

22-6270

No. _____

ORIGINAL

FILED
DEC 07 2022

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE SUPREME COURT OF THE UNITED STATES

Charles H. Carter

Petitioner,

vs.

GardaWorld Security Services – U.S., et al.

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI TO
COURT OF APPEALS OF MARYLAND

PETITION FOR WRIT OF CERTIORARI

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Pro Se Litigant-Citizen

Question(s) Presented

This case originated as a “adverse employment actions” event, which included a termination of employment, where Mr. Carter (hereinafter “Carter”), was terminated on September 25, 2020, for an allegation of mishandling a loss telephone. This termination gave rise to Carter filing a civil complaint in the Circuit Court for Baltimore County, Maryland (hereinafter “Circuit Court”), on November 16, 2020. The defendants, after being properly and timely served (November 20, 2020), had until December 21, 2020, to file their response to the civil complaint. On December 21, 2020, Nathaniel M. Glasser, Esq., (hereinafter “Glasser”), an out-of-state attorney (Washington, DC), filed a 197-pages Notice of Removal in the U.S. District Court for Maryland, which attest to his on and before December 21, 2020, was the lead attorney for the state defendants, in the state case, joining the state defendants, devising a strategy to proceed with the state case, taking control and possession of all state records and ultimately using these state court records to *prepare* and file the resulting 197-pages Removal Notice (Legal Document), in the U.S. District Court for Maryland, with his sole signature, and paying the \$402.00 filing fees. Mr. Glasser was not the attorney of record, never filed a notice of appearance, did not apply for pro hac vice until June 7, 2021, six months later, after the case was remanded back to state court, used knowingly disingenuous reasoning for removal (Diverse Jurisdiction), and did not notify the petitioner of this removal until January 4, 2021. **Md. R. Att'y Rule 19-305.5:** Unauthorized Practice of Law; Multijurisdictional Practice of Law (5.5); **28 U.S.C. § 1446:** Procedures for Removal; and **18 U.S.C. § 1001:** Statements or Entries Generally.

The State notification of removal to the Circuit Court was electronically submitted on December 21, 2020, at 3:28 pm., by an unknown entity with the name John S. Linehan, Esq. affixed. This four-pages, one paragraph narrative Notice of Filing of Notice of Removal, with Mr. Linehan’s name affixed to it also attest to his being the sole attorney for all defendants. This is the only filing that Mr. Linehan has submitted in this two-years old case and Linehan has never filed a notice of appearance, never sponsored Glasser for pro hac vice, he is not a *defendant* in this case, and never appeared in this case or submitted any other legal documents from this cases inception to date (December 4, 2022). Mr. Linehan was never an *active participant* in this case and has never appeared in any Maryland court in reference to the *Carter v. Gardaworld* matter, all in violation of **28 U.S.C. § 1446:** Procedures for Removal; **18 U.S.C. § 1001:** Statements or Entries Generally; and **28 U.S.C. § 1441:** The Forum Defendant Rule.

This case was remanded from the U.S. District Court of Maryland (May 20, 2021), back to the Circuit Court and on June 4, 2021, Glasser and Christopher S. Smith, Esq. filed a Motion to Dismiss, well-over six months after the original complaint was filed. On June 7, 2021, this Petitioner filed a *Motion in Opposition of Dismissal and Request for Summary Judgment*. Also on June 7, 2021, Glasser applied for pro hac vice, with Christopher S. Smith, Esq. as his sponsor. In this pro hac vice application Glasser attest to his being an “*out-of-state attorney who is a member in good standing of the Bars of the District of Columbus, New Jersey, New York, and Virginia*,” not Maryland. Accompanying this application Glasser submits an affidavit disingenuously attesting to his *not* practicing law in Maryland for the previous 12 months. **18 U.S.C. § 1001**: Statement or Entries Generally.

The Circuit Court erroneously struck this Petitioners’ timely and properly filed Summary Judgment Motion, with this striking being ordered struck, after Petitioner filed a Motion for Reconsideration. Noting that the Defendant’s non-response to the Summary Judgment Motion went ignored by the Circuit Court who has moved outside the legal lines in its *continuing* attempt(s) to assist Defendants in muting Plaintiff’s Summary Judgment Motion, ultimately accomplishing its goal by unfairly granting *Defendants’ Motion for Protective Order to Stay Discovery Pending Defendants’ Motion to Dismiss* and refusing to hear or adjudicate Petitioner’s summary judgment and Attorney Practicing Law in Maryland Without the Authority, during a prejudicial trial court hearing.

At the subsequent scheduled prejudicial hearing the Court refused to hear and/or adjudicate Petitioner’s Motion deemed Attorney’s Unauthorized Practice of Law in Maryland and the Summary Judgment Motion. The Circuit Court, only hearing defendants’ *Motion to Dismiss*, which was the direct product of the filing attorney’s unauthorized practice of law in Maryland, dismissing the case with prejudice, leaving three filed motions unadjudicated, which include the Defendants’ unlawful Motion to Dismiss. **FRCP Rule 56**: Summary Judgment; **FRCP Rule 60**: Relief from a Judgment or Order; and **Md. Rule 2-602**: Judgment Not Disposing of Entire Action.

The Circuit Court incorrectly reduced the scope of the unauthorized practice of law in Maryland, in its entirety, to whether an unauthorized attorney’s pleadings were co-signed by an authorized attorney. The COSA concurred with the Circuit Court’s mistaken and erroneous ruling. The Court of Appeals of Maryland denied the Petitioner’s writ making claim that the issue is not in the public interest. **FRCP Rule 60**: Relief from a Judgment or Order.

Carter alleges that Glasser, without authority, unlawfully removed the case from the Circuit Court to the U.S. District Court for Maryland, while performing the unauthorized practice of law in Maryland. Ergo, defendants did not properly, legally, and/or timely file their response to the original complaint. Carter also alleges that the Circuit Court prejudiced his case, knowingly failed to follow Maryland's State and Federal laws, and assisted in violations of Petitioner's **Constitutional Amendments V and XIV rights**, and a host of other federal and state laws. **Md. Rule 18-101.3: Avoiding the Prestige of Judicial Office** (ABA Rule 1.3); **Md. Rule 18-102.2: Impartiality and Fairness** (ABA Rule 2.2); and **Md. Rule 18-102.3: Bias, Prejudice, and Harassment** (ABA Rule 2.3).

Resulting Questions Presented:

- (1) If a licensed out-of-state attorney, without the authority to practice law in Maryland, and has not submitted an application for pro hac vice, represents himself as an attorney to Maryland State Court defendants, in a Maryland State Court Civil Proceeding, joins those Maryland State defendants, devises a strategy to adjudicate the Maryland State defendant's legal issues, takes control and possession of all state court records, prepares legal documents, despite what those legal documents and papers are titled, then initiates a removal proceedings with the prepared legal document (with his sole signature), from a Maryland State Court to federal court, does this constitute practicing law, in Maryland, without the authority to do so? *Md. R. Att'y Rule 19-305.5. Unauthorized Practice of Law; Multi-Jurisdictional Practice of Law* (5.5); *Kennedy v. Bar Ass'n of Montgomery County, Inc.*, 316 Md. 646, 617-73, 561 A.2d 200, 213 (1989); *FRCP Rule 60. Relief from a Judgment or Order*; 28 U.S.C. § 1446. *Procedures for Removal*; and *Constitutional Amendment V and XIV violations*.
- (2) Does an individual, who is not a litigant, defendant or a defendant's authorized attorney have the authority to remove a claim from State Court to Federal Court? *28 U.S.C. § 1446. Procedurals for Removal*.
- (3) Does a Maryland attorney's two-years old, sole signature, one-four-pages, one paragraph, State-of-Maryland Notice of Filing of Notice of Removal, where he disingenuously attests to being all defendant's attorney and never filed any notice of appearance or any other legal documents or papers, in this two years old, well-over 25 pleading filings, Maryland State Case constitute his being an *active participant* in this case? *Md. R. Att'y Rule 19-305.5(a)(2)(1); 28 U.S.C. § 1446. Procedurals for Removal*; *FRCP*

Rule 60. *Relief from a Judgment or Order. Constitutional Amendment V and XIV.*

(4) Is a written hearing request a requirement for a Maryland Circuit Court Judge needed before that court can adjudicate a properly and timely filed Dispositive Motion (i.e., Summary Judgment)? *Md. Rule. 2-501. Motion for Summary Judgment; Md. Rule. 2-602(b). Judgment Not Disposing of Entire Action; Federal Rules of Civil Procedures, FRCP Rule 56: Summary Judgment. Constitutional Amendment V and XIV.*

(5) If a Maryland Circuit Court Judge does not adjudicate all the claims in an action or less than an entire claim is his documented final judgment allowed to stand or is it *not* a lawful final judgment? *Md. Rule 2-602. Judgment Not Disposing of Entire Action.* FRCP Rule 60. Relief From a Judgment or Order. *Constitutional Amendment V and XIV.*

