constituted "malicious defamation" and materially inflicted substantial harm to SY.

3. The issue of federal funding for universities and students mentioned in the order should be mainly related to SY being discriminated against by the university. The judge here is deliberately confusing the concept and preventing the appellant from speaking in court. Like the EW judge of the first instance, he can arbitrarily interpret

and distort the meaning of the plaintiff's article, and arbitrarily confirm the facts and nature of the case.

4. The appellant used solid evidence and explained how SY encountered "Differential treatment". During the appeal process, the university falsely claimed that it was the appellant SY who asked to drop out of the school. The racial discrimination against the appellant SY is both the cause of action and one of the defendant's motives for persecuting the plaintiff, and collusion with the CCP to persecute the plaintiff is the second motive for the defendant. All such evidence and facts should be cross-examined in court and confirmed by jury deliberation, rather than deliberately keeping the plaintiff from speaking, deliberately creating an unfair environment, and paving the way for the abuse of Federal Rule of Civil Procedure 12(b).

5. The plaintiff has revealed all the causes of action with corroborating evidence and the statement, including the issue of "racial discrimination" involving the application of Chapter 6 of the Civil Rights Law. But the EW judge and

the circuit court judge deliberately turned a blind eye! All the causes of action and claims brought by the plaintiffs in this case are completely interrelated and inseparable, and because of the exact same consequences, all the causes of action mentioned are directed to the same defamation claim. So the judge cannot deliberately simply find that the appellant did not make the so-called claim!

6. The main indicator for measuring "racial discrimination" is to see whether there is "differential treatment" not only by what the defendant or judge says, but mainly by what the persecutors do. The actions of Judge EW of the Federal Western District Court and the judges of the Second Circuit Court treated the appellant differently. Their actions were nothing more than a continuation of the defendant's actions, and they have been suspected of "racial discrimination". The essence does not stop there! And the judge violated the spirit of the 14th Amendment to the U.S. Constitution and did not give the plaintiff the protection of due process at all.

7. The so-called revocation of SY's admission is itself a kind of frame-up. SY has accepted the offer, and the university cannot arbitrarily cancel the so-called "admission". This is a matter of human cognition and common sense. The plaintiff used evidence and statements to reveal the fact that SY was slandered, discriminated against, and that the defendant colluded with the CCP to persecute SY, but the Federal Circuit Judge continued the operation of Judge EW of the Federal Western District Court. Falsely claiming that the appellant did not defend and did not present any facts showing that the appellant was discriminated against, and the judge deliberately arbitrarily determined and distorted the facts here!

8. There is a natural federal issue in this case. First of all, it is necessary to confirm whether the plaintiff SY's remarks are "racist", which is the object of the federal issue that must be adjusted by the federal court. It is the original subject of this case. In the complaint, the plaintiff described the reasons for the appellant SY's lack of any so-

called "racist" remarks in a large amount of space. Judges who are deliberately unfair to this specific factual issue are of course not qualified to examine and confirm, but must be tried by a jury to be as fair as possible. The current attempt of Judge EW of the Federal Western District Court is to destroy the American jury system and shield the defendant. , using the judicial power in hand to artificially create judicial injustice.

9. Under the premise that there is a federal issue in this case, the appellant has clearly stated the federal issue based on the evidence, so the case must exercise supplementary jurisdiction under state law, so that all the arguments of the appellant will become more valuable.

10. In addition, the appellant submitted to the Circuit Court concerning fictitious and forged testimony filed by Defendants MATTHEW ARDIZZONE (referred to as: MA), JAMAL ROSSI (referred to as: JR) to the Court of Monroe County, New York . Although these perjury occurred after Judge EW's order belongs to the category of new evidence, they are of great significance in revealing

the problems of frame-up and persecution in this case. The main problem is that since defendants are suspected of committing criminal fraud by giving perjury to the justice system, it is everyone's responsibility to review these acts. This is different from ordinary civil cases, the judge of the second instance may try not to consider new evidence. The circuit court judge, like Judge Ann Marie Taddeo of Monroe County, New York, avoided this, which is obviously unlawful and more unreasonable, and it was done deliberately. This move is also not caused by insufficient legal knowledge!

