

No. 22-1090

In the  
Supreme Court of the United States

---

ACQUANITTA L. HARRIS-PATTERSON,

*Petitioner,*

v.

ARMCO STEEL, a/k/a AK STEEL CORPORATION ET AL.,

*Respondents.*

---

On Petition for a Writ of Certiorari to the  
Supreme Court of Missouri

---

**PETITION FOR A WRIT OF CERTIORARI**

---

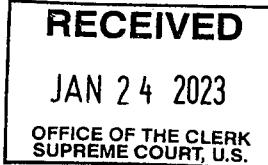
ACQUANITTA L. HARRIS-PATTERSON  
*PETITIONER PRO SE*  
4735 NORTH PARKSIDE DRIVE  
WAUWATOSA, WI 53225  
(414) 469-7882

JANUARY 19, 2023

SUPREME COURT PRESS

♦ (888) 958-5705

♦ BOSTON, MASSACHUSETTS



## QUESTIONS PRESENTED

There are a number of tentative questions presented by the Petitioner as following:

1. What cancel checks have been paid? And if so who were they paid too? And where is all the payments that was made on account?
2. If benefits were paid, to whom where benefits paid too? And why were they paid to whomever?
3. Is there a benefits book and statement of account that should be presented? Also is there a policy with information presenting procedure of benefits?
4. Where in the policy that it reads (presents) that his (decedent) benefits were terminated?
5. How much interest has been accrued on unpaid benefits since the time of his (decedent) death?
6. The information about "Benefits" should be defined by the Company? And what is all in the "benefits" package when purchase by a company employee?
7. What happened to all of the timesheets? How was the Social Security Office notified of the pay wage deduction for (decedent) employee? And if decedent last day worked was September 10, 1982, then why was, (or if wages) were paid to decedent up until June 17, 1984?
8. Did the company intensively misrepresent the fact that decedent walk off job in June 17, 1984? If paid from September 10, 1982 until June 17, 1984, how much was he (decedent) paid and were there tax withholdings records for that period of time?

9. How much money was received for “mortuary” services on statement of account? And are there records and files recorded with funeral home account?

10. If benefits were disburse than why wasn’t the beneficiary (employees ‘spouse) notified of all benefits that were to be paid to decedent’s spouse?

## **PARTIES TO THE PROCEEDINGS**

### **Petitioner**

---

- Acquanitta L. Harris-Patterson

### **Respondents**

---

- Armco Steel a/k/a AK Steel a/k/a Cliff Steel Corporation a/k/a Cleveland-Cliffs, Inc.
- Lawrence A. Jones and Sons Mortuary, who are represented by:  
Lindsey Jones, President  
Employee – Relative, Norma J. Mendez

## LIST OF PROCEEDINGS

### Direct Proceedings Below

Supreme Court of Missouri

No. 0716-CV11586

Harris-Patterson, Acquanitta L., *Petitioner*, v. Armco Steel a/k/a AK Steel Corporation, Lawrence A. Jones & Sons Mortuary, Mendez, Norma Jean *Respondent*.

Date of Final Decision: October 4, 2022

(Denial of Petition for Writ)

---

Western District Court of Appeals

No. 0716-CV11586

Harris-Patterson, Acquanitta L., *Petitioner*, v. Armco Steel a/k/a AK Steel Corporation, Lawrence A. Jones & Sons Mortuary, Mendez, Norma Jean *Respondent*.

Date of Final Decision: August 16, 2022

(Denial of Petition for Writ)

---

### Prior Proceedings

Jackson County Kansas City

Harris-Patterson, Acquanitta L., *Petitioner*, v. Lawrence A. Jones & Sons Mortuary, Mendez, Norma Jean *Respondent*.

Date of Final Decision: September 10, 2007

## TABLE OF CONTENTS

	Page
QUESTIONS PRESENTED .....	i
PARTIES TO THE PROCEEDINGS .....	iii
LIST OF PROCEEDINGS .....	iv
TABLE OF AUTHORITIES .....	viii
OPINIONS BELOW .....	1
JURISDICTION .....	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	2
STATEMENT OF THE CASE .....	4
A. Background Facts .....	4
B. 2022 Proceedings in Missouri Courts .....	6
REASONS FOR GRANTING THE PETITION .....	6
I. RESPONDENTS CONSPIRED TO CHEAT PETITIONER OUT OF LIFE INSURANCE DEATH BENEFIT .....	6
II. THE PETITION FOR WRIT OF CERTIORARI SHOULD BE GRANTED PURSUANT TO THE U.S. CONSTITUTION, AMENDMENTS V AND XIV, DUE TO THE DISCOVERY OF CRIMES COMMITTED BY RESPONDENTS .....	10
III. RESPONDENTS HAVE ACTED WITH CONTEMPT .....	12
IV. THE PETITIONER HAS KEPT THIS MATTER ALIVE TO CLAIM THE RIGHTFUL PROPERTY BELONGING TO HER AND HER CHILDREN .....	14