(6) Does the Circuit Court's actions and inactions, herein described in this writ of certiorari, in its entirety, constitute prejudicing this pro se litigant and his case? *Md. Rule 18-101.3. Avoiding Lending the Prestige of Judicial Office (ABA Rule 1.3); Md. Rule 18-102.2. Impartiality and Fairness (ABA Rule 2.2); and Md. Rule 18-102.3. Bias, Prejudice, and Harassment (ABA Rule 2.3). Constitutional Amendment V and XIV.*

(7) Did the COSA and the Circuit Court, commit an error of law when they both reduced, in its entirety, the scope of the unauthorized practice of law in Maryland to whether an authorized attorney signed the unauthorized attorney's pleadings and used this reduced scope as their bases for a final judgment? *Md. R. Att'y Rule 19-305.5. Unauthorized Practice of Law; Multi-Jurisdictional Practice of Law (5.5), and FRCP Rule 60. Relief from a judgment or Order; Kemp v. United States, No. 21-5726 (2022). Constitutional Amendment V and XIV.*

(8) Did the COSA err when it affirmed the Circuit Court Judgment Order when said Order was based on a fraud, errors of law, mistakes, and faulty reasoning, actions which are prohibited under the FRCP Rule 60: *Relief from a Judgment or Order? Constitutional Amendment V and XIV.*

(9) Does the lower Court(s) actions and inactions, individually and combined, herein this Writ of Certiorari, constitute Constitutional Amendments V and XIV violations?

(10) Are governmental administrative agencies required to follow the rules and regulations of their agency? *Hopkins v. Maryland Inmate Grievance Comm.*, 40 Md. App. 329, 391 A.2d 1213 (1978); *Accardi v. Shaughnessy*, 347 U.S. 260, 74 S.Ct. 499, 98 L.ED. 681 (1954).

Parties to the Preceding

The Petitioner is Charles H. Carter, *Pro Se* litigant-citizen. Respondent is GardaWorld Security Services – US. ET AL. (Prentice Robertson, Donna Kile, Steven Martin, Lamont Green, Marcella Young, Shawan Burrell, and Jody E. Gaines at 10455 Mill Run Circle, Owings Mills, Maryland 21117).

- *Charles H. Carter v. Gardaworld Security Services – US., et al.*, No. 129-2022, Court of Appeals of Maryland. ORDER: Reconsideration Judgment entered October 25, 2022, Denying Motion. (App. A)
- *Charles H. Carter v. Gardaworld Security Services – US., et al.*, No. 129-2022, Court of Appeals of Maryland. ORDER: Judgment entered August 30, 2022, Denying Writ of Certiorari. (App. B)
- *Charles H. Carter v. Gardaworld Security Services – US., et al.*, CSA-REG-1112-2021, Court of Special Appeals of Maryland. ORDER: Reconsideration Judgment entered May 26, 2022: DENIED. (App. C)
- *Charles H. Carter v. Gardaworld Security Services – US., et al.*, CSA-REG-1112-2021, Court of Special Appeals of Maryland. MANDATE: Judgment entered May 4, 2022, filed May 26, 2022, Affirming Circuit Court for Baltimore County's Judgment. (App. D)
- *Charles H. Carter v. Gardaworld Security Services – US., et al.*, No. C-03-CV-20-004108, Circuit Court for Baltimore County, Maryland. Judgment entered September 21, 2021. (App. E)
- *Charles H. Carter v. Gardaworld Security Services – US., et al.*, No. 1:20-cv-03700-JKB, United States District Court for the District of Maryland. Remand Judgment entered May 20, 2021. (App. Q and Q1)
- *Charles H. Carter v. Gardaworld Security Services – US., et al.*, No.: C-03-CV-20-004108, Circuit Court for Baltimore County, Maryland. Removal to federal court filed December 21, 2020. (App. J and P1)

RELATED CASE

- Complaint Respondent: Nathaniel M. Glasser, Esquire, File No. 2022-1623, Attorney Grievance Commission of Maryland Office of Bar Counsel. Finding: October 13, 2022. (App. AA)

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APPENDIX B: Court of Appeals of Maryland's Petition Docket No. 129, September Term 2022, August 30, 2022, ORDER denying writ of certiorari.

APPENDIX C: Court of Special Appeals of Maryland, No. 1112, September Term, 2021. ORDER dated May 26, 2022: Denying Motion for Reconsideration.

APPENDIX D: Court of Special Appeals of Maryland, CSA-REG-1112-2021. MANDATE, dated May 4, 2022, entered May 26, 2022: Affirming Circuit Court for Baltimore County Judgment.

APPENDIX D1: Court of Special Appeals of Maryland Correction Notice, dated May 26, 2022. Notification of Corrected Opinion.

APPENDIX D2: Court of Special Appeals of Maryland, No. 1112, September Term, 2021, dated May 4, 2022, Corrected Unreported Opinion.

APPENDIX D3: Court of Special Appeals of Maryland, No. 1112, September Term, 2021, NOT DATED or FILED in the Court, Original Unreported Opinion.

APPENDIX E: Court of Special Appeals of Maryland, No. 1112, September Term 2021, ORDER, to proceed without a Prehearing Conference or Alternative Dispute Resolution, dated October 8, 2021.

APPENDIX E1: Court of Special Appeals of Maryland, No. 1112, September Term 2021, ORDER, Waiver of Cost, dated October 12, 2021.

APPENDIX F: Court of Special Appeals of Maryland, No. 1112, September Term 2021, ORDER, granting Appellate Request for Waiver of Cost, dated October 12, 2021.

APPENDIX G: Circuit Court for Baltimore County, Maryland, No.: C-03-CV-20-004108, September 21, 2021, Transcript of Proceedings: *Carter v. Gardaworld*.

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APPENDIX H1: Circuit Court for Baltimore County, Maryland, No.: C-03-CV-20-004108, Plaintiff's Motion in Opposition of Defendants' Motion for Protective Order to Stay Discovery Pending Defendants' Motion to Dismiss, dated June 23, 2021, and 10:36 am.

APPENDIX H2: Circuit Court for Baltimore County, Maryland, No.: C-03-CV-20-004108, ORDER, Granting Defendants Motion for Protective Order and Brief in Support. Furthered ORDERED: Discovery stayed until further order of this court to be reconsidered following ruling on pending motion to dismiss filed by defendant and motion for summary judgment filed by plaintiff, dated July 29, 2021.

APPENDIX I: Gardaworld's Termination Notice for this Petitioner, dated September 25, 2020.

APPENDIX J: United States District Court District of Maryland's notification of removal from State court to Federal Court, dated December 21, 2020.

APPENDIX J1: In the United States District Court for The District of Maryland's Memorandum of Law in Support of Defendants' Motion to Dismiss, dated December 28, 2020, and filed solely by Glasser. Deliberate misrepresentation of material facts. (Listed as District Court # 1-20-cv-03700-JKB. Document 10-1 Filed 12/28/20 Page 29 of 29). Partial document, page 5 through Certificate of Service page.

APPENDIX K: First interaction with Glasser: Nathaniel M. Glasser's notification to Carter advising to direct all future correspondence and service documents to him; that he is attaching a copy of the motion to dismiss filed in federal court; and he makes mention of Carter's previously filed Order for Default, dated January 4, 2021.

APPENDIX L: Nathaniel M. Glasser's notification to Carter advising that he and his clients will not be responding to discovery request because we are now in federal court and under a different set of rules, dated January 5, 2021.

APPENDIX L1: Nathaniel M. Glasser's notification to Carter advising that it has come to his attention that in late December 2020, Carter mailed removal papers and discovery request to defendants. Since he is their attorney please send all future correspondences to him, dated January 22, 2021.

APPENDIX M: United States District Court for the District of Maryland's five pages Notice of Removal, prepared and filed by Nathaniel M. Glasser, dated December 21, 2020. (Copies of States documents not included).

APPENDIX M1: United States District Court for the District of Maryland's Defendants' Joint Response to the District Court's Standing Order Concerning Removal prepared and solely signed by Nathaniel M. Glasser, dated December 23, 2020.

APPENDIX M2: United States District Court for the District of Maryland's Defendant Gardaworld Securities Services – US's Disclosure of Corporate Interest prepared and solely signed by Nathaniel M. Glasser, dated December 23, 2020.

APPENDIX N: In the Circuit Court for Baltimore County, Maryland's Notice of Filing of Notice of Removal, electronically submitted with John S. Linehan affixed, dated December 21, 2020.

APPENDIX O: United States District Court for the District of Maryland's Civil Cover Sheet, prepared and signed by Nathaniel M. Glasser, dated December 21, 2020.

