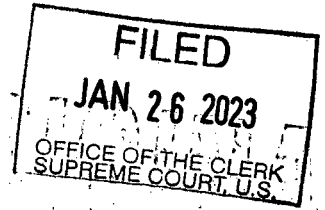


1/26/23

p.1/13

22-6679

No. \_\_\_\_\_



IN THE

SUPREME COURT OF THE UNITED STATES

Debra Sauer — PETITIONER  
(Your Name)

vs.

City of Chicago, et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

7<sup>th</sup> Circuit Court of Appeals

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Debra Sauer

(Your Name)

2735 N. Clark #102

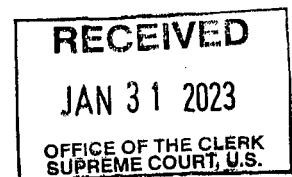
(Address)

Chicago, IL 60614

(City, State, Zip Code)

(224) 518-0066

(Phone Number)



1/26/23

3/13

QUESTION(S) PRESENTED

Are the 2nd and the 4<sup>th</sup> Circuit decisions in conflict with the 7<sup>th</sup> Circuit decision which dismissed my case?

Is settled law in conflict with the 7<sup>th</sup> Circuit decision which dismissed my case?

Please see my Statement of the Case.

1/26/23

2/13

## 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

1/26/23

4/13

TABLE OF CONTENTS

OPINIONS BELOW .....	1	p. 6
JURISDICTION.....		p. 7
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....		p. 8
STATEMENT OF THE CASE .....		pp. 9+10
REASONS FOR GRANTING THE WRIT .....		p. 11
CONCLUSION.....		p. 12

INDEX TO APPENDICES

- APPENDIX A Motion for Leave to Proceed in forma pauperis
- APPENDIX B Appellee's Brief
- APPENDIX C 7<sup>th</sup> Circuit decision
- APPENDIX D
- APPENDIX E
- APPENDIX F

1/26/23

5/13

## TABLE OF AUTHORITIES CITED

### CASES

### PAGE NUMBER

2nd Circuit: USCA, US v. Spallone,  
399F3rd 415 (2005)

"In considering orders and judgments, the entire contents of the instrument and the record should be taken into consideration in ascertaining the intent."

### ~~STATUTES AND RULES~~

4th Circuit: Smith v. Comm'r of Internal Revenue 67F.2nd 167 (4th Cir. 1933))).

### OTHER

1/26/23

6/13

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 PACER \_\_\_\_\_; 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 PACER \_\_\_\_\_; 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 \_\_\_\_\_ 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.

1/26/23

7/13

## JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was 7/20/22.

☐ 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: 10/28/22, 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).

1/26/23

8/13

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

4<sup>th</sup> + 14<sup>th</sup> amendments to the constitution



# Statement of Case

SYNOPSIS, 7th CIRCUIT — US SUPREME COURT

1. District Court granted Motion for Summary Judgment.
2. 7th Circuit denied my Appeal and Petition for Reconsideration.
3. Referring to the 7th Circuit, at the outset before I filed my Initial Brief, they initiated sua sponte proposal to limit my appeal to the District Court's final order.
4. **They ruled** that my appeal would be limited to the District Court's final order.
5. I now appeal to the United States Supreme Court on the basis of a conflict between the 7th Circuit and the 2nd + 4th Circuits (cited in my appeal) plus the myriad rulings including the Supreme Court itself, all of whom have ruled the same way thereby creating settled law.
6. Now quoting the 2nd Circuit which I cited in my appeal: USCA, *U.S. v. Spallone*, 399F3rd 415 (2005) ("In considering orders and judgments, the entire contents of the instrument and the record should be taken into consideration in ascertaining the intent.") (citing *Smith v. Comm'r of Internal Revenue* 67F.2nd 167 (4th Cir. 1933)).
7. I now provide further explanation of the conflict:
  - a. The 7th Circuit ruled that my appeal would be limited to the District Court's final order, wherein the District Court wrote a two page document, the first paragraph entitled, "**ORDER**" and the remainder entitled, "**STATEMENT**".
  - b. According to the 2nd + 4th Circuits, the District Court's ruling, (two pages in length), referred to by the 2nd Circuit as an "instrument", must be considered **IN ITS ENTIRETY** by any reviewing court, as well as the Record.
  - c. The Appellee's Brief never addressed the merits, but focused exclusively on the District Court's first paragraph, entitled, "ORDER", now quoting the order verbatim as follows:

"Plaintiffs second amended motion to reconsider [266] is granted in part and denied in part. The court vacates it's previous order [263] denying Plaintiff's original motion to reopen and to reinstate doctors and hospital [260], only insofar as the order was based on the Court's failure to recognize that she had repleaded certain previously

10/13

1/26/23

voluntarily dismissed claims in her Fifth Amended Complaint. Nonetheless, the Court denies Plaintiff's request to reopen the case because the Court declines to exercise subject-matter jurisdiction over the claims Plaintiff seeks to reinstate. This case remains closed. Plaintiff's motion to reconsider [264] and amended motion to reconsider [265] are denied as moot. See the accompanying Statement for details".

d. The Appellee then used the 7th Circuit ruling as the fulcrum for it's specious argument that it was therefore absolved of all liability, owing to its exclusion from the order's first paragraph, notwithstanding that it was addressed in the second!

8. In an outrageous miscarriage, which flouted the face of settled law (that the entire instrument shall be considered by the reviewing court as well as the Record), the 7th Circuit granted the Appellee's Motion for Summary Judgment.

9. It was then that I realized: the 7th Circuit had initiated sua sponte and ruled, spawning out of an ulterior motive to create some falsity grounds for dismissing my case. Falsity, because their sua sponte proposal and their ruling which followed did blatantly flout in the face of settled law, to wit: **THAT A REVIEWING COURT MUST CONSIDER AN INSTRUMENT IN IT'S ENTIRETY AS WELL AS THE RECORD.**

Dated

1/26/23

(224)518-0066

quidproquo29@gmail.com

Debra Sauer, Appellant  
2735 n. Clark #102  
Chicago, IL 60614

/s Debra Sauer

1/26/23

11/13

# REASONS FOR GRANTING THE PETITION

The 7<sup>th</sup> Circuit decision which dismissed my case was in conflict with settled law. Please see my Statement of the Case.

/s Debra Sauer  
quidproquo29@gmail  
.com

1/26/23

12/13

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Debra Sauer

Date: 1/26/23