

AUG 16 2022

OFFICE OF THE CLERK

No. 22-5855

22-5855

In The

SUPREME COURT OF THE UNITED STATES

**KENRICK HAMILTON,
PETITIONER,**

VS.

**Northern Virginia District Office/SCU County of Cattaraugus
RESPONDENT**

**PETITION FOR A WRIT OF CERTIORARI
To The United States Court of Appeals
For the Fourth Circuit**

PETITION FOR WRIT OF CERTIORARI

**KENRICK HAMILTON
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CENTREVILLE, VA. 20121
703-763-7201**

I.

QUESTION(S) PRESENTED

- 1) The defendant received Court Summons via U.S.Marshals,pursuant to FRCP (Federal Rules of Civil Procedure) Rule 4 (c)(3), the plaintiff case was granted by court, under In Forma Pauperis, Title 28 U.S.C. Section 1916, why is the court claiming, the plaintiff did not server the defendant, when the Summons was served by U.S.Marshal, pursuant to rule 55?
- 2) Why is the court not granting default judgement to the plaintiff, the defendant(s) fail to respond or appear to court, when evident(s) has been proven?
- 3) Pursuant to Fair Debt collection Practices (FDCPA), the plaintiff has proven this act from the defendant(s) applying two debt(s) to the credit bureau's of the same account, from two different agencies. This act, raised the plaintiff debt ratio too high for law enforcement employment, and/or maintain Top security clearance. Evident(s) has been proven, and claim(s) for relief, why the court did not grant plaintiff enforcement?

- 4) If the court believes the case has no subject matter personal jurisdiction, why did formal employer, Department of Homeland Security/TSA/Office of Law Enforcement/Federal Air Marshal Services revoke his security clearance and put on Indefinite Suspension, after the defendant(s) raised garnishment from wages not true, causing bankruptcies and not able to pay common bills?
- 5) Why is the court belief that the plaintiff does not have subject matter personal jurisdiction, when the plaintiff has proven with evidence(s) of federal(s) laws have been violated, from fraudulent document(s) of salary, not coming from agency, per policy and procedure?
- 6) The defendant(s) can apply one account with two different debts to the plaintiff's credit report, which was brought to the attention of the plaintiff from creditor, when applying for a law enforcement job?
- 7) WHEN FEDERAL LAWS HAVE BEEN VIOLATED AND PROVEN, THE STATE AND/OR THE DEFENDANT MUST ENFORCE THE FEDERAL LAWS FIRST?

II.

List of Parties

Petitioners are Kennick Hamilton and Charlotte Hamilton. They are the plaintiffs in the District Court and appellants in the Court of Appeals. Respondent(s): Northern Virginia District Office, Support Enforcement Specialist; Support Collection Unit, County of Cattaraugus.

III.

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U.S.CODES

TITLE 42 U.S.C, SEC. 866(10)(11)

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VI.

OPINIONS BELOW

THE DECISION OF THE UNITED STATES COURTS OF APPEALS, APPEAL WAS DENIED A PETITION FOR REHEARING AND REHEARING EN BANC.

X.
JURISDICTION

THE DISTRICT COURT ENTERED ITS ORDER ON AUGUST 04, 2021. TRANSFER TO U.S. COURT OF APPEALS, ON SEPTEMBER 10, 2021. FROM U.S. COURT OF APPEALS TO SUPREME COURT

THE JURISDICTION OF THIS COURT IS INVOKED UNDER 28 U.S.C. SECTIONS 1254(1), THIS COURT MAY GRANT A PETITION FOR A WRIT OF CERTIORARI TO REVIEW ANY CASE THAT IS "IN" THE COURT OF APPEALS. UNITED STATES v. NIXON, 418 U.S. 683, 692 (1974).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. TITLE 20, U.S.C; SECTION 1097
2. Title 15 U.S. Code Subchapter V - DEBT COLLECTION PRACTICES
 3. Fair Debit Collection Act.
 4. Title 15 U.S. Code, Section 1681o.
 5. Title 15 U.S.Code, Chapter 41.
6. PURSUANT TO 28 U.S.C.- 1331-FEDERAL QUESTION, The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.
7. SUPREMACY CLAUSE- UNITED STATES CONSTITUTION, ARTICLE VI, CLAUSE 2; it provides that state courts are bound by the supreme law; in case of conflict between federal and state law, the federal law must be applied.
Even state constitutions are subordinate to federal law