APPENDIX P: United States District Court for the District of Maryland (Baltimore) Civil Docket for Case #: 1:20-cv-03700-JKB, initiated December 21, 2020.

APPENDIX P1: United States District Court for the District of Maryland (Baltimore) Standing Order Concerning Removal for Case #: 1:20-cv-03700-JKB, December 21, 2020.

APPENDIX Q: Page 14 and 15 of Chief Judge James K. Bredar's Memorandum for *Carter v. Gardaworld*, No.: 1:20-cv-03700-JKB, concluding case, dated May 20, 2021.

APPENDIX Q1: Chief Judge James K. Bredar's ORDER for *Carter v. Gardaworld*, No.: 1:20-cv-03700-JKB, dated May 20, 2021.

APPENDIX R: In the United States District Court, Defendants' Motion to Dismiss Plaintiff's Complaint and AMENDED Complaint, dated December 28, 2020.

APPENDIX S: Circuit Court for Baltimore County, Maryland's Motion for Special Admission of Out-Of-State Attorney Nathaniel M. Glasser, dated June 7, 2021.

APPENDIX T: Order Granting Motion for Special Admissions of Nathaniel M. Glasser, dated June 8, 2021.

APPENDIX U: Circuit Court for Baltimore County, Maryland's ORDER: Striking Plaintiff's Motion for Summary Judgment, dated June 25, 2021.

APPENDIX V: Circuit Court for Baltimore County, Maryland's ORDER: Granting Plaintiff's Motion for Reconsideration, dated July 26, 2021.

APPENDIX W: Circuit Court for Baltimore County, Maryland's Defendants' Reply Memorandum of Law in Further Support of Their Motion to Dismiss Plaintiff's Complaint and Amended Complaint and Opposition to Plaintiff's Motion for Summary Judgment, dated June 22, 2021.

APPENDIX X: Circuit Court for Baltimore County, Maryland's Order: Motion to Continue or Postpone, dated August 20, 2021.

APPENDIX Y: Circuit Court for Baltimore County, Maryland's Assignment of Trial, or Hearing, dated August 24, 2021.

APPENDIX Z: Circuit Court for Baltimore County, Maryland's Civil Non-Jury Hearing Sheet, dated September 21, 2021.

APPENDIX AA: Attorney Grievance Commission of Maryland, Office of Bar Counsel investigative conclusion against Respondent: Nathaniel M. Glasser, File No.: 2022-1632, dated October 13, 2022.

APPENDIX BB: State of Maryland Commission of Judicial Disabilities investigation conclusion against Judge Jan Alexander: CJD 2022-122 Alexander/Carter, dated November 22, 2022.

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¹ United States Constitution Amendments V, IX, and XIV encompass this writ in its entirety.

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IN THE
SUPREME COURT FOR THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

Opinions Below

The decision by the Court of Appeals of Maryland (hereinafter “COA”), denying Mr. Carter’s appeal is unreported as *Charles H. Carter v. Gardaworld Security Services – US, et al.*, No. 129-2022. The COA denied Mr. Carter’s petition for hearing on August 30, 2022. (Chief Judge Fader did not participate in the consideration of this matter). Mr. Carter’s timely filed Motion for Reconsideration was denied on *October 25, 2022*, with Senior Judge Shirley M. Watts’ name affixed to both orders. These order(s) are attached at Appendix (“App.”) at A and B.

Jurisdiction

Mr. Carter’s timely filed Motion for Reconsideration was denied October 25, 2022. Mr. Carter’s petition for hearing to the COA was denied on August 30, 2022. Mr. Carter invokes this Court’s jurisdiction under 28 U.S.C. § 1257, having timely filed this petition for writ of certiorari within ninety days of the COA’s Judgment.

Constitutional and Statutory Provisions Involved

United States Constitution, Amendment V:

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in a Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be put twice in jeopardy of life or limb, nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of the law; nor shall private property be taken for public use, without just compensation.¹

United States Constitution, Amendment XIV:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any laws which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

¹ *Additional*, or alternative citations are provided throughout this document because they are relevant and necessary to the argument supporting the Constitutional Amendments V and XIV violations.

STATEMENT OF THE CASE

This matter originates as a civil action in the Circuit Court for Baltimore County, Maryland (C-03-CV-20-004108) (hereinafter “Circuit Court), with “adverse employment actions” allegations and a claim of wrongful termination, which was properly filed, in that Circuit Court, on November 16, 2020.²

Termination Notice: Charles Carter’s employment is being terminated due to violating Company Policy. On 9/21/20, Ofc. Carter retrieved a cell phone from a locked security desk draw at 715-B post. Ofc. Carter plugged the phone up and began to charge it using his own personal charger; with full knowledge that the cell phone did not belong to him. Once the phone was charged, Ofc. Carter made multiple attempts to unlock the phone. After 2 ½ hours of numerous attempts, Ofc. Carter was finally successful in gaining access into the cell phone; at which time he went through the phone viewing its contents. Ofc. Carter should not have tampered with the found property. Policy states that when property is found; then a lost and found form must be completed/submitted and a supervisor notified. (App. I)

Six Maryland defendants were properly served on November 20, 2020, with the *one* out-of-state defendant being served by U.S. Certified Mail (7020-1290-0001-3427-2503) on November 19, 2020. The Defendants had, by law, until *Monday, December 21, 2020*, to file their response to the complaint.

² Termination: Defendants alleged that on Monday morning, September 21, 2020, Petitioner (a security guard) entered a locked security desk draw, which Petitioner rightfully had keys to, found a loss cellular telephone, which was not loss and belonged to his co-worker, then charged the cellular telephone with his power cord and gained access to the alleged found property. The mentioned security desk draw/area is under 24 hours, 7 days a week security video recorded surveillance. The defendants make claim that since the Petitioner is the only one in the security building at this 5:00 a.m. shift, the alleged mishandling of the alleged loss property incident was discovered during a review of a security video recording, which the defendants failed to produce during all properly filed and served discovery/interrogatory request. Noting that the mentioned alleged loss property was returned to the co-worker when she relieved the Petitioner at 2:00 p.m., on the same day of the alleged incident, as she had, by mistake, locked it in the security desk draw when she locked up the post for the weekend on the previous Friday. (App. I1: Interrogatories example)

While the Court has had little occasion to interpret the **Ninth Amendment**, it cannot be presumed that any clause in the constitution is intended to be without effect. *Marbury v. Madison*, 5 U.S. (1 Cranch) 137 (1803). In interpreting the Constitution, ‘*real effect should be given to all the words used*’. *Myers v. United States*, 272 U.S. 52 (1926). Equal Protection, in the United States law, the constitution(s) guarantees that no person or group will be denied the protection under the law that is enjoyed by similar persons or groups. Persons similarly situated must be similarly treated. Equal protection is extended when the rules of law are applied equally in all like cases and when persons are exempt from obligations greater than those imposed upon others in like circumstances. The Fourteenth Amendment of the U.S. Constitution, prohibits States from denying any person “*the equal protection of the laws*.” When laws, procedures, or acts directly violate the constitution, they are unconstitutional. Due process balances the power of the law of the land and protects the individual person from it. When a government harms a person without following the exact course of the law, this constitutes a due process violation, which offends the rule of law.

The Unauthorized Practice of Law in Maryland

December 21, 2020: Unbeknownst to the Petitioner, an attorney, filed to have the case (*Carter v. Gardaworld*), removed from state court to federal court. Petitioner became aware of the removal process on or about December 29, 2020, because of the federal court’s mailed notification. (App. J) (App. P1: Standing Order of Removal, dated December 21, 2020)

December 28, 2020: With his sole signature, Nathaniel M. Glasser (hereafter “Glasser”), and his identification number affixed to a *Motion to Dismiss (App. R)*, and *Memorandum of Law in Support of Defendants’ Motion to Dismiss (App. J1)*, which Glasser prepared and filed in the U.S. District Court, he disingenuously changes the material facts of this Petitioner’s termination, adding charges of theft, lewdness, and harassment (page five, paragraph one).³ (*App. J1*)

December 29th and 30th, 2020: Plaintiff filed a Motion for Default because no response was received from any Defendant or any entity representing them. Pleadings filed in the Circuit Court and served on Defendants, individually.

January 4, 2021: The attorney, who subsequently identified himself as Nathaniel M. Glasser, electronically sent the Petitioner his first received copy of the 197-pages Notice of Removal (Legal Document), which was filed in the U.S. District Court for the District of Maryland Northern Division on December 21, 2020, this legal document was solely signed by Glasser.⁴ (*App. K*)

This 197-pages Notice of Removal is a sworn confession for Glasser practicing law in the State of Maryland without authority. The 197-pages legal document attests too, in part, on *December 21, 2020: (App. M)*. . . . *through their attorneys, file this Notice of Removal of this action, which is currently pending in the Circuit*

³ This “adverse employment action” and like actions, attested to in this writ, were the reasoning for the original civil complaint.

