

22-692

Supreme Court, U.S.
FILED

JUL 15 2022

OFFICE OF THE CLERK

**IN THE
SUPREME COURT OF THE UNITED**

APRIL PREMO WILLIAMS
Petitioner

v

**FANNIE MAE
BANK OF AMERICA ET AL.**

United States Supreme Court
Respondents

**On Petition For Writ of Certiorari to the
United States Court of Appeals for the Ninth Circuit**

April Premo Williams in pro per
746 Bliss Rd.
Ceres, CA 95307

QUESTIONS PRESENTED

1. What are the terms to be used for the mentally disabled and the emotionally disabled? Did the Court error in allowing opposing counsel to use derogatory terms and not fining him \$50,000.00 for discrimination and vindication of the interest?
2. Does the 1973 Rehabilitation Act imply accommodations?
3. Do the United States District Courts have to accommodate under 1973 Rehabilitation Act and ADA?
4. Are infants, Idiots(mentally disabled) and Lunatics (emotionally disabled) always entitled to an equity judge and equity relief equal to the Court of Chancery at the time of the split of United States from England? Did the Court error in not giving Petitioner this right?
5. Are idiots(mentally disabled) and lunatics(emotionally disabled) always entitled to a jury trial? Did the court error not allowing Petitioner a jury trial?
6. Did the Senior District Judge error by thinking Petitioner filled in form pauperis when she paid the \$402.00. If the Senior Judge was wrong about this could he or she be wrong about other things?
7. Is **Buck v Bell 31 Supreme Court Reporter 200-2008 (1927)** a Hate Crime and should be overturned? Does it violate the Constitution of the United States and should be overturned

PARTIES TO THE PROCEEDS

Petitioner

April Premo Williams

Respondents

Bank of America
Fannie Mae

Parties Dismissed in District Court

The Parties listed below were dismissed from the suit in the District Court on April 22, 2022.

FHFA

Adrian Rodriquez

Hugh Frater

Mark Calbria

LISTS OF PROCEEDINGS

**United States Courts of Appeals for the Ninth
District**

No. 22-15582

**April Premo Williams, Plaintiff-Appellant v Fannie
Mae and Bank of America Defendants-Appellee**

Date of Dismissal : MAY 25. 2022

**United States District Court for the Eastern District
of California**

Case No. 1;21-CV-00848-AWI-HBK

Date of Dismissal: March 25, 2022

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<p>II. THE COURT BELOW ERRED BY NOT ADDRESSING THE ISSUE OF APPOINTMENT OF AN ATTORNEY AS ADA AND 1973 REHABILITATION AND ACCOMMODATION IN THE UNITED STATES DISTRICT COURTS UNTIL AFTER THE CASE WAS DISMISSED</p>	
<p>III. THE COURT BELOW ERRED BY NOT ADDRESSING THE ISSUE OF EQUITY IN THE COURT OF CHANCERY AT THE SPLIT OF THE UNITED STATES FROM ENGLAND</p>	

IV. THE COURT BELOW ERRED IN NOT GIVING PETITIONER A JURY TRIAL TO PROVE SHE DIDN'T HAVE MALADIES. SHE WAS INSTEAD DISABLED.THE COURT SHOULD HAVE GIVEN MR. SUMMERFIELD A \$50,000 FINE FOR VINDICATION OF PUBLIC INTEREST AND WASTING THE COURTS TIME.

IV. THE COURT BELOW ERRED BY NOT GIVING PETITIONER A JURY TRIAL. CARE OF IDIOTS: (MENTALLY DISABLED) AND LUNATICS(MENTALLY ILL) COMES FROM COMMON LAW.

V. THE COURT BELOW ERRED BY PICKING AND CHOOSING WHAT DISABILITY THEY ACCOMMODATE AND DISCRIMINATING?

VI. THE COURT BELOW ERRED BY NOT APPOINTING AN ATTORNEY UNDER LOCAL COURT RULE 202 IN UNITED STATES DISTRICT COURTS FOR THE EASTERN DISTRICT OF CALIFORNIA ? HOW INCOMPETENT DOES ONE HAVE TO BE TO BE APPOINTED AN ATTORNEY? PETITIONER QUALIFIES AS INFANT?

VII THE COURT BELOW ERRED IN ASSUMING THIS CASE OS A CIVIL CASE INSTEAD OF A CIVIL RIGHTS CASE.

VIII THE SUPREME COURT ERRED IN TAKING THE RIGHT OF THE MENTALLY DISABLED AND EMOTIONALLY DISABLED TO HAVE CHILDREN

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X THE SUPREME COURT ALLOWED THE
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AND THE EMOTIONALLY DISABLED.