**8. PURSUANT TO TITLE 31 U.S.C. 3729-FALSE CLAIM; (A)(1)(B)(G), (3)(b)(1)
(A)(i)(ii)(iii) Knowingly makes, uses, or causes to be made or used, a false record
or statement material to a false or fraudulent claim;**

STATEMENT OF THE CASE

The case present questions that violated the petitioners Debt Collection Practices Act, Title 15 U.S.C. Sec.1692-1692p. The defendant's submitted two different accounts in collection of one account to plaintiff. This action(s), not knowing, kept the plaintiff from employment at his skill set. Due to high to debt ratio was too high for hire.

The defendant's went further and submitted false document(s) to the state court, the plaintiff salary, that the defendant's stated, received from former employer (Department of Homeland Security/Transportation Security Administration/office of Law Enforcement/Federal Air Marshal Services.

When question the validity of the document at state court, per Agency policy and procedure, there was no letterhead accommodating the document and the defendants former employer proven a letterhead, stating, personal information of the plaintiff salary was not given to the defendant's, the agency only process claims for garnishment. See Appendix B 9 of 10.

The defendant's submitted two false debt, for one account, to the credit bureau's, after the plaintiff lost his job from former employer, due to over garnishment of salary, not able to pay common bills, lost of Top security clearance, which the plaintiff held for 17 years. The Respondent also enforce a restraining order on plaintiff bank account and garnishment of funds from unemployment check, during Pending lawsuit. The plaintiff has reach out to the state attorney general for the state of Virginia, to resolve this matter. One Scott Weber, directed the plaintiff back to the Northern Virginia office, who has failed to respond to any paperwork given. See appendix c

The plaintiff has continued to applied for jobs not requiring a top security clearance, in the law enforcement. The plaintiff was denied employment due to false debt(s) submitted by the respondent, on the plaintiff credit report.

STATE ENFORCEMENT CONTINUE history

Once the respondent had put the petitioner, unemployed from former employer

The petitioner submitted petition(s) to the State, concerning petitioner's unemployment and public assistance status, due to the respondents actions. The plaintiff has supplied the proof of paperwork. The state Had found The petitioner statement not sound, or non-belief. See appendix D and E, from writ of Certiorari of 2017. The petitioner was left to defend a false salary submitted by the defendant for the State. This error, if the former employer submitted to the state, violated the protection of agency policy and law, under 50 U.S.C. § 403g: Protection of nature of Agency's functions, Larson v. Department of state, 565 F.3d 857,865 n.2 (D.C.Cir.2009); Berman v. CIA, 501 F. 3d 1136,1137-38, 1140 (9th Cir. 2007); Makky v. Chertoff, 489 F. Supp. 2d 421, 442 (D.N.J. 2007).

REASONS FOR GRANTING THE PETITION

PURSUANT TO RULE 10(A) OF THIS COURT, THE CONFLICT HAS SO FAR DEPARTED FROM THE ACCEPTED AND UNUSUAL COURSE OF JUDICIAL PROCEEDINGS FOR SANCTIONS, IT CALLS FOR AN EXERCISE OF THIS COURT'S SUPERVISORY POWER. THIS CASE IS CLEARLY A VIOLATION OF THE PETITIONER CIVIL RIGHTS, under the credit act(s), and among other(s) violations of law.

FOR THE FOREGOING REASONS, KENRICK HAMILTON RESPECTFULLY REQUEST THE COURT TO GRANT THE PETITION.

RESPECTFULLY SUBMITTED,
KENRICK HAMILTON
14489 GOLDEN OAK RD.
CENTREVILLE VA. 20121

DATE: 8/19/2022

SIGN: 