⁴ Petitioner did not become aware that Nathaniel M. Glasser # 20591, was not authorized to practice law in Maryland until the case was remanded back to State Court and Glasser filed for pro hac vice on June 7, 2021. It was at that time that Glasser began submitting pleadings accompanied by another attorney’s name and identification number. Also noting: January 4, 2021, electronically prepared legal document falls under the category of “legal documents and papers.”

Court for Baltimore County, Maryland, to the United States District Court for the District of Maryland.

6. *This Notice of Removal is timely under 28 U.S.C. § 1446(b) because it is being filed within thirty (30) days after the first receipt by Defendants . . . (Not in its entirety).*

7. *Each named Defendant consents to removal of this action.*

8. *This Notice of Removal is filed within the time provided by 28 U.S.C. §1446(b) and the Federal Rules of Civil Procedures.*

9. Upon filing of this Notice of Removal, Defendants shall give written notice thereof to the Plaintiff, Charles H. Carter, pro se, 1500 Lochwood Road, Baltimore, Maryland 21218 and shall file a copy of this Notice of Removal with the clerk of the Circuit Court for Baltimore County, Maryland. This Notice of removal is accompanied by the required filing fee of \$402.00.

Also on December 21, 2020, at 3:28 PM, a four-pages Defendant's *Notice of Filing of Notice of Removal* was electronically filed in the Circuit Court with John S. Linehan's (hereinafter "Linehan") name and identification number affixed to it. Linehan is nowhere named in this case, except for this one electronically filed pleading. Linehan filed no notice of appearance, did not sponsor Glasser for pro hac vice, never made any type of court appearance, filed any other legal documents or papers, and is not a *defendant* in this matter. Linehan **has never** physically appeared in any Maryland court in reference to this case, *Carter v. GardaWorld*, and had no legal standing in this matter. Still, included in this four-pages, one paragraph legal

document the entity known as Linehan disingenuously attest to being the attorney for all defendants.⁵ (App. N)

28 U.S.C. § 1446(d): Procedures for Removal - Notice to Adverse Parties and State Court - Promptly after the filing of such notice of removal of a civil action the defendant or defendants shall give written notice thereof to all adverse parties and shall file a copy of the notice with the State Court, which shall affect the removal and the State court shall proceed no further unless and until the case is remanded.

Linehan's information was used, in this State filed *legal document*, to conceal Glasser's unauthorized practice of law. *United States Code, Title 18, § 1001.*

Statements or Entries Generally: falsifying a material fact; and *Md. R. Att'y Rule 19-305.5(a).* A lawyer may not practice law in a jurisdiction in violation of the regulations of the legal profession in that jurisdiction *or assist another in doing so.*

The U.S. District Court Civil Sheet, which was included in the 197-pages Removal legal document, also dated December 21, 2020, and solely signed by Glasser, utilized the disingenuous reasoning for removal as Diverse Jurisdiction. (App. O)

28 U.S.C. § 1441(b)(2): The Forum Defendant Rule. This rule prevents removal to federal district court based on diversity jurisdiction when there is a local instate defendant in the lawsuit. *Cent. W. Va. Energy Co. v. Mountain State Carbon, LLC*, 636 F.3d 101, 103 (4th Cir. 2011) (citing *Caterpillar, Inc. v. Lewis*, 519 U.S. 61, 68 (1996).

⁵ Two days after Glasser filed the 197-pages legal document which attest to his being all Defendants attorney and removed the case from Circuit Court, on December 23, 2020, he created two other legal documents with his sole signature and identification number: *Defendant's Joint Response to the District Court's Standing Order Concerning Removal* and *Defendant Gardaworld Securities Services – US'S Disclosure of Corporate Interest*, and on December 28, 2020, he filed a Motion to Dismiss , all attesting to his being the attorney for the Maryland State Defendants and his continuous unauthorized practice of law. (App. J1 and R) *Md. Rules 1-311*: Signing of Pleadings and Other Papers; *Md. Rule 1-312*; Requirement of Signing Attorney; *Md. Rule 1-313*. Certification by Signing Attorney with Our-Of-State Office; and *Md. R. Att'y Rule 19-305.5*. Unauthorized Practice of Law; Multijurisdictional Practice of Law (5.5).

On the U.S. District Court, District of Maryland (Baltimore) Civil Docket for Case # 1:20-cv-03700-JKB sheet, dated December 21, 2020, and list Glasser as lead attorney for all defendants, at docket text item 1, it reflects that Glasser, personally appeared before the court and submitted all state documents and paid the filing fee (\$402.00) and received receipt number 0416-9024995 for the payment. Also at docket text item 5, it reflects that all documents submitted are copies of the *original papers filed in the Circuit Court for Baltimore County*.⁶ (**App. P**)

On May 20, 2021, after numerous court filings, the Court remanded the case back to state court, in part, because Glasser deceptively filed the removal under *Diverse Jurisdiction* knowing that the Defendants had Maryland addresses and the implications of Defendant's fraud allegations, as noted in the U.S. District Court's Memorandum, page 14, footnote 8 and 9: (**App. Q and Q1**)

8. As is clear from this list, several counts in Carter's Complaint references multiple sources of law, and several sources of law appears in multiple counts of the Complaint. Read liberally, Carter's Complaint also includes a fraud claim in its factual background section. (See Compl. ¶ 23 (citing Maryland's fraud law and alleging that "Defendants knowingly committed the unlawful act of fraud").)

9. Defendants removed this case to federal court based on federal question jurisdiction (*see Not Removal*), but neither party has shown that the Court has diverse jurisdiction over this case. *See 28 U.S.C. §1332(a)(1)* (providing that district courts have "original jurisdiction of all civil actions where the matter in controversy exceeds the sum value of \$75,000, exclusive of interest and cost, and is between . . . citizens of

⁶ What administrative forms or materials legal documents are written on is not one of the required elements of the Unauthorized Practice of Law in Maryland: Glasser *prepared legal documents and papers* while performing as an attorney in the *Carter v. Gardaworld* Maryland State Case. Noting that Glasser's sole signature and Washington DC attorney identification number were affixed to these legal documents and papers. *Kennedy v. Bar Ass'n of Montgomery County, Inc.*, 316 Md. 646, 617-73, 561 A.2d 200, 213 (1989); and *ABA Rule 5.5: Unauthorized Practice of Law: Multijurisdictional Practice of Law*.

different states"); *Cent. W. Va. Energy Co. v. Mountain State Carbon, LLC*, 636 F.3d 101, 103 (4th Cir. 2011) (citing *Caterpillar, Inc. v. Lewis*, 519 U.S. 61, 68 (1996) (explaining that diversity jurisdiction generally "requires complete diversity among the parties, meaning that the citizenship of every plaintiff must be different from the citizenship of every defendant").

Once the case was remanded Glasser *began* utilizing a Maryland attorney's name (Christopher R. Smith, Esq.) affixed to pleadings along with his identifying information, with the only changes being that he now discontinued solely signing his name with his identification number, he now signs his name and adds *Special Admission Forthcoming* (June 4th, 2021: Motion to Dismiss). Noting that during this pro hac vice application submission, June 7, 2021, which was three days after the filing of the Motion to Dismiss pleading with two signatures, Glasser disingenuously attest, via affidavit, that he had not practiced law in Maryland in the previous 12 months. (App. S)

RULE 1-311. Signing of Pleading and Other Papers

(a) Requirement. Every pleading and paper of a party represented by an attorney shall be signed by at least one attorney who has been admitted to practice law in this State and who complies with Rule 1-312.

(c) Sanctions. If a pleading or paper is not signed as required (except inadvertent omissions to sign, if properly corrected) or is signed with the intent to defeat the purpose of this rule, it may be stricken, and the action may proceed as though the pleading or paper had not been filed. For a willful violation of this rule, an attorney is subject to appropriate disciplinary actions.

Also see:

District of Columbia Court of Appeals
March 27, 1992
605 A.2d 600 (D.C. 1992)

Kennedy v. Bar Ass'n of Montgomery County, Inc. 316 Md. 646, 671-73, 561 A.2d 200, 213 (1989).

... the court noted that the lawyer would be engaging in the practice of law (in Maryland) when deciding whether he could represent them. The court explained that:

Advising clients by applying legal principles to the clients' problems is practicing law. When Kennedy, who is unadmitted in Maryland, set up his principal office for the practice of law in Maryland and began advising clients and preparing legal documents for them from that office, he engaged in the unauthorized practice of law. This is so whether the legal principle he was applying established by the law of Montgomery County, the state of Maryland, some other state of the United States, the United States of America, or a foreign nation. . . . He is not permitted to sort through clients who may present themselves at his Maryland office and represent only those whose legal matters would require or defense in a Washington D.C. court or in the federal court in Maryland because the very acts of interviewing, analysis and explanation of legal rights constitute practicing law in Maryland. For an unadmitted person to do so on a regular basis from a Maryland principal office is the unauthorized practice of law in Maryland.