**TABLE OF CONTENTS - Continued**

	Page
V. PETITIONER RELIES ON <i>ROSE V. ARKANSAS STATE POLICE ET AL.</i> , 479 U.S. 1 (1986) AS PRECEDENT.....	16
CONCLUSION.....	21

**APPENDIX TABLE OF CONTENTS****DIRECT PROCEEDINGS BELOW**

Decision of the Supreme Court of Missouri (October 4, 2022) .....	1a
Decision of the Western District Court of Appeals (August 16, 2022) .....	2a

**EARLIER PROCEEDINGS**

Decision of Jackson County Kansas City (July 31, 2007) .....	4a
Decision of Jackson County, Kansas City and Docket (September 10, 2007) .....	6a

**OTHER DOCUMENTS**

Affidavit of Stephanie Jean Howard.....	9a
Affidavit of Kenneth H. Washington for Acquanitta L. Harris-Patterson .....	13a
Notice of Employee Separation Without Signature of Employee .....	15a

**TABLE OF CONTENTS – Continued**

	Page
Letter from Attorney Jack D. Rowe Stating Mr. Howard Was Not an Employee (July 19, 1991) .....	16a
Letter from Attorney Edward Alan Williams Seeking Benefits on Behalf of Acquanita Howard (July 9, 1991) .....	18a
Letter from R. G. Graupner of Armco Stating Mr. Howard Was Not an Employee (July 21, 1986) .....	19a
Letter from Gary A. Crutcher of Armco Rejecting Freedom of Information Request (January 4, 1990).....	20a
Freedom of Information Request (November 30, 1990) .....	22a
Letter from Acquanitta L. Howard Requesting Information (November 30, 1990).....	26a
Letter from Attorney G. Michael Fatall Requesting Information (July 15, 1986).....	28a

**TABLE OF AUTHORITIES**

	<b>Page</b>
<b>CASES</b>	
<i>Giles v. American Family Life Ins. Co.,</i> 987 S.W.2d 490 (Mo. Ct. App. 1999).....	13
<i>Henderson v. National Bearing Division (A.),</i> 267 S.W.2d 349 (Mo.App. 1954) .....	8, 11, 19
<i>ILL—People ex rel. General Motors Corp v.</i> <i>Bua</i> , 37 ILL. 2d 180. 226 N.E. 2d 6 (1967) ...	7, 12
<i>Rose v. Arkansas State Police,</i> 479 U.S. 1, 107 S. Ct. 334 (1986) .....	passim
<i>State v. Dennis,</i> 153 S.W. 3d 910 (Mo. App., W.D. 2005).....	13
<b>CONSTITUTIONAL PROVISIONS</b>	
U.S. Const. amend. V.....	10, 13
U.S. Const. amend. XIV.....	10, 13
<b>STATUTES</b>	
20CSR 100-1.3000.....	19
28 U.S.C. § 1257(a) .....	2
376.427, RSM0 .....	19
Mo. Rev. Stat. § 287.230 .....	8, 11, 19
Mo. Rev. Stat. § 287.240 .....	8, 11, 18, 19



## OPINIONS BELOW

In 2022, Petitioner filed petitions for certiorari in the Missouri appellate courts to review and reopen a civil action, based upon allegations of fraud, criminal acts, and contempt of Respondents. The Missouri appellate courts dismissed the petitions for review without opinion, with only docket entries indicating the disposition of the petitions as denied. Therefore, there are no written opinions in the direct proceedings below. Petitioner seeks review of these denials:

- Supreme Court of Missouri, Order dismissing petition for writ (October 4, 2022) (App.1a)
- Order of the Missouri Western District Court of Appeals, dismissing petition for writ (August 16, 2022) (App.2a)

Previously, the civil action was dismissed by the Jackson County, Kansas City Circuit Court on July 31, 2007. The order dismissing the case without prejudice is included at App.4a. 1, 2

---

1 This case was filed with the Presiding Judges of Missouri County of Jackson, presiding John D. Torrence, Circuit Court Judge, Division 14 in Jackson County and Judge J.D. Williamson Jr. in Division 11. On both of the cases was entered a Dismissal w/o prejudice. Due to the dismissal, it was noted by a letter sent to appellee dismissal it was noted by a letter sent to appellee stating both appellants and said quote: "Any monies taken should be barred time, statute of limitations."

2 Even though this case was "dismissed w/o prejudice", I have found that the said appellants committed a crime. The respondents did not take time to contact petitioner about the funds disbursed



## **JURISDICTION**

The final judgment of the Supreme Court of Missouri, denying a petition for writ was issued on October 4, 2022. (App.1a). This Court has jurisdiction under 28 U.S.C. § 1257(a).



## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

### **U.S. Const., art. VI, cl. 2 Supremacy Clause**

This Constitution, and the Laws of the United States which shall be made Pursuance thereof . . . shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

### **18 U.S.C. § 242**

Every person who under color of any stature, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, an citizen of the United States or other person within the Jurisdiction thereof to the deprivation of any

---

by the decedent employers. Even though the services by the funeral home were administered for my decedent, spouse, Louis L. Howard no contractual agreement were presented to deceased's spouse, Acquanitta L. Howard, at the time that services were rendered. The petitioner will present the facts that the appellants committed a crime.

rights, privileges, or Immunities secured by the Constitution and laws, shall be liable to the party of laws.

**RSMo 287.230**

**Payment of compensation at death of employee**

1. The death of the injured employee shall not affect the liability of the employer to furnish compensation as in this chapter provided, so far as the liability has accrued and become payable at the time of the death, and any accrued and unpaid compensation due the employee shall be paid to his dependents without administration, or if there are no dependents, to his personal representative or other persons entitled thereto, by the death shall be deemed to be the termination of the disability.
2. Where an employee is entitled to compensation under this chapter for an injury received and death ensues for any cause not resulting from the injury for which he was entitled to compensation, payments of the unpaid accrued compensation shall be paid, but payments of the unpaid unaccrued balance for the injury shall cease and all liability therefore shall terminate unless there are surviving dependents at the time of death.

**RSMO 287.240(e)**

**Workers' Compensation Law, Death Benefits**

Death benefits and burial expenses, amount, to who paid and when paid—dependent defined—death benefits, how distributed—record of dependents, employer to keep—dependents to report to division, procedure.

(e) If the injury which caused the death occurred on or after September 28, 1981, the weekly compensation shall in no event be less than forty dollars per week;



## STATEMENT OF THE CASE

### A. Background Facts

On or about December 2, 1984, the Petitioner's husband Louis. L. Howard died of gunshot injuries in an attempted robbery, during his employment with Armco Steel company in Kansas City Missouri. During the time of decedent's death, Lawrence A. Jones & Sons Mortuary agreed to make the preparation for the burial services with the permission made by relative-employee, Norma J. Mendez.

At that time considering that Petitioner was not very conscious, and was in a state of shock, from the death of her spouse of 24 years, Norma J. Mendez, took the survivor spouses minor children to the funeral home to make all of the arrangements. Upon the arrival to the mortuary, the minor children signed all documents, without knowledge of Petitioner who did not give permission.

Petitioner did not give permission to Norma J. Mendez to follow those procedures with signatures of the minor children. Respondents took it upon themselves to make those arrangements and then stated that the funeral was free which was told to Petitioner by relative-employee Norma Mendez. Petitioner was not made aware why it was free, and Respondent Norma J. Mendez did not explain the reason why the

funeral services were free. Since that time Petitioner has been made aware by witnesses, that Armco Steel a/k/a AK Steel Armco Steel a/k/a AK Steel a/k/a Cliff Steel Corporation a/k/a Cleveland-Cliffs, Inc. benefits manager Ms. Karen Dearth was notified by the Lawrence A. Jones and Sons Mortuary, by employee-relative Norma J. Mendez of the death of the decedent, and wanted to know of the amount of insurance benefits payment.

Permission was not given to Norma J. Mendez to handle all of the affairs for the Petitioner. Upon the funeral services that were rendered, a check was disbursed to the mortuary and Norma J. Mendez, employee, of Lawrence A. Jones & Sons Mortuary, by Benefit Manager, Ms. Karen Dearth employed by Armco Steel at that time. Neither Ms. Dearth, nor Lawrence A. Jones Mortuary notified Petitioner of this disbursement of money.

Norma J. Mendez, has since stated that the Lawrence A. Jones & Sons Mortuary, had made arrangements with Karen Dearth, Armco Steel's benefits manager to send the benefits directly to the funeral home.

On or about On July 17, 1986, Ms. Harris-Patterson, retained an attorney(s) to contact the Armco Steel a/k/a AK Steel a/k/a Cliff Steel Corporation a/k/a Cleveland-Cliffs, Inc., to receive said death benefits, per deceased spouse (Louis S. Howard) insurance from the employer. At the time through company attorney Edward A. Williams, located Kansas City Mo, Respondents alleged that decedent was not employed during the time of his death. Employer alleged, on an Exhibit titled "Notice of Employee Separation", that decedent last date worked was September 10, 1982 and

Date of Separation effective, June 25, 1984. Clearly, the two dates are in conflict and are not correct.

Ms. Harris-Patterson now seeks an Petition For Writ of Certiorari to correct the constitutional wrongs that occurred against widow spouse to receive what is rightfully to be death Insurance benefits from the company. It has been alleged that in a witness statement by Respondents that the Lawrence A. Jones and Respondents, Norma Mendez, Employee-Relative, took the Insurance Death Benefits rather than contact the Petitioner of decedent spouse (Louis S. Howard).