11. The Circuit Court judge made a purely general, vague, and conclusive finding of the "order" issued by Judge EW of the Federal Western District Court. But it completely avoided making factual and jurisprudential confirmations of every absurd key point in Judge EW's decision of the Federal Western District Court, and the end result was an outright illegal judgment.

12. Judging from the semantics of the order issued by Judge EW of the Federal Western District Court, Judge

EW appears to have issued an order dismissing the plaintiff's lawsuit under Federal Civil Rule 12(b). However, a biased determination was made on the specific facts of this case with personal preferences. However, when the case entered the circuit court, the circuit court judge made a vague confirmation of the facts and the nature of the case, which is what the judge wanted. And then the so-called Federal Civil Rule 12(b)(6) can be abused to make an illegal judgment!

#### **IV. Refute "citations"**

##### **1. Refute citation "1" on page 2 ( Manual, Pages 4 ),**

The second lawsuit is not the same as the first lawsuit, of course, the second lawsuit must contain the relevant content of the first lawsuit.

##### **2. Refute citation "2" on page 3 ( Manual, Pages 6 ),**

SY's mother, YING ZHU, had already withdrawn on 09/25/2020, that is, before the court issued a subpoena on 10/21/2020. YING ZHU's name was also not listed on the subpoena, and in fact YING ZHU was not involved in all cases. It is obviously extremely absurd for Judge EW of

the Federal Western District Court to determine whether YING ZHU belongs to the plaintiff in the "order" on 05/19/2021 after more than seven months.

**3. Refute to citation "3" on page 6 ( Manual, Pages 12 ) ,**  
The judge wrote: It is not clear whether Plaintiffs challenge the dismissal of the Title VI claims against the individual Defendants in their official capacities or their individual capacities. That is to say, the circuit judges closed the case without even understanding the basic issues. Since the judges did not understand the basic issues of the case, why did the Federal Western District Court not hold a pretrial conference? In the circuit court restricting the plaintiff's speech, the fact is very clear that what the judge wants is this kind of time and space atmosphere of black box operation, artificially creating judicial injustice.

**4. Refute to citation "4" on page 6 ( Manual, Pages 12 ) ,**  
The evidence shows that collusion with the CCP is one of the defendants' motives for persecuting SY. Another motive and cause of action is the "racial discrimination"

against the plaintiff SY that has been mentioned in the complaint and all the rebuttals. Evidence shows that the economic collusion with the CCP is human greed. The establishment of a "Confucius Institute" in cooperation with the CCP and the signing of the memorandum reflect that the University of Rochester and the Eastman School of Music have become the CCP's united front base. At present, many public and private universities in the United States have fallen.

**5. Refute to citation "5" on page 7 ( Manual, Pages 14 ),**  
The Circuit Court judge blocked the Supplementary Addendum that contained the defendants providing fictitious perjury to the judicial system, and did not address the factual basis and reasons for dismissing the appellant's motion. This evidence is of great significance to revealing the essence of the case. Judges shield defendants suspected of committing criminal fraud.

**V. This case was originally extremely simple, just to solve the most basic cognitive problems of human beings,**

**Plaintiffs' rights to equal protection and due process were violated**

1. The court must first examine whether the university did procedural justice when expelling the appellant SY, and whether it gave SY the protection of legal due and fair process. However, far from holding a hearing as promised by the Student Handbook, the defendants MATTHEW ARDIZZONE and JAMAL J. ROSSI also submitted false sworn affidavits in the Monroe, N.Y. court, so-called due process. The defendant has been suspected of committing a criminal act of providing false testimony to the judicial system. When the issue was revealed, what was even more absurd and evil was that the defendant's lawyer and Judge ANN MARIE TADDEO of the Monroe County Court actually avoided the issue and ignored the appellant's allegations. Circuit court judges did the same.