The District of Columbia later suspended Kennedy for nine months because of this infraction. *In re Kennedy*, 605 A.2d 600 (D.C. 1992).

The above listed violations of the laws and rules, including their actions, and inactions, that were committed by the above listed officers of the Court(s), are also violations against the Petitioner's protective umbrella of the **United States Constitution, Amendments V and XIV**: Due Process and equal protection clauses.

Amendments V and XIV violations applies when Glasser, an officer of the Courts, while in Maryland, violated **Md. Rule 1-313**: Certification by Signing Attorney with Out-Of-State Office; **Md. Rule 1-311(a)(c)**: Signing of Pleadings and Other Papers; **28 U.S.C. § 1446(a)(b)(d)**: Procedures for Removal; **Md. Rule 2-321**: Time for Filing Answer; **Md. Rule 2-322**: Preliminary Motions; **Md. Rules 1-201**: Rules of Construction; **USC Title 18 § 1001**: Statements or Entries Generally.

Glasser did conduct business, in this matter before the court, in a knowingly continuous and disingenuous manner; **Md. Rule Att'y 19-217**: Special Admissions of Out-of-State Attorney Pro Hac Vice; and **Md. Rule Att'y 19-219**, were violated by Glasser, which gave rise to, in part, his conducting legal business and practicing law in the State of Maryland, without having permission or authority to do so.

On and before and after December 21, 2020, Glasser did admittedly represent himself as an attorney to the Maryland State defendants in this Maryland State case, he joined all of the State defendants, conducted investigations into their legal matter, which included taking control and possession of all state legal documents and papers, devised a strategy to move forward with the case, which was its removal, and then prepared the 197-pages Notice of Removal (legal document), which attests to his unauthorized practice of law in Maryland, then personally appeared and paying fees for the filing of the legal document and papers with his sole signature. After obtaining a level of comfortability with his Unlawful Practicing of Law in Maryland and submitting numerous legal documents and papers under the title of "In the United States District Court for the District of Maryland," he continued filing numerous legal documents and papers in the *Carter v. Gardaworld* Maryland State case, which had been unlawfully removed to federal court. *See BP P.L.C., et al., v. Mayor and City Council of Baltimore*, No. 19-1189 (2021). The general removal statute speaks of actions "removal solely under" the diverse jurisdiction statute. In this case, the defendants did not satisfy the requirements of § 1441 or 1446, under which they filed.

A mathematical equation of law with a 100 per cent degree of certainty: Glasser was not authorized to practice law in Maryland, he admittedly began advising Maryland State clients, in this Maryland State court case, prepared legal documents and papers with the goal of resolving the Maryland Clients legal matters, did not apply for pro hac vice, as prescribed by law, equals, the unauthorized practice of law in Maryland and the legal documents and papers he prepared, extending to all those filed under the title of "*In the United States District Court for the District of Maryland,*" are the product of his Unlawful Practice of Law in Maryland. "*This is so whether the legal principle he was applying was established by the law of Montgomery County, the state of Maryland, some other state of the United States, or the United States of America.*" **Kennedy v. Bar Ass'n of Montgomery County, Inc.** 316 Md. 646, 671-73, 561 A.2d 200, 213 (1989). Ergo, the defendants who were knowingly joined by Glasser did not timely file a response to the original complaint on or before December 21, 2020, and their filing(s) should, by law, be stricken: **Md. Rule 1-311(c):** Signing of Pleadings and Other Papers; and **Md. Rule 19-305.5.** Unauthorized Practice of Law; Multi-Jurisdictional Practice of Law (5.5). (a) A lawyer shall not practice law in a jurisdiction in violation of the regulations of the legal profession in that jurisdiction or assist another in doing so. The actions and inactions of this officer of the court, while representing his Maryland clients and stripping the Petitioner of his due process and equal protection rights, offended the rules of law, in part, guaranteed by **Constitutional Amendments V and XIV.**

The Circuit Court for Baltimore County, Maryland

Petitioner incorporates by reference the allegations set forth on page one through 12, as if fully set forth, and:

On June 4, 2021, after the May 20, 2021, remand to the Circuit Court Glasser, co-signed by Christopher R. Smith, Esq., filed a *Motion to Dismiss* in the Circuit Court. This filing is the Defendant's State response to the original complaint and comes six months after the timely response deadline date of December 21, 2020. *Md.*

Rule 2-321. Time For Filing Answers. The delay in the filing of a response was the sole and direct result of the Defendants unauthorized practice of law and the unlawful removal of the State case to federal court. June 7, 2021: Glasser, sponsored by Christopher R. Smith, Esq., applied for *Pro Hac Vice*. (June 8, 2021, pro hac vice request granted). (**App. T**)

June 7, 2021: This Petitioner timely and properly filed a *Motion in Opposition of Dismissal and a Request for Summary Judgment*, which was included in *one* filing, and served on defendants. June 25, 2021: The Court erroneously *struck* Plaintiff's Request for Summary Judgment, citing the wrong article and section numbers were used for this Motions. (**App. U**). July 1, 2021: Plaintiff timely filed a *Motion for Reconsideration*, citing that the article and section numbers used in this filing were correct. On July 26, 2021, the Court GRANTED this Petitioner's Motion for Reconsideration, citing:

The Motion for Reconsideration filed 7/1/2021 is GRANTED. The Court's order of 6/25/2021 is STRUCK. I do not know what happened here as what was filed on 6/4/2021 was an Amendment, not a Motion or Request to Amend. I apologize for my error. (**App. V**)

June 22, 2021: Exactly 15 days after Plaintiff filed the Summary Judgment Motion, Defendants filed “*Defendants Reply Memorandum of Law in Further Support of Their Motion to Dismiss Plaintiff’s Complaint and Amended Complaint and Opposition to Plaintiff’s Motion for Summary Judgment.*” Defendants, by law, inappropriately responded to this Motion for Summary Judgment by simply saying, at page 5, number V: “*Plaintiff’s Motion for Summary Judgment Should Be Denied as Premature.*”⁷ (**App. W**). *Celotex Corp. v. Catrett*, 477 U.S. 317 (1986): A defendant cannot get summary judgment through a conclusory assertion, and they must show the absence of evidence in the discovery record. The summary judgment motion, to date, remains unadjudicated. **Md. Rule. 2-602(b): Judgment Not Disposing of Entire Action.**

Also on **June 22, 2021, at 3:59 pm.**, the Defendants filed *Defendants’ Motion for Protective Order to Stay Discovery Pending Defendants’ Motion to Dismiss* asking the Court to *stay* this now third set of Interrogatories/Discovery, which they had previously defaulted on during their unauthorized practice of law. (**App. H, I1, L, and L1**)⁸ On **June 23, 2021, at 10:36 am.**, Plaintiff filed a *Motion in Opposition of Protective Order*, citing, in part, Defendant’s default on two previous sets of Interrogatories, their unlawful removal, non-response to summary judgment, and

⁷ **Federal Rules of Civil Procedures, Rule 56: Summary Judgment.** (a) The court should state on the records the reasons for granting or denying the motion. (b) Time To File a Motion. Unless a different time is set by local rule or the court orders otherwise, a party may file a motion for summary judgment at any time until 30 days after the close of all discovery. **Md. Rule 2-501. Summary Judgment.** (b) Response. A response to a summary judgment shall be in writing and shall (1) identify with particularity each material fact as to which it is contended that there is a genuine dispute....

⁸ **Defendants’ Motion for Protective Order to Stay Discovery Pending Defendants’ Motion to Dismiss (App. H):** The defendant’s documented reasoning was “*it would save the court time.*” Despite the filed opposition to this request (**App. H1**), the Circuit Court granting the motion. (**App. H2**). The Circuit Court has moved outside the legal lines in its continuing attempt(s) to assist Defendants in muting Plaintiff’s Summary Judgment Motion and granting the Defendants every request, no matter how nonstandard the request.

inflicted prejudice by Defendants and the Court. (**App. H1**) On July 29, 2021: The Court *Granted* the Defendant's Request for Protective Order and additionally ORDERED:

...that discovery is stayed until further order of this court. To be reconsidered following ruling on pending motion to dismiss filed by defendant and motion for summary judgment filed by Plaintiff. App. H2

June 26, 2021: Petitioner filed a *Motion to Continue or Postpone* this case from its scheduled August 23, 2021, hearing date to ensure all filed Motions remained consolidated. On August 20, 2021: The Court Granted the postponement request citing:

Continue or postpone to: Date: TBD by Judge Alexander
Motion Assigned to: JMA. Needs to be reset pursuant to his availability and that of the parties/counsel. JEC 8/20/21
(App. X)

Trial Court Hearing now scheduled for September 21, 2021, to be heard by Judge Alexander. (**App. Y**)

September 10, 2021, at 9:37 AM.: *Motion: Unlawful Practice of Law* filed in the Circuit Court and properly served on Defendants.⁹

The Circuit Court Hearing: The Courts started the September 21, 2021, proceeding by stating: (**App. G**)

Court: *I have reviewed all pleadings in this matter.* (Transcript at p.2, lines 7 and 8).¹⁰

⁹ Noting that the information contained in the filed Unauthorized Practice of Law had been included in the filed Motion for Summary Judgment.