XI THE SUPREME COURT ALLOWED THE
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DISABLED AND THE EMOTIONALLY DISABLED
BE TAKEN WHEN THOSE TWO GROUPS
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XII IS BUCK V BELL 31 SUPREME COURT
REPORTER 200-2008 (1927) A HATE CRIME BY
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Memorandum opinion of the United States Court of
Appeals for the Ninth Circuit

" Before : BYBEE, HURWITZ AND R. NELSON
circuit Judges

are view f the records demonstrates that this
court lacks jurisdiction over this appeal because the
order challenged in the appeal is not final or
appeasable. See U.S.C. §1291 Fed R. Civ. P 54
(b)ChaconvBab640 F 2d 221, 222 (order of disposing
of all claims against a party not appeasable unless
district court entry of judgment pursuant to Fed.
R.CIV P 54(b) see also WMX Tech, Inc v miller 104F
3rd 1136 (9th Cir 1997) (en Banc) (dismissal of
complaint without leave to amend is not appeasable)
Consequently, appeal is dismissed for lack of
jurisdiction

DISMISSED

JURDICTION**U.S. Constitution art. III sec2**

The basis for this Court's jurisdiction is Article
III The judicial Power shall extend to all Cases, in
law and equity, arising under this Constitution and
Treaties made, or which shall be made, under all
cases affecting Ambassadors, other public Ministers
and Consuls- to all Cases of admiralty and maritime
Jurisdiction: to Controversies to which the United
States shall be a party; to Controversies between
two or more States: between citizens of different
States- between citizens of the Same State claiming
Grants of Different States, and between a State, or
the Citizen there of and foreign States, Citizens or
Subjects.

**PETITIONER IS REQUESTING THIS UNITED
STATE SUPREME COURT OVERTUNE A
PRIOR SUPREME COURT'S DECISION :BUCK
V BELL 31 SUPREME COURT REPORTER
200-208:**

Only a Supreme Court can overturn a prior
Supreme Court decision.

42U.S.C. 1988

Proceedings to vindicate Civil Rights-The
Jurisdiction in civil and criminal matters conferred
on the Federal district courts by 42 U.S.C. 1977 et
and (other specific statutes) for the protection of all
persons in their civil rights, and for their
vindication, is exercised and enforced in conformity
with the laws of the United States, so far as those
laws are suitable to carry those rights into effect.

**CONSTITUTIONAL AND STATUTORY
PROVISIONS INVOLVED**

U.S. CONSTITUTIONAL AMEND, II: A well
regulated Militia, being necessary to the security of
a free State, the right of the people to keep and bear
Arms, shall not be infringed.

U.S. CONSTITUTIONAL AMEND IV: The right
of the people to be secure in their persons, houses,
papers, and effects, against unreasonable searches
and seizures, shall not be violate, and no Warrants
issued, but upon probable cause, supported by Oath
or affirmation, and particularly describing the place
to be searched, and the person or thing to be seized.

U.S. CONSTITUTION AMEND. V: No person
shall be held to answer for a capital crime, 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 the Militia, when in

3.

actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or lime; nor shall be compelled in any criminal case to be witness against himself, nor be deprived of life, liberty or property, without **due process of law:** nor shall property be taken for public use , without just compensation.

U.S. CONSTITUTION VII : In suits in common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no facts tried by a jury shall be otherwise re-examined in any Court of the United States, according to the rules of common law.

U.S. CONSTITUTION AMEND VIII: Excessive bail shall no be required, nor excessive fines imposed , nor cruel and unusual punishment inflicted.

U.S. CONSTITUTION AMEND. XIV SEC 1. All persons born or naturalized in the United States , and subject to the jurisdiction thereof, are citizens of the United States and of the States wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of a citizen of the United Stats: 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.

U.S. CONSTITUTION XV: Section 1: The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color or previous condition of servitude.

U.S.CONSTITUTION XIX; The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have the power to enforce this article by appropriate legislation.

1.First Judiciary Act

2.Judicial code 24(1) 28 U.S.C. 41 (1)

3.Local Court Rule 202 for the United States District Courts for the Eastern District of California:

4. 1973 Rehabilitation Act and Amended 1973 Rehabilitation Act

5. ADA and Amended ADA of 2008

STATEMENT OF CASE

Petitioner is physical and mentally disabled. She is borderline mentally retarded concerning visual perception, immediate auditory recall, comprehension of the abstract concept of numbers, visual analysis with coordination and visual motor dexterity. She functions at a level ordinarily expected of child less than seven years old. She is superior range for social acculturation and abstract verbal reasoning. This is documented by a licensed Psychologist. She has been given ADA accommodations by courts. Petitioner qualifies under ADA and the 1973 Rehabilitation Act

In 2008 and 2009 she bought two houses and financed them with Countrywide. The loans came out of escrow with no impound accounts as an ADA accommodation. Countrywide could not say this was an ADA accommodation because of privacy reasons **Roe v Wade 410 US 113**. Petitioner paid the taxes and insurance until 2017. The loans went from Countrywide to Bank of America to Fannie Mae

11/2016 Petitioner's mother fell down a flight of stairs then had a heart attack. 12/2016 petitioner had an accident and totaled her car. 3/2017 Petitioner's sister found out she had cancer. Petitioner forgot to pay her 2017 taxes. Petitioner didn't even know she didn't pay them until 2019 when Bank of America put an impound account on her loan. She paid 2018 taxes. She repaid Bank of America for the money they paid and asked for a ADA accommodation of no impound account. Bank of America refused. She has paid all insurance and taxes since. Bank of America took petitioner payment of principal and interest for late fees and other fees.

