

ORIGINAL

No. 22-5134

Supreme Court, U.S.
FILED

MAY 07 2022

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

BART TARULLI — PETITIONER
(Your Name)

Ameriprise Financial ^{vs.} Services — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals Second Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)
40 Foley Square
PETITION FOR WRIT OF CERTIORARI

BART TARULLI
(Your Name)

2 Bay Club Drive
(Address)

Bayside, New York # 11360
(City, State, Zip Code)

917-7479798
(Phone Number)

QUESTIONS FOR REVIEW/14.1

- 1) Does the court believe that 'cheating', and violating established law/rules must be addressed with an imposition of the clear penalties so listed?
- 2) Does the court impart 'equality' as relates to self representation ?
- 3) When presented with overwhelming material evidence, does the court abide by the standard 'of 'preponderance of evidence' to reach a decision.
- 4) Will the court decide the case based on merit, or give an advantage to An established law firm or trillion dollar corporation?
- 5) In keeping with the rules of conciseness, brevity, and clarity, will the court view 'meritorious' submission which clearly shows the abundance of favorable evidence of petitioner over respondent?
- 7) Petitioner has attended 532 depositions over a ten year period. Familiarity with cases has shown no boundaries, with regard to violating rules by certain attorneys. Will the court punish the offenders?
- 8) Can petitioner expect different and fair treatment in light of the Abysmal actions of Judge Liman, Court of Appeals, and FINRA arbitration?

Thank you for the opportunity, to state my questions

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:

RELATED CASES

Table of Authorities

Discovery Abuse;

CASE LAW:

Wanderer v Johnston 910 F.2d 652 9th Cir 1990

\$25,000,000.00 judgement for Plaintiff

CITY OF GRIFFIN V JACKSON 239 Ga App 374m 337 (1) 520 E 2d 510 (1999)

FRCP VIOLATIONS

RULE 37 FAILURE TO REPLY IN DISCOVERY

PENALTY: SANCTIONS, REVERSAL OF COURT DECISION, REMOVAL FROM CASE

RULE 26 (a) penalties as RULE 37 FRCP

Publications

Legal Information Institute

LIl Wex Civil Procedure

Library of Congress

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was FEB 10, 2022

☐ 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: _____, 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).

STATEMENT OF THE CASE

Petitioner was wrongfully terminated by Ameriprise Financial Services,
Resulting in petitioner losing all equity, monies, steady income and ability
To find employment in financial arena.

Petitioner became a pariah, unable to find work.

Ameriprise elected to by-pass ALL procedures, which included a six step
process prior to dismissal. A forty page document was provided to expose
All violations, approx 99 violations, Of all transgressions committed,
material and evidence, respondent's only challenge was late submission
of documents to respondent. Literature is replete with 'excusable neglect'
as a valid defense. The court of Judge Liman, and Magistrate Wang
opted not to include this defense. The court and appeal court elected as well
not to view this in my appeal.

Respondent had two 'ex parte' conversations with the judge, as well as two
violations in refusal of Discovery on two occasions. The Chairperson complied
with MTC, and respondent elected to send over 1000 pages of
non-relevant material, as far back as 1998!

And come with various penalties. Petitioner is calling upon the court to
enforce the well documented violations of Federal Rules of Civil Procedure
And reverse the decision, the erroneous decision of the lower court.

In layman's lingo, cheating must not be rewarded. Petitioner will be available
For oral argument.

REASONS FOR GRANTING THE WRIT

Appellant in keeping with the interest of conciseness, notes that only Far reaching ramifications of the Supreme Court shall be cited.

(1) As stated previously the court has at its' discretion the ability to view both The 40 page ' Meritorious Complaint' as well as the 14 submission to the court of Judge Liman. I shall confine my reasons for granting the Writ to issues due to judicial bias and ignorance. There exist sets of rules that must adhered or one faces the consequences of ' legal break down' of the court system. I have specified the ignorance of law, and pro se bias. Neither can be permitted in a country of laws and procedures. Not only has this negatively affected me, but the entire legal system is at risk.

The Court of Appeals is crucial to the implicit' checks and balances
When a court ruling is demonstratively in error. The 'court of appeals'
After submission of ' facts and law' declined my appeal without
Any reason! Without stating so, it was ' pro se ,keep away!
Clearly in violation of my constitution right of self representation.

(II) The court must not permit the violations of any officer of the court

To violate any statute so designated to advance the undue advantage of a person ' A ' against person ' B '. The defendants' of counsel' has admitted such. To not enforce these violations by the Supreme Court is to permit Any other violations as acceptable, as they have permitted this RULE 2.9 FRCP. This is crucial for the Supreme Court as precedent setting.

Should the court waiver on the matter, then the Supreme Court will be known As having an attitude of flexibility when it comes to permitting a criminal act Or showing 'zero tolerance' for dishonesty across the board. This point is so Crucial that not imposing penalties, to the wrongdoer, will send a message that the Supreme Court is willing to grant leniency for certain crimes and not others. I cannot express in words the importance of permitting This individual to escape punishment as both the court of Judge Liman And the Court of Appeals have done! This is crucial to the reputation Of the court, and it will affect the Supreme Court as a body that has standards or not!