¹⁰ The Court's continuing abuse of discretion and prejudicial actions tainted this hearing from onset to conclusion. The Court being begun the hearing giving the Plaintiff cause to believe that he had read and about to adjudicate all pleadings.

Court: *All right. Mr. Glasser, this is your motion. I'll be glad to hear from you then I'll hear from Mr. Carter.* (Trans. at p.2, lines 15 and 16).

During Plaintiff's attempted presentation and attempting to speak about the summary judgment and the attorney practicing law in Maryland without authorization, the court interrupted to advise that the summary judgment and unauthorized practice of law was:

Court: *Why are you talking to me about him practicing law? We're here to talk about the Motion to Dismiss.* The Court went on to say: *That's, that's a whole separate thing. I'll deal with that in a minute, but I want to deal with what we're here for. The, the...* The Court then went on to explain and defend the Defendants position. (Trans. at pg.10, lines 18 to 25 and pg. 11, lines 1 to 25, pg. 12, lines 1 to 25, pg. 13, lines 1 to 7); periodically asking the Defendant's attorney if he was explaining their position correctly.

The Plaintiff was allowed to say several more words before the Court's immediately interrupted and again went on the defense of the Defendants. (Trans. at pg. 13, lines 11 to 23). The Court concluded his excerpt of defense by stating:

Court: *That's what they're arguing. I want you to address those things.* (Trans. at pg. 13, lines 23 to 24).

The Plaintiff momentarily was allowed to speak a couple of sentences about the Defendant's attorney violating the unauthorized practice of law in Maryland before the Court again interrupted advising:

Court: *Well, what's that got to do with your Complaint? We're here to talk about your Complaint and --* (Trans. at pg. 14, line 22 and 23).

Court: *- - - the allegations of what the* (Trans. at pg. 14, line 25).

Court: *deficiencies is. Whatever, he was admitted, he has been admitted now, he's here and he's lawfully allowed to make his argument. It's up to you to deal with that.* (Trans. at pg. 15, lines 1 to 4).

The Court then went on to explain that what the Defendant's attorney did in the past is done, unimportant and that the Plaintiff's Complaint is deficient. (Trans. at pg. 15, lines 7 to 16). Plaintiff uttered a couple more sentences and was then interrupted again by the Court, who interjected his experience in Law School and what the Latin phrase *Demur* means; *So, What?*

(Trans. at pg. 15, lines 23 to 25). For the next couple pages the Court argued Defendant's position. (Trans. at pgs. 16, 17, 18, 19, and 20, at lines 1 to 19). Noting that the Court erroneously explained that there can be no pattern of discrimination against one person (Trans. at pg. 19, lines 24 to 25, and pg. 20, line 1, and lines 4 to 5, lines 7 to 13, and line 16). Plaintiff then went on to explain the summary judgment and unauthorized practice of law, in part, with the **Court's** response being: *Are you going to respond to the charge that you failed to exhaust administrative remedies and that precludes you from coming to court?* (Trans. at pg. 23, lines 10 to 13). After a brief debate with the Courts about the Court's refusal to hear my pleadings, with the court explaining that investigation for organizations

like the DMV or Attorney Grievance Commission have no validity here in this Court:

Court: *--- but you brought this here. We have enough other things to do. And there are agencies set aside to do those things preliminarily. Otherwise, the Courts would be, just be inundated with everything.* (Trans. at pg. 25, lines 3 to 14).

Plaintiff concluded his attempts at presenting his presentation, realizing that the Court had no ears for his words or pleadings; the Court's had a predetermined focused goal:

Carter: *My, my argument is, is contained within the four corners of the submitted documents.* (Trans. at pg. 26, lines 21 to 22).

The Court then allowed the Defendant's attorney to present his defense in the unauthorized practice of law in Maryland. (Trans. at pg. 27, lines 3 to 18). The Court then ruled:

Court: *For what it's worth, I do agree with it. He is absolutely correct that before he was admitted pro hac vice, all documents were signed by a practicing lawyer admitted in the state —* (Trans. at pg. 27, lines 23 to 25 and pg. 28, line 1).¹¹ Carter objected and the Courts dismissed the case with prejudice,

¹¹ Until June 4, 2021, every legal document and paper submitted by Glasser was solely signed by Nathaniel M. Glasser with his identification number. When Glasser was preparing the June 4, 2021, Motion to Dismiss, despite who co-signed it, he was preparing the direct product of his continuing unauthorized practice of law in Maryland. **Md. Rule 1-313: Certification by Signing Attorney with Out-Of-State Office:** If an attorney signing a pleading or paper in compliance with Rule 1-311 does not maintain an office for the practice of law in this State, the first pleading or paper signed by the attorney and filed in the action **shall** be accompanied by the attorney's signed certification of admission to practice law in this State. Glasser admittedly prepared his first legal document, in this action, December 21, 2020, and admittedly filed for pro hac vice on June 7, 2021.

with the Court asking the Defendant's attorney, Glasser, to present him with an order and he will execute it. (Trans. at pg. 28, lines 23 to 25 and pg. 29, lines 1 to 6). (**App. G and Z**). Plaintiff, after being led to believe the case was concluded left the Courtroom with the judge remaining on the bench and Glasser and he, involved in an *ex-Partee* discussion. Plaintiff left the no-audience courtroom physically and mentally feeling inflicted with the circumstances involved in the Chief Justice Roger Taney's *Dred Scott v. Sandford* (1857) ruling or *United States v. Cruikshank* (1876) case's 14th Amendment violations.

The Court never mentioned Petitioner's Summary Judgment motion and/or put the reasoning for granting or denying same on any court records, as was the Unauthorized Practice of Law motion. **Md. R. Att's Rule 19-305.5**. Unauthorized Practice of Law; Multijurisdictional Practice of Law (5.5); **Md. Rule 1-311**, *every pleading and paper* of a party represented by an attorney shall be signed by at least one attorney who has been admitted to practice law in this state; **Md. Rule 2-501(f)**; **FRCP Rule 56**: Summary Judgment; and **Md. Rule 2-602**: Judgment Not Disposing of Entire Action:

(a) Generally. Except as provided in section (b) of this Rule, an order or other forms of decisions, however designated, that adjudicates fewer than all of the claims in an action (whether raised by original claim, counterclaim, cross-claim, or third-party claims), or that adjudicates less than an entire claim, or that adjudicates the rights and liabilities of fewer than all the parties to the action (1) is not a final judgment; (2) does not terminate the action as to any of the claims or any of the parties; and (3) is subject to revision at any time before the entry of a judgment that adjudicates all of the claims by and against all the parties.

The Court's actions and inactions gave rise, in part, to there being and remaining no lawfully ordered final judgment in the matter of *Carter v. Gardaworld*.

See Constitutional Amendments V and XIV: Equal Protection and Due Process Clauses; Bannister v. Davis, Director, Texas Department of Criminal Justice Correction Institutions Division and No. 18-6943 (2020): *A timely filed motion suspends the finality of the original judgment; Kemp v. United States*, No. 21-5726 (2022): *The term “mistake” in Federal Rules of Procedure 60(b)(1) includes a judge’s errors of law. Also see Md. Rule 18-101.3. Avoiding Lending the Prestige of Judicial Office (ABA Rule 1.3); Md. Rule 18-102.2. Impartiality and Fairness (ABA Rule 2.2); and Md. Rule 18-102.3. Bias, Prejudice, and Harassment (ABA Rule 2.3).*

A Maryland attorney co-signing an unauthorized-to-practice law in Maryland attorney's motions is not the criteria totality of the unauthorized practice of law in Maryland, as the Circuit Court deduced in their rulings. Here, the Circuit Court has incorrectly redefined the scope of the unauthorized practice of law in Maryland, in its entirety, to whether another authorized attorney co-signed an unauthorized attorney's pleadings. This definition is in total conflict with the Supreme Court of the United States, the COA, and the COSA's definitions of the unauthorized practice of law in Maryland:

The “Practice of law” is defined in the Maryland Code as follows:

Md. Code Ann. Bus. Occ. & Prof. §10-101(h).