#### **A. 2022 Proceedings in Missouri Courts**

Petitioner filed petitions for review in the Missouri Court of Appeals, Western Division and in the Missouri Supreme Court. These petitions alleged that Respondents had committed crimes and fraud in covering up their disbursement/taking of death benefits owed to Petitioner. Both the Missouri Court of Appeals and Missouri Supreme Court dismissed these petitions, without written opinions.



#### **REASONS FOR GRANTING THE PETITION**

##### **I. RESPONDENTS CONSPIRED TO CHEAT PETITIONER OUT OF LIFE INSURANCE DEATH BENEFIT.**

The decedent's spouse who is the sole beneficiary, was entitled to receive about Two Hundred and Fifty Thousand Dollars (\$250,000). Since then the family has suffer tremendously due to the negligence and alleged crime of the Respondents. The minor children were not able to receive the family financial support,

nor were they able to attend a prominent college of their choice. Each of the two minor children was to receive approximately about Twenty-Five Thousand Dollars (\$25,000) for each minor child.

This was stated before the death of their father, Louis L. Howard. The monies that were allegedly taken should not be dismissed from the alleged crime when in law it is a crime to steal monies through embezzling. The statue of limitations does not expire under the law of a criminal act until it has been determined that a crime was committed.

Since the time of the decedent's death, Petitioner/spouse has hired numerous of attorneys, who all have requested the records and files of the decedents. Discovery was attempted to prove that what the benefits manager, Ms. Karen Dearth, stated about the decedent not being employed at the time of his death was not a true statement. Over the last 20 years, Petitioner has consistently tried to pursue the company for payment on the life insurance policy purchase by the decedent during the term of his employment with Armco Steel Corp.

When attempting to meet a "burden of proof" against Armco Steel, benefits manager Ms. Karen Dearth has acted with contempt by not producing the documents demanded which prove that decedent was allegedly not employed during the time of his death. *See ILL—People ex rel. General Motors Corp v. Bua*, 37 ILL. 2d 180, 226 N.E. 2d 6 (1967). There have been numerous of occasions that Petitioner has asked why the corporation attorneys had not been notified by benefits manager of the legal documents submitted by Petitioner's attorneys. On October 10, 2006, Petitioner called the office of Ms. Karen Dearth, (513) 425-2619

located AK Steel Corp, 703 Curtis Street, Middletown, OH 45043, time of call was at 10:30 am, regarding why paper of the case not sent to corporate attorney office.

Ms. Dearth, replied by stating they (corporate attorneys) have other matters that they are attending too. Within about a week Ms. Karen Dearth, sent only a few papers stating that the decedent did not work at Armco Steel. (See Notice of Separation document, App. 15a) During the time of the phone conversation, I told Ms. Dearth that I had a witness listening to the conversation, who has signed a Sworn Affidavit on my behalf.

The decedent purchased a policy during his duration of employment with the Armco Steel Co, a/k/a AK Steel. The policy got lost after Petitioner lost the residential family home. The reference Missouri law that supports the length of time for benefits payments is stated *See Missouri Revised Statutes Sec 287.240*, and *Payment of compensation at death of employee—exceptions.* 287.230 *Henderson v. National Bearing Division (A.)* 267 S.W.2d 349. Discovering that said payment was due to Petitioner and family. Petitioner has attempted since the years of decedent death up to this point to receive what is due to Petitioner and family.

The minor children have suffered due to Respondents, taking the monies that were for the minor children to live for a period of time. If it weren't for the assistant of family friend of the Howard family, the children would have become homeless. There is a document presented to show that a friend assists the children in having a great holiday after the death of their father. (See Affidavit, App.13a)

A copy of a decree of the Probate Division of the Circuit Court of Jackson County, Missouri dated on or about December 14, 1984, stated that Petitioner was the only heir of decedent along with minor children. Decedent died December 2, 1984 with a policy being held by the employer Armco Steel Corp, a/k/a AK Steel Corp, located in Middletown, Ohio.

This matter became increasingly concerning to Petitioner Ms. Harris Patterson, for not having received the Insurance death Benefits to which she was entitled. Petitioner continue to reach out to Ms. Karen Dearth Benefits Manager, to the employer, and then again to the Civil Court System to get this matter resolved by what was rightfully owed to the Petitioner and family. On October 10, 2006, Appellant called the office of Ms. Karen Dearth, (513) 425-2619 located AK Steel Corp, 703 Curtis Street, Middletown, OH 45043, time of call was at 10:30 am, Ms. Dearth, replied by stating they (corporate attorneys) have other matters that they are attending too. Ms. Dearth also asked me to stop contacting the company.