2. The court should review and confirm whether SY's remarks are "racial discrimination". Defining whether SY has racist remarks is itself the first priority for the federal

court to review. The plaintiff has made a lot of clear accusations and defenses in the indictment, rebuttal motions, and appeals, etc., but the federal court judge thinks that the plaintiff's statement on the federal issue is not clear, which is obviously extremely absurd ! So far, the federal circuit judges have not finally determined whether SY is "racial discrimination". However, it can be concluded without basis that the federal question in this case is not clearly expressed, which is indeed a basic logical confusion. It turns out that these unjust judges also have no right to confirm this particular fact, but need the participation of the jury to be as fair as possible. The EW Judge of the Federal Western District Court deliberately created such an unjust time and space from the beginning to lay the foundation for his illegal judgment.

3. The appellant relied on the evidence to accuse the defendant of "racially discriminatory" behavior and motives. It also used the chain of evidence to accuse the defendant of colluding with the CCP to persecute the plaintiff as another motive! However, the federal court

judge deliberately protected the defendant by not holding a pretrial conference, not cross-examining evidence, and unilaterally arbitrarily identifying and distorting the facts. The actions of the federal court and Monroe County state court judges are essentially a continuation of the defendant's wrongful conduct and are typical of judicial injustice.

**In conclusion:**

First of all, confirming whether the plaintiff SY's remarks are "racist" is itself the object of federal issues that the federal court must adjust. The so-called "racial discrimination" remarks are the original subject of this case. The so-called unclear description of the federal problem is an extremely absurd reason. Justice Marshall held that as long as federal law could form an integral part of the overall case, it was a federal question case within the meaning of Article 3 of the Constitution. Moreover, from the very beginning, the appellant made a detailed statement of each cause of action with solid evidence, but

the essence was that the judge deliberately turned a blind eye, deliberately did not hold a pretrial conference to cross-examine the evidence, and did not conduct a preliminary court investigation. For an appellant who does not have a lawyer and has language barriers, the judge's operation itself is extremely abnormal. The judge is not adjusting the social legal relationship perfectly, but creating problems and expanding contradictions!

Deliberately creating an unjust environment ( See case: (1) Osborn v. Bank of the United States, 22 U.S. 738 (1824), 28 U.S. Code Section 1331 -Federal question. (2) Dioguardi v. Durning - 139 F.2d 774 (2d Cir. 1944). (3) Ryan v. Hofstra University, 67 Misc.2d 651,324 N.Y.S.2d 964, N.Y.Sup.Ct.1971 ) ! From the very beginning, this incident was a simple case of cognitive issues such as "racial discrimination", "free speech", "defamation", "procedural injustice", etc. ( Note: 1. Including the so-called racist remarks of the appellant SY. 2. The defendant racially discriminated against the appellant SY ). Now it has gradually evolved into a number of New York versions of

judicial injustice, malfeasance and cover-up cases. Many New York judges have used the same method as above to deprive plaintiffs of their right to sue in disguise. In this way, the intervention of the jury is avoided. Trying to wrap the sin in a lie, in order to achieve the purpose of black box operation. Circuit Court Judge repeating the operation of the EW Judge of the Federal Western District Court on the basis of not overturning evil has of course resulted in another unfair judgment! If the evil is not effectively corrected in the first place, then the officials will protect each other after that, and the evil will be repeated with the low level ! The judicial corruption that the plaintiff LY encountered in China is reappearing in New York, USA. This is a great insult and irony to the entire human race! Judicial corruption is the root cause of all other social chaos, ignorance, evil and corruption. Once human nature is evil, there will be no normal morality, conscience and the most basic logic. The United States has the best political system and judicial system in the world, but when some people's humanity becomes bad,

everything will cease to exist, even if the system of heaven is transplanted to the United States, it will not help.

Appellant LY hereby calls for a complete cessation of judicial exchanges between the United States and the CCP, as well as so-called competition, cooperation and exchanges in various fields. If the United States falls, the world will surely be destroyed! The comforting thing is that there are still a group of patriots in the United States, and this is the hope of the United States !

## CONCLUSION

For the foregoing reasons, this Petition for a Writ of Certiorari should be granted.

Respectfully submitted,

Petitioner ( Pro Se ) :



LU YANG

SIYU YANG



Date: 06/17/2022