(1) “Practice law: means to engage in any of the following activities:

- (i) giving legal advice;
- (ii) representing another person before a unit of the state government or of a political subdivision; or
- (iii) performing any other service that the Court of Appeals defines as practicing law.

(2) “Practice law” includes:

- (i) advising in the administration of probate of estates of decedents in an orphan’s court of the state;
- (ii) preparing an instrument that affects title to real estate;

(iii) preparing or helping in the preparation of any form or document that is filed in a court or affects a case that is or may be filed in a court.

A cursor review of the law and evidence in the court records and this writ will unequivocally reflect whether documents had one signature or two; whether the dates provided have the filed documents as attested too by the Petitioner; or, whether the court(s) actions were as attested to as proffered by the Petitioner, unless the reviewing entity did not want or need to see the facts. Still, the COSA, in this matter, subsequently concurred with the circuit court's erroneous, mistaken, and prejudicial Judgment, using the same language as the bases for its judgment to affirm, as noted in their subsequent unreported opinion. *Yamaha Motor Corp., U.S.A. v. Calhoun*, 516 U.S. 199 (1996); review for the "order" meant the entire order was reviewable, not just the part of the order containing the "controlling question of law."

The Court of Special Appeals of Maryland (COSA)

Petitioner incorporates by reference the allegations set forth on page 13 through 21, as if fully set forth.

All the pertinent referenced information, with exhibits, were timely and properly submitted to the COSA, in the form of its required brief. The COSA issued an undated and filed Memorandum and Order Affirming the Circuit Court's Judgment.¹² (**App. D3**) This Petitioner immediately filed a Motion for Reconsideration and on **May 26, 2022**, the COSA issued a Correction Notice (**App. D1**), which dated all Memorandums and Orders to **May 4, 2022**. This included the revised Memorandum and Order, (**App. D2**) and a **Mandate** dated May 26, 2022, reaffirming the Court's May 4, 2022, Judgment. (**App. D**) There was also an Order **denying** this Petitioner's Motion for Reconsideration. (**App. C**)

In the COSA's Unreported Opinion, Corrected Copy, **App. D2**, the Court's opinion reflects on unnumbered page one, last paragraph:

On appeal, Mr. Carter raised six questions, which reduced to three: (1) whether the court erred in granting the motion to dismiss because Gardaworld failed to file a timely answer to his complaint; (2) whether the pleading filed by Gardaworld, including the motion to dismiss, should have been stricken because, he claims, they were filed by an attorney who was not licensed to practice law in Maryland; and (3) whether the court erred in denying his motion for summary judgment and "complaint" against Mr. Glasser without holding a hearing. For the reasons that follow we shall affirm the judgment of the circuit court.

Mr. Carter first contends that the court erred in granting the motion to dismiss because Gardaworld failed to file a timely answer to the complaint. We disagree. Generally, a defendant is required to file an answer, a preliminary motion to dismiss, or a notice of removal to federal court

¹² This Memorandum and Order had no filing date. (**App. D3**) On **May 26, 2022**, after this Petitioner filed a Motion for Reconsideration a **corrected** Memorandum and Order was issued. (**App. D2**)

within 30 days after being served with a copy of the complaint. *See* Md. Rule 2-321 and 2-322; *see also* 28 U.S.C. §1446. Mr. Carter effected service of the complaint on November 19, 2020. Therefore, Gardaworld was required to file a responsive pleading no later than December 21, 2020.

The COSA's Unreported Opinion, Corrected Copy, **App. D2**, Court's opinion continues and reflects at page three, last paragraph:

Mr. Carter next asserts that the motion to dismiss and other pleadings filed by Gardaworld should have been stricken because they were signed by Mr. Glasser, who he claims was not licensed to practice law in Maryland. Again, we disagree. Pursuant to Md. Rule 1-311(a) every pleading of a party presented by an attorney must "be signed by at least one attorney who has been admitted to practice law in this State[.]"
Having reviewed the records, we are persuaded that all pleadings filed by Gardaworld in this case complied with that rule. On June 8, 2021, the court granted a motion for special admission allowing Mr. Glasser to represent Gardaworld in the case without the presence of Maryland counsel. Prior to that date, Gardaworld had only filed two pleadings in the circuit court, a Notice of Filing of Notice of Removal filed on December 21, 2020, and a Motion to Dismiss filed June 4, 2021. And both of those pleadings were signed by a licensed Maryland attorney.¹³

Noting that the COSA misquoted **Md. Rule 1-311(a)**, which legally reads "*every pleading and paper*," not just *pleadings*, and the court's misconception that the unauthorized practice of law in Maryland must be pleadings filed to or in the State Court, which is lawfully erroneous, as the laws associated with the unauthorized practice of law in Maryland prohibits "*creating legal documents*," despite what the title or destination of the legal document(s). **Md. Code, BOP §10-101.**

- Glasser, an out-of-state attorney, who is admittedly not authorized to practice law in the Maryland State Courts, did prepare, for Maryland State clients, the 197-pages Removal Notice on December 21, 2020, with his sole signature affixed.

¹³ Mr. Glasser admittedly filed numerous *legal documents and papers*, e.g., December 21, 2020: 197-pages Notice of Removal. *Also see App. M, M1, M2, K, L, and L1.*

Glasser admittedly did not file for pro hac vice until June 7, 2021 (**App. S**). The associated December 21, 2020, 3:28 PM, four-pages *Notice of Filing of Notice of Removal* which was electronically filed in the Circuit Court with John S. Linehan's name and identification number affixed to it, with his sole signature; was in violation of **28 U.S.C. § 1446(d): Procedures for Removal**. (**App. N**) In the COSA's unreported opinion it gives Gardaworld, credit for this filing, straying away from connecting Glasser or Linehan to this filing.

The COSA's Unreported Opinion, Corrected Copy, opinion continues and reflects at page four, last paragraph: (**App. D2**)

Finally, Mr. Carter asserts that the court erred in not holding a hearing on his motion for summary judgment and his complaint against Mr. Glasser. However, the court held a hearing on the motion to dismiss. And during the hearing it heard arguments from Mr. Carter as to why the motion should not be granted, including his claim that Mr. Glasser was engaged in the unauthorized practice of law. Moreover, having determined during that hearing that Mr. Carter's complaint failed to state a claim upon which relief could be granted, a separate evidentiary hearing on his motion for summary judgment was unnecessary. (Moreover, we note that no hearing was required because Mr. Carter did not request a hearing in either of his motions. See Maryland Rule 2-311(f)).

Except for the COSA's opinion reiterating that "*Mr. Carter first contends that the court erred in granting the motion to dismiss because Gardaworld failed to file a timely answer to the complaint,*" and "*Carter next asserts that the motion to dismiss and other pleadings filed by Gardaworld should have been stricken because they were signed by Mr. Glasser, who he claims was not licensed to practice law in Maryland*" and "*Carter asserts that the court erred in not holding a hearing on his motion for summary judgment and his complaint against Mr. Glasser,*" the remaining

information in the COA's unreported opinion is not in any court records, are mistaken statements and/or errors of law. The Unreported Opinion of the COSA reads like a non-legally based, academic persuasive literature paper, like the U.S. District Judge Aileen Cannon's ***Donald J. Trump v. United States of America*** (Case No. 22-81294-CIV-CANNON), *Order Appointing Special Master*, which a US Court recently struck down citing, in part, "*Plaintiff's task was to show why he needed the documents, not why the government did not.*" In *Carter v. Gardaworld*, the COSA opinion appears to be focused on the period at the end of the sentence instead of the sentence which is, "*was Glasser's June 4th, 2021, Motion to Dismiss a lawfully prepared legal document?*" ***Yamaha Motor Corp., U.S.A. v. Calhoun***, 516 U.S. 199 (1996); review for the "order" meant the entire order was reviewable, not just the part of the order containing the "controlling question of law."

After remanded (May 20, 2021), the Defendants admittedly filed a motion to dismiss, with Glasser's first co-signed pleading on June 4, 2021.¹⁴ Petitioner filed an opposition to dismissal and summary judgment motion on June 7, 2021, also on June 7, 2021, Defendant filed for Pro hac vice, and on June 8, 2021, his application for pro hac vice was granted. On June 22, 2021, Defendants filed *Defendants' Reply Memorandum of Law in Further Support of Their Motion to Dismiss Plaintiff's*

¹⁴ Glasser's June 4, 2021, Motion to Dismiss represents his continuing unlawful practice of law without authority, in Maryland. Having another attorney sponsor him at this point only creates another violation of **Md. R. Att'y Rule 19-305.5(a)**: A lawyer may not practice law in a jurisdiction in violation of the regulations of the legal profession in that jurisdiction or assist another in doing so. Further, this motion is, in part, the gist of this Petitioner's Summary Judgment Motion which the Circuit Court continuously attempted to mute in the court system. Ultimately, the court refused to hear or adjudicate the Summary Judgment Motion during the trial court hearing. (**App. G**) The COSA's opinion, after review of the law and evidence, deemed the Summary Judgment motion *unnecessary*.