**II. THE PETITION FOR WRIT OF CERTIORARI SHOULD BE GRANTED PURSUANT TO THE U.S. CONSTITUTION, AMENDMENTS V AND XIV, DUE TO THE DISCOVERY OF CRIMES COMMITTED BY RESPONDENTS.**

The Petition for Writ of Certiorari should be granted based on the additional developments which require the extraordinary remedy of the issuance of the writ. In *Rose v. Arkansas State Police*, along with the reasons expressed in the instant petition for an extraordinary remedy, Petitioner respectfully urge to grant Petitioner a reversed due to "Tolling of the Statue of Limitations" by the Respondents. In the alternative, Petitioner request that the Court hold this case and decided in conjunction with the Appellant Brief for a writ of extraordinary remedy in *Rose v. Arkansas State Police*.

Even though this case was dismissed without prejudice, I have found that the said Respondents committed a crime. The Respondents did not take time to contact Petitioner about the funds disbursed by/from the decedent employer. Even though the services by the funeral home were administered for my deceased, Louis L. Howard, no contractual agreement was presented to deceased's spouse, (Petitioner, named Acquanitta L. Howard, at that time that services were rendered). The Petitioner will present that the all of the Respondents did-in-fact commit the alleged a crime.

The circumstances surrounding the time of the funeral should have allowed Respondents to enact and exercise adequate and acceptable procedures to ensure that Mrs. Harris-Patterson would receive what was rightfully hers. Respondents should have protected her contractual rights, and issued the proper Death Benefits

Funds, per policy and procedure. This was owed to the Petitioner by Employer Armco Steel a/k/a AK Steel Corporation.

Ms. Karen Dearth, benefits manager, never contacted the Petitioner for preparations to disburse the benefits to the beneficiary Petitioner, Ms. Harris-Patterson. An alleged crime has been committed by the Respondents who have covered-up by telling lies, and sending papers showing that decedent was allegedly not employed during the time of his death (*See* Notice of Separation document, App.15a).

Permission was not given to Norma J. Mendez to handle all of the affairs for the Petitioner. Upon the services that were rendered, a check was disbursed to the mortuary and Norma J. Mendez, employee, of Lawrence A. Jones & Sons Mortuary, had known that the funeral home had received the Petitioner's/Spouse disbursement and did not notify that the monies that had been disbursed to the mortuary by Benefit Manager, Ms. Karen Dearth, employed by Armco Steel at that time. Norma J. Mendez, has since stated that the Lawrence A. Jones & Sons Mortuary, had made arrangements with Karen Dearth, Armco Steel's benefits manager to send the benefits to the funeral home.

The decedent purchased a policy during his duration of employment with the Armco Steel Co, a/k/a AK Steel. The policy got lost after Petitioner lost the residential family home. The reference Missouri law that supports the length of time for benefits payments is stated *See Missouri Revised Statutes Sec 287.240, and Payment of compensation at death of employee —exceptions. 287.230. See also Henderson v. National Bearing Division (A.), 267 S.W.2d 349.* Discovering that said payment was due to Petitioner and family.

Petitioner has attempted since the years of decedent's death up to this point to receive what is due to Petitioner and family.

### III. RESPONDENTS HAVE ACTED WITH CONTEMPT

When attempting to provide a "burden of proof" Armco Steel's manager Ms. Karen Dearth has presented Contempt by not producing the documents as proof that decedent was not employed during the time of his death. *See ILL—People ex rel. General Motors Corp v. Bua*, 37 ILL. 2d 180. 226 N.E. 2d 6 (1967). There have been numerous times that Petitioner has asked why the corporation attorneys had not been notified? The benefits manager would not submit legal documents sent by Petitioner's attorneys.

Within about a week Ms. Karen Dearth, sent repeated papers stating the decedent was not employed at Armco Steel. (See Notice of Separation document, App.15a) The Respondents are guilty beyond the reasonable doubt when a critical portion of the evidence that Respondents were responsible for reporting the disbursement received from Armco Steel Company, aka AK Steel out of Middleton Ohio. The Respondents used their time to try to exhaust Statue of Limitations, but there should be "tolling" due to the contempt.

Petitioner would contact Armco Steel and Lawrence A. Jones Mortuary, for over 24 years. Each time that the Respondents would hear from the Petitioner, the benefits manger Karen Dearth, would not tell the Legal Counselor of AK Steel, the Petitioner, was contacting Armco Steel with regards to Ms. Harris-Patterson Death "Benefits Payout".

Petitioner family relative Norma J. Mendez, who was employed at the Lawrence A. Jones Mortuary,

during the time of the disbursement, has stated to other family members that the Respondents, Lawrence A. Jones Mortuary, kept the monies disbursed by Armco Steel. *See Reference; Giles v. American Family Life Ins. Co.* 987 S.W. 2d 490.494 *Rose v. Arkansas State Police*, 479 U.S. 1 (1986) 107 S. Ct. 334.