REASONS FOR GRANTING THE PETITION

I. The Courts Below Erred By Not Addressing the Issue of Subject Matter Jurisdiction As A Threshold Issue: The Use Of Derogatory Terms to Describe Disabilities And Discrimination:

Petitioner is mentally disabled. She has disabilities. When Congress passed the 1973 Rehabilitation Act they used the term handicapped. When Congress passed ADA they used the term disabled. When Congress amended the 1973 Rehabilitation Act they changed the term from handicapped to disabled.

In The Courts Below counsel for Fannie Mae and Bank of America, Mr. Summerfield from MCGUIREWOODS LLP used the term "maladies" to describe Petitioner's disability. Petitioner request counsel be removed from all Federal Courts and fined \$50,000 for vindication of public interest. The court below did nothing. The Mr. Summerfield's firm removed Mr. Summerfield.

Petitioner also asked for the appointment of an attorney under 202. Court Rule 202 Local Rules for the Federal District Court for the Eastern District of California uses the term incompetents. What does incompetent mean? How incompetent does one have to be to qualify for an appointment of an attorney. The Court below erred in never addressing that issue.

Other terms used for the mentally disabled and emotionally disabled are feeble minded, degenerates, criminals, imbeciles, defectives, their kind, socially inadequate. There terms Idiot and Lunatic are acceptable because they come from England and refer to common law and equity privileges given to those groups. We need standard terms.

**II The Courts Below Erred By Not Addressing
 Subjection Matter Jurisdiction As A Threshold
 Issue: Appointment Of An Attorney Under 1973
 Rehabilitation Act and ADA**

1973 Rehabilitation Act "Sec 504 (a) No otherwise qualified individual with a disability in the United States, as defined in section 7(20) shall solely of her or his disability be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance...." The activity Petitioner was involved in was Due Process. The Federal Courts are 100% Federally Financed. How does one get through a Court that has over 100 pages of Federal Rules and over 100 pages of local rules without help or accommodations?

The Federal Courts accommodate the physically disabled with wheelchair ramps and doors, elevators, disability restrooms and disability parking. In 2020 the Judicial Conference of the Administrative Office of the United States adopted a policy that all federal courts will "provide reasonable accommodations to persons with communicative disabilities" Petitioner has communicative disabilities. Petitioner has no immediate recall which makes her deaf in the immediate(present)

If the physically disabled are accommodated and those with communicative disabilities are accommodated shouldn't all disabled be accommodate in federal courts of that would be a violation of 14th Amendment to the United States Constitution: Equity and Due Process. The Courts below erred in did not addressing these issues.

III THE COURT BELOW ERRED BY NOT ADDRESSING THE ISSUE OF EQUITABLE REMEDIES

Jurisdiction to entertain suits in equity was conferred upon the District Courts of the United States by Judicial Code 24(1) 28 U.S.C. 41(1) "The suits "in equity" of which these courts were given "cognizance" ever since the First Judiciary Act, constituted that body of remedies, procedures, and practices which therefore had been evolved in the English Court of Chancery subject of course, to modification by Congress.

e.g. Michaelson v United States 266 U.S. 42.. from Sprague v Ticonic Bank 307 U.S. 161

Congress has modified the care of the mentally disabled and emotionally disabled by increasing their rights through the passage of 1973 Rehabilitation Act, ADA and ADA Amendment Act

" and therefore still, by special custom, in some manor, the lord shall have the ordering of the idiots and lunatics copyhold: by reason of manifold by subject, it was by common consent, that it should be given to the King, as conservator of his people, in ordering to prevent the idiot from wasting his estate and reducing himself and his heirs to poverty and distress. The Fiscal prerogative to the King is declared in parliament by statute 17EDc9 which directs affirmance of common law, that the King shall have ward of the lands of the nature of, taking profits without waste or destruction." Treaties of Equity. In 1660 Court of Chancery had the ordering of the infant's, idiot's, lunatic's and charities copyhold.

Although the statute respecting the idiot an lunatic, refers only to the lands, yet it seems that the prerogative extends to the custom of his person, his goods and his chattels Beverly's Case 126 Fitz N.B. 232. McCord, Executor v