Complaint and Amended Complaint and Opposition to Plaintiff's Motion for Summary Judgment, which simply stated, "Summary Judgment was Premature." Also on June 22, 2021, Defendants filed *Defendants Motion for Protective Order to Stay Discovery Pending Defendant's Motion to Dismiss*. On June 23, 2021, Petitioner filed an opposition to the filed Protective Order, citing Defendants had previously defaulted on two previous sets of Interrogatory/Discovery request, Defendants' non-response to Summary Judgment, and the prejudicial actions of the Court and Defendants. On July 29, 2021, the court granted defendants Motion for Protective Order and Brief to Stay Discovery. Noting that the court had previously and erroneously struck this Petitioner's motion for summary judgment, then Petitioner unexpectedly filed a motion for reconsideration, once the reconsideration motion was granted, the claims and filed motions were separated by the Court, unexpectedly causing the Petitioner to file a motion for postponement or continuance citing the importance of keeping the claims and motions consolidated for hearing. On August 20, 2021, the court rescheduled a trial court hearing, with an order to ensure that the case is heard by Judge Alexander *only*, with the rescheduled **trial** court hearing scheduled for September 21, 2021, with *only* the defendant's motion to dismiss to be heard, are all undisputed facts. Combined, these facts are like a legal mathematical equation that equal Constitutional due process and equal protection violations. **Md. Rule 1-201.** Rules of Construction; have been insulted and assaulted during these court processes, without legal cause.

During the Circuit Court's prejudicial trial court hearing and this Petitioner came to the realization that the Circuit Court would not hear his filed summary judgment motion or his Attorney Unauthorized to Practice Law in Maryland Motion, the Petitioner advised the Court: *My, my argument is, is contained within the four corners of the submitted documents.* (Trans. at pg. 26, lines 21 to 22). (App. G) Noting that the summary judgment motion, which the courts continued to mute within the court system, in part, advised that the Defendants Motion to Dismiss was the direct product of his unauthorized practice of law in Maryland and that pleading should not be allowed to stand in the courts.

Maryland Rule 8-131(c) provides that when an action has been tried without a jury, the appellate court will review the case on both the law and the evidence. The trial court's decision must be reversed if it was not legally correct. *Heat & Power Corp. v. Air Products & Chemicals, Inc.* 320 Md. 584, 591 (1990). The clearly erroneous standard for appellate review does not apply to determinations of legal questions or conclusions of law, as in this case where there were no hearings or factual findings. **Md. Rule 2-322** grants the filing of a motion to dismiss for failure to state a claim as a defense. A motion to dismiss is a question of law, thus this Court must review the lower court's granting of the Motion to Dismiss *de novo*. *Lamson v. Montgomery Cty.*, 460. 349, 360 (2018) (citing *Reichs Ford Rd. Joint Venture v. State Roads Commission of the State Highway Administration*, 388 Md. 500, 509 (2005). In determining whether the decision of a lower court was legally correct, [appellate courts] give no difference to the trial courts findings and review the

decision under a *de novo* standard.” *Id.* The Court is therefore required to assume the truth of the complaint’s factual allegations and of any reasonable inferences that can be drawn therefrom. See *Patton v. Wells Fargo Fin. Md. Inc.*, 437 Md. 83, 95 (2014). A court, however, need not accept the truth of pure legal conclusions. *Shepter v. John Hopkins Univ.*, 334 Md. 82, 103 (1994); *John B. Parsons Home, LLC v. John B. Parsons Found.*, 217 Md. App. 39, 69 (2014). (Quoting *Shenker v. Laureate Educ., Inc.* 411 Md. 317, 335 (2009) (“mere conclusory charges that are not factual allegations need not be considered.”) Moreover, “any ambiguity or uncertainty in the allegations bearing on whether the complaint states a cause of action must be construed against the pleader.” *Shenker*, 411 Md. at 335; *John B. Parsons*, 217 Md. App. at 69.

The COSA’s unreported opinion rest on a foundation of opinions based on mistakes, errors of law, fraud, abuses of discretion, and judgments tainted with prejudicial intent and subject to the protection of the **FRCP Rule 60**. Relief From a Judgment or Order. The COSA erred when it concurred with the Circuit Court and affirmed their judgment, based on, in part, the COSA’s own reasoning, mistakes, and errors of law, which conflicts with the U.S. Supreme Court and the COA’s previous decisions.

Court of Appeals of Maryland (COA)

Petitioner incorporates by reference the allegations set forth on page 22 through 28, as if fully set forth.

All the pertinent information, including exhibits, that were submitted to the lower courts and the Attorney Grievance Commission, were submitted to the Court of Appeals of Maryland (CSA) in the form of a writ of certiorari. The resulting Court's August 30th, 2022, Order denied Petitioner's writ. **(App. B)** Appellant's Motion for Reconsideration was also denied on October 25th, 2022. **(App. A)**

e. The Attorney Grievance Commission, Office of Bar Counsel

All pertinent information and exhibits provided to the Attorney Grievance Commission, in the form of a formal complaint. They find no form of misconduct on the part of the Respondent, Nathaniel M. Glasser. **(App. AA)**

See *Hopkins v. Maryland Inmate Grievance Commission*, 40 Md. App. 329, 391 A.2d 1213 (1978); and *Accardi v. Shaughnessy*, 347 U.S. 260, 74 S.Ct. 499, 98 L. ED 681 (1954). Administrative agencies must follow their own rules.

REASONS FOR GRANTING THE PETITION

The Court(s) appears to have embarked on a course of self-preservation protecting the lower Court's actions and inactions, despite their actions being based on mistakes, errors of law, abuses of authority and discretion, and prejudicial actions, instead of law. This nationwide statistically rising culture of preservation can easily be compared to the nationwide police department(s) *Thin Blue Line* protective culture. During this civil claim the Court's have committed legal errors at every level of the Courts; incorrectly redefined laws and rules, incorrectly entered decisions in conflict with the United States Supreme Court and Courts of Appeals on the same important matters, decided important federal questions in a way that conflicts with decisions by a state court of last resort, even their own; and has so far departed from the accepted and usual course of judicial proceedings, and has sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory power.

One court ruling which conflicts with federal and State rulings and laws, in the same legal matter, is unconstitutional but can be deemed an error; two can be deemed a coincident, three, four, and more can be deemed nothing more than intentional, as in this case. *When a government harms a person without following the exact course of the law, this constitutes a due process violation, which offends the rule of law.*

This matter, which entails defending constitutional rights versus the courts, officers of the courts, and law, with a great degree of certainty, has nationwide significance to citizens of color, pro se litigant-citizens, the impoverished, senior

citizens, the common man (for which the amendments were written), the academic learned, citizens of-no-color, and those citizens who are not entitled to “*the elite*” status.

This Petitioner is an impoverished, pro se litigant, senior citizen of color who, in this Maryland case, has been targeted with daily occurrences of unwarranted and unconstitutional judicial bullying, in part, violations of the 5th and 14th Amendment’s due process and equal protection clauses because of his life status. *When laws, procedures, or acts directly violate the constitution, they are unconstitutional.*

For the governmental stewards of the people who are mandated with the responsibility of ensuring constitutionality is applied across the legal arenas’ arena, it would be unconstitutional for this Honorable Courts to not adjudicate the presented constitutional injustices. The above documented reasons, in their entirety, are why this Petitioner prays that this court grants this Writ of Certiorari, so that the associated unconstitutional injustices can be illuminated and corrected, ultimately safeguarding a nationwide population’s rights.

CONCLUSION

This petition for a writ of certiorari should be granted.

Respectfully submitted,

Date: December 7, 2022



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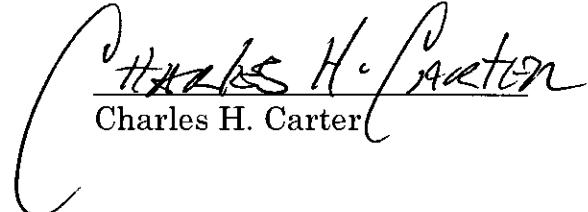
CERTIFICATE OF REDACTION

Pursuant to Rule 20-201(f)(1)(a) of the Maryland Rules of Civil Procedures, I hereby certify that the enclosed filings contain no restricted information.


Charles H. Carter

CERTIFICATE OF WORD COUNT

I, Charles H. Carter, do hereby certify that this Writ was typed in Century Schoolbook, Size 12. Including textboxes, footnotes, and endnotes there are 8,997 words in this writ of certiorari, excluding the Signature Block, Proof of Service, Certificate of Redaction, Word Count and Table of Content.


Charles H. Carter