The Respondents were able to use the "statute of Limitations" as a way to bar the case, rendering it no longer active in order for the appellant to not receive "Death Benefits". Respondents also admitted that the monies were disbursed to the Respondents, Lawrence A. Jones at the time in December 5, 1984, and did not contact Petitioner to inform her of the payout for the Death Benefits. Respondents Armco Steel, aka AK Steel, did not contact the Appellant (spouse) about the benefits that were disbursed to the Respondents Lawrence A. Jones Mortuary, in Kansas City, Missouri.

The supporting documents will show that the Respondents were negligent in following the policy and procedures of the funeral home laws. The benefits manager at Armco Steel, aka A.K. Steel, has refused to tell the truth and will not allow the due process laws to be exercised by the Missouri Constitution and United States Constitution, the Fifth Amendments and the Fourteenth Amendment of criminal cases. *See State v. Dennis*, 153 S.W. 3d 910 (Mo. App., W.D. 2005). *See* United States Constitution, Amendments V and XIV.

Ms. Karen Dearth, benefits manager, never contacted the Petitioner for preparations to disburse the benefits to the beneficiary Petitioner, Ms. Harris-Patterson. An alleged crime has been committed by the Respondents who have covered up by telling lies, and sending papers showing that decedent was allegedly

not employed during the time of his death (*See* Notice of Separation document, App.15a).

Respondents took it upon themselves to make those arrangements and then stated that the funeral was free as was told to Petitioner, by relative-employee Norma Mendez. Appellant did not understand why it was free. Norma J. Mendez, Respondent did not discuss the reason why the funeral services were free. Since that time appellant has been made aware by witnesses, that Armco Steel a/k/a AK Steel Corp. benefits manager Ms. Karen Dearth was notified by the Lawrence A. Jones and Sons Mortuary, by employee-relative, stating the amount of the insurance benefits payment were paid to funeral home.

On or about in August 2007, my sister Ruby Harris who lived in Las Vegas Nevada, at that time before her death, received a call from Norma Mendez, in which Ruby ask Norma Mendez, about the death benefits I was to received? After the question was asked, Norma Mendez, said to Ruby, quote: "Those Niggers Took Her (Acquanitta Howard Spouse to Decedent) Money, and She Cannot Get It Back." Ruby Harris then asked Ms. Mendez, while Petitioner listened, who took the money. Ms. Mendez replied that Lawrence A. Jones, the senior father to the sons took the money, and with those funds, he bought other funeral home. He also had instructed Norma Mendez to come and tell Petitioner that the funeral was free.

**IV. THE PETITIONER HAS KEPT THIS MATTER ALIVE TO CLAIM THE RIGHTFUL PROPERTY BELONGING TO HER AND HER CHILDREN.**

Since the time of this matter, I have been keeping this matter alive to receive what was rightfully

mine and to support me and my minor children before my death benefits were "Fraudulent and Stolen by deceit, and was defrauded due to my Lawrence A. Jones be a member of the Masonic Fraternity Group Brothers and that the Benefits Manage, Ms. Karen Dearth, at that time sent all of the Death Benefits and along with my the Service Benefits that I was to receive upon Louis L. Howard, spouses death on December 2, 1984.

Then on or about August to September 2020, I received a phone call from an Anthony Wayne Evans who lives with his mother Dorothy Evans at 6665 Indiana Ave. Kansas City, MO 64132 phone number 816-277-2159 or 816-444-1648. He stated that Norma Mendez had come to his home, around 3-4pm to express to him, quote:

that I need to stop trying to get the courts to get my Death Benefits, from my decedent spouse, (Louis L. Howard) employer Armco Steel a/k/a AK Steel Corporation, because that money is gone and I can Never, get it back the Money due to the death of Lawrence A. Jones Sr. death.

The amount of my death benefits was to be paid in the amount of Two Hundred and Fifty Thousand Dollars (\$250,000.00) and the interest is now up to Thirteen Million Dollars (\$13,000.000.00) due to all the pain and suffering that me and my family were put through by the funeral home Lawrence A. Jones & Sons. I even sent to Norma Mendez a Sworn Affidavit and she refused to sign to tell the Truth.

However, the company still insists that my deceased Spouse (Louis L. Howard) was not employed

during the time of his death. The AK Steel aka Armco Steel alleged that decedent, (Louis L Howard) was not employed during the time of his death, (by murder). Please review the attached document in the Brief Exhibit, showing "Notice of Employee Separation" Review: Last Day Worked, 9-10-1982, but "Exhibit Provides: Date of Separation Effective 6-25-1984, and at that time decedent was not laid off, nor was decedent on leave. (App.15a)

The question follows that if the decedent was there physically at work on the property of Armco Steel in Kansas City, MO, with last day worked 9-10-1982, then it cannot be possible that his last separation date was 6-25-1984. If this were the truth, then where are his (Louis L Howard) decedent's last pay-checks stubs and other employee information, along with Denied "Service Payment Benefits", which I have requested over and over again since the time of his death.

