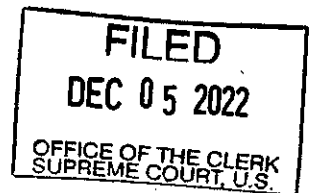


No. 22-6320 **ORIGINAL**

IN THE
SUPREME COURT OF THE UNITED STATES



Mausean Carter — PETITIONER
(Your Name)

VS.

Corizon Health Inc — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Court of Appeals of Maryland
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Mausean Carter # 475156
(Your Name)

P.O. Box 534
(Address)

Jessup MD 20794
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

1) Did the lower Courts error in holding that the Petitioner did not meet the burden of establishing the respondents deliberate indifference in violation of the Eighth Amendment when the petitioner proffered testimony and certified evidence that the Petitioner was entitled to chronic care medical treatment but was refused the petitioner's repeat request for medical treatment for 11 months?

2) Did the lower Courts error in holding that the Petitioner did not meet the burden of establishing the gross negligence standard when the petitioner proffered testimony and certified evidence of documents supporting the petitioner's claims of the respondent falsifying official and medical records to refuse the petitioner medical treatment?

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

Mausean Carter v. Corizon Health Inc. Case no: D-121-CV-20-00812
Mausean Carter v. Corizon Health Inc. Case no: D-121-CV-21-007088
Mausean Carter v. Corizon Health Inc. Case no: C-01-CV-21-000159
Mausean Carter v. Corizon Health Inc. Case no: C-01-CV-21-000160

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TABLE OF AUTHORITIES CITED

CASES

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Estelle v. Gamble, 429 U.S. at 105-106

Johnson-Eli v. Schoemehl, 878 F.2d 1043 1055 (8th Cir. 1989)

McElligott v. Foley, 182 F.3d 1248, 1256-57 (11th Cir. 1999)

STATUTES AND RULES

42 U.S.C. § § 1983, 1997

28 U.S.C. § § § 1331, 1343, 1367

OTHER

1st, 8th and 14th U.S. Constitution Amendments

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

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

OPINIONS BELOW

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☒ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix A to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

☐ 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 10-4-2022.
A copy of that decision appears at Appendix A.

☐ 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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

42 U.S.C. §§ 1983, 1997

First Amendment "right to petition the government"

Eighth Amendment "right to be free from a cruel and unusual punishment"

Fourteenth Amendment "right to the equal protection of the law."

STATEMENT OF THE CASE

This matter is referencing the respondents agents knowing that the petitioner needed medical treatment due to the petitioners repeat request and complaints as the petitioner was denied medical treatment for 11 months. After several request and complaints the respondents' agents falsified the Petitioner's medical records to support the agents refusal of medical treatment for 11 months. The petitioner is a chronic care patient and was refused chronic care treatment as provided by the respondents regulations. Confirming that the petitioner was entitled to chronic care medical treatment due to the petitioner's medical condition and history.

REASONS FOR GRANTING THE PETITION

Under the Estelle v. Gamble standard this court has held that an "unnecessary and wanton infliction of pain" could be established with the delay and or refusal of medical treatment to incarcerated persons.

It has also been understood and held that "repeated delays in doctor seeing a patient with constant severe pain could constitute deliberate indifference" see McElligott v. Foley.

When the petitioner was refused medical treatment for chronic care for 11 months while all of the petitioner's request and complaints were denied, the respondent was deliberately indifferent to the petitioner's medical needs.

Not only was the petitioner inflicted with severe pain when the respondents agents refused to provide the petitioner with medical treatment, the respondents agents violated the Petitioner's constitution rights under the Johnson el v. Schoemehl standard when the agents falsified medical which could constitute gross negligence.

This petition should be granted in the interest of incarcerated persons whom are denied & delayed medical treatment as official records are being falsified to support the denial of medical treatment to incarcerated persons.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

WMA # 475 156

Date: 12-2-2022