In layman's lingo, cheating must not be rewarded. Petitioner will be available
For oral argument.

The Court must give strong consideration to the following;

This case would have 'national significance'. Apart from the merit contained
The broader message would be, 'THIS COURT WILL NOT TOLERATE ANY
CHEATING, SO AS TO ADVANCE ONE'S CASE IN FAVOR OF LAW ABIDING
INDIVIDUALS.' The lower court was content is allowing cheating by respondents.
This point alone merits this case for 'Writs of Certiorari'.

The Court has held that the SIXTH Amendment, in addition to guaranteeing
the right to retain or appoint counsel, also guarantees the defendant the right to
represent himself. This overt bias by the court and lower court, could not be
more obvious, as all the evidence, case law is on side with petitioner

FRAUD UPON THE COURT

ALONG WITH DISCOVERY ABUSES, RESPONDENT COMMITTED AN EGREGIOUS VIOLATION OF FRCP, Rule 2.9 EX-PARTE COMMUNICATION ON TWO OCCASSIONS. What follows are particulars;

- 1) Ms. Sydney Crowder intentionally engaged in two conversations With the judge/Chairperson, with petitioner totally ignored.
- 2) As pro se, I was treated as a non entity, and not afforded the civil behavior an attorney would. Ms. Crowder would never have left with judge had an attorney been the petitioner. This is 'pro se bias' straight and clear.
- 3) The appeal court has all stated before them, yet elected To ignore clear violations by respondent, to the detriment Of petitioner.
 - 3b) Sanctions must be imposed upon attorney Sydney Crowder For deliberate violation of both Discovery Abuse, and Ex-parte communications. Attorney must face the penalties

- 4) Produce any law, rule, etc where termination is predicated
On the belief of future behavior?
- 5) Five day arbitration was cut to three days to accommodate the
The schedules of chairperson, and lead attorney.
- 6) Denied Voir Dire of expert witness.
- 7) Improperly called me misogynist, then apologized.

- B) Containing non relevant information dating back to 1998, Fully 6 years prior to appointment date of 2004.
- C) Information contained names and address of branch managers worldwide. So old in fact there were no text , nor e-mail address.
- D) Ms. Crowder further sent a certified receipt to Chairperson as evidence that she obeyed the MTC!
- E) This was intentional deception, as nothing sent to petitioner was in response to Discovery Requests.
- F) Petitioner has all evidence to prove my allegations
- G) In Martinez vs City of New York Magistrate judge a 37 page opinion, 2018WL604019 (E.D.N.Y. JAN .24,2018

The court notes the following factors are generally considered and can exercise their discretion to enter Default judgement, or impose another dispositive sanction.

- 1) Was the reason for non compliance willful?

Answer: Yes

- 2) The efficacy of lesser sanctions

Answer: Court decision

- 3) Duration of period of non-compliance

Answer: Months

- 4) Whether the non compliant party had been warned ?

Answer: MTC, was the warning

- 5) Ms. Crowder is a seasoned litigator, who knew exactly both the law and penalties.

FRAUD on the COURT and ABUSIVE DISCOVERY

Further to strong consideration for acceptance of WRIT of CERTIORARI

Are what follows;

To decide whether the abusive conduct caused the court not to perform in the Usual manner ,its' impartial task of judging cases. Under this standard the courts Will more readily find that abusive Discovery that undermines the integrity of the judicial process or influences the decision of the court constitutes

FRAUD ON THE COURT!

EVIDENCE TO SUPPORT PETITIONER'S ALLEGATION

Respondent did not provide a single answer to list of discovery questions put forth to respondent. Yet, the very same questions and type were asked of petitioner.

The court must take note that in a sworn affidavit, a single perjured statement Makes anything else stated , non admissible.

Should a court find that an attorney co-mingle funds, the penalty could be Disbarment.

CHEATING THE COURT

The COURT either ignores the rules, to the advantage of the violator
Or make a statement that CHEATING is not only unacceptable BUT COMES
WITH SEVERE PENALTIES.

The fact is that AMERIPRISE would do anything NOT to face Petitioner in
COURT. Why? Petitioner has encyclopedic knowledge and 100% of evidence
To bring to Court. They know they will lose, hence the need to resort to
Cheating for self interest , and away with the rules for a trillion dollar corporation.
They exists only one action for the court to take

DISCOVERY VIOLATIONS/ ABUSE BY RESPONDENT

Apart from jury tampering, Ex-parte conversations with the Judge, and Discovery violations against petitioner, qualify for sanctions, reversal of decision favoring respondent, and Dispositive Sanctions .

If petitioner only cites the above, it has reason enough for the Court to reverse the judgement and award petitioner The judgement. The reason is simple. Respondent has been cheating against both the petitioner and by extension, the Court. This unfair advantage must be punished, and weeded out.

Brief explanation. Respondent refused to answer any question Posed by petitioner, while asking the same questions of Petitioner. Petitioner made a MTC on Sydney Crowder, senior Litigant for Ameriprise.

In response came the following;

A) 1000 pages double sided

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Bart Landis

Date: 7/18/22