**V. PETITIONER RELIES ON *ROSE V. ARKANSAS STATE POLICE ET AL.*, 479 U.S. 1 (1986) AS PRECEDENT.**

Petitioners file this brief to bring to the Court's attention the petition for a writ of certiorari filed in 1986 by *Rose v. Arkansas State police et al* in challenging the methods of the lower court provisions standards stating that statue of limitation had been barred. Indeed, there has been numerous of times that the Petitioner has contacted the court throughout the case and presented herself to seek relief, but within that time Respondents did not comply by researching true facts.

It is a fact that there is "something" or "someone" within the organization that has committed an alleged crime. The alleged crime that has been committed

has not been "even" investigated by neither team. The alleged criminal act that was committed, does hold merits within the jurisdiction of the lower and higher courts. Information "withheld" by the benefits manager, of the organization has not been recorded nor has the "benefits manager" who is liable for the organization's procedures upon an employees' death. If the "benefits manager" and the other officers believed that the employee was not employed at the time of his death, than why was any "service payment" offered.

As pointed out in the petition, at one end are courts such as those in the Eighth Circuit jurisdictions that apply an "unnecessary" to "unreasonable" risk of pay standard, somewhere in the middle is *Rose v. Arkansas* with its "substantial risk" standard, at the total other end are courts that require some level of risk of pain along with deliberate indifference. These standards are different, require a different burden of proof, and can result in a different outcome. Such as the fact is the time cause to expire by the benefits manager and other organizational officers who allowed the one person to create this allege criminal act.

Another reason that this petition should be granted is based on "several reasons":

- (1) Benefits manager did not contact employees spouse
- (2) Petitioner retained legal counsels whom all requested the production of records (documents), and even expressed that payment would be made by Petitioners counsel
- (3) within the documents sent to Petitioner throughout the duration of "24 years" to receive what is due to Petitioner benefits

manager refuse to send all pertinent information pertaining to employee records, and

- (4) benefits manager use the barred time to cause the Petitioner to lose all benefits owed to Petitioner and family, (5) Employee, relative has spoken on numerous of times that the monies were disburse to mortuary (Respondents), and that monies taken were by Respondents, sent by benefits manager, who disburse the monies to Respondents without contact of Petitioner.

The Petition Writ of Certiorari is available when there are issues which might otherwise escape appeal and cause considerable hardship and expense to an aggrieved party. *See Missouri Revised statutes Sec 287.240 (Payment of compensation at death of employee—exceptions).* Discovering that said payment was due to Petitioner and family. Petitioner has attempted since the years of decedent death up to this point to receive what is due to Petitioner.

The decedent's spouse who is the sole beneficiary, was entitled to about Two Hundred and Fifty Thousand Dollars (\$250,000.00). Since then the family has suffered tremendously due to the negligence and alleged crime of the following Respondents. The monies that were allegedly taken should not be dismissed from the alleged crime when in law that is a crime to steal monies through embezzling, statute of limitation does not expire under the law of a criminal act until it has been determined that a crime was committed. Due to all claims asserted in the Petition were dismissed because did not review all legal supporting evidence. The courts did not answer the questions thoroughly

nor did the courts review all records indicating that an alleged criminal law had been committed.

A law has been broken showing cause that an alleged criminal act was created by the Armco Steel a/k/a AK Steel Corporation and their legal team along with other corporate associates et al., and benefits manager, employee, with the document information submitted by Ms. Karen Dearth according to the UCPA, Unfair Claims Practice Act, 20CSR 100-1.3000, 376.427, RSMO, (B)(C).

This court has the jurisdiction and authority to issue a preliminary order and permanent writ pursuant to Missouri Revised statutes Sec 287.240, and (Payment of compensation at death of employee—exceptions.) *Henderson v. National Bearing Division (A.)* 267 S.W.2d 349. Discovering that said payment was due to Petitioner and minor children during said time of the decedent death.

The Petitioner's Writ of Certiorari remedy should be granted based on the additional developments of the filing of this Petition for an Extraordinary Remedy of a writ in the *Rose v. Arkansas State Police*, along with the reasons expressed in the instant petition for a writ of certiorari, Petitioner respectfully urge to grant extraordinary remedy of a writ a reverse due to "Tolling of the Statue of Limitations."

Therefore, at this time Ms. Harris-Patterson, Petitioner, is requesting and seeking a preliminary order and subsequent Petition Writ of Certiorari Remedial in providing the courts with all documented information to review all of my evidence from over the years, and all the Affidavits and Legal Documents pertaining to this Criminal Case Matter, created by Armco Steel,

aka AK Steel, and HR Benefits manager Ms. Karen Dearth, and the company Attorneys, Along with False Documents by the Funeral, Mortuary, Lawrence A. Jones, in which I never signed the documents where decedent/spouse Louis L Howard resting place (grave) is located in KCMO. Of which I do not know any information about his gravesite. Nor do I Ms. Harris-Patterson know where his "Remains" are even his resting place is at the Forest Home Cemetery.

Because of the time of the owner, Lawrence A. Jones Sr. death, the family is now responsible as a corporation business and is responsible for the alleged crime of Stealing by Deceit, and Fraudulent, from the Petitioner Ms. Harris-Patterson (a/k/a Mrs. Howard spouse of decedent) thereby is responsible to award Ms. Harris-Patterson is entitled to receive. The amount of my death benefits was to be paid in the amount of Two Hundred and Fifty Thousand Dollars (\$250,000) at the time of decedent death, (Louis S. Howard) and the interest has accrued up to Thirteen Million Dollars (\$13,000.000) due to all the pain and suffering, and loss of all Real Property, and Real Estate Family Home that me and my family were put through by the funeral Mortuary Lawrence A. Jones & Sons. I even sent to Norma Mendez, employee/relative a "Sworn Affidavit" and she refused to sign to tell the Truth.

This case was filed in the state of Missouri, county of Jackson, the presiding judges John M. Torrence, Circuit Court Judge, Division 14 in Jackson County, and Judge J.D. Williamson Jr. in Division 11. On both of the cases their decision for the two cases were entered with a Dismissal w/o prejudice. Due to the dismissal, it was noted by a letter sent to Petitioner stat-

ing that all Respondents said the Quote: Any monies taken should barred time, statute of limitations.

Even though this case was dismissed w/o prejudice, I have found that the said Respondents committed a crime. The Respondents did not take time to contact Petitioner about the funds disburse by the decedent employer. Even though the services by the funeral home were administered for Petitioner deceased spouse, Louis L. Howard no contractual agreement were presented to deceased's spouse, Ms. Harris-Patterson a/k/a Acquanitta L Howard, at that time that services were rendered. The Petitioner will present that the Respondents did-in-fact committed a crime.



## CONCLUSION

Therefore, after a long and hard investigation by the Petitioner, the Petitioner, believes that the court will overturn the matter and remand this matter back to the lower court for trial, to determine that an alleged crime was committed by the Respondents. The family, employee relative is terminal ill and wants to make this matter right. There are witnesses who did work with the decedent during the time of his death. Wherefore, Petitioner prays that the US Supreme Court review all the information submitted and allow this matter to be presented as a alleged criminal act done by the Respondents.

As a direct and proximate result of the conduct of the tort-feasor, the Petitioner has sustained losses, including benefits withheld and expenses of litigation and have suffered other damages, and also unable to

live financially with the two minor children at the time of the father (Louis L. Howard, decedent death) and all the Petitioner's detriment and damages in such sums as are owed for the allege crime committed by the Respondents by law and as; may be determined by jury at the trial of this case.

The petition for a writ of certiorari should be granted based on the additional developments of the filing of the petition for a writ of certiorari in the *Rose v. Arkansas State Police*, along with the reasons expressed in the instant petition for a writ of certiorari, Petitioner respectfully urge the to grant certiorari. In the alternative, Petitioner request that the Court hold this case and decided in conjunction with the petition for a writ of certiorari in *Rose v. Arkansas State Police*. The petition for a writ of certiorari should be granted.

Respectfully submitted,

ACQUANITTA L. HARRIS-PATTERSON  
*PETITIONER PRO SE*  
4735 NORTH PARKSIDE DRIVE  
WAUWATOSA, WI 53225  
(414) 469-7882

JANUARY 19, 2023

## **APPENDIX TABLE OF CONTENTS**

### **DIRECT PROCEEDINGS BELOW**

Decision of the Supreme Court of Missouri (October 4, 2022) .....	1a
Decision of the Western District Court of Appeals (August 16, 2022) .....	2a

### **EARLIER PROCEEDINGS**

Decision of Jackson County Kansas City (July 31, 2007) .....	4a
Decision of Jackson County Kansas City (September 10, 2007).....	6a

### **OTHER DOCUMENTS**

Affidavit of Stephanie Jean Howard.....	9a
Affidavit of Kenneth H. Washington for Acquanitta L. Harris-Patterson.....	13a
Notice of Employee Separation Without Signature of Employee .....	15a
Letter from Jack D. Rowe Stating Mr. Howard Was Not an Employee (July 19, 1991).....	16a
Letter from Edward Alan Williams Seeking Benefits on Behalf of Acquanita Howard (July 9, 1991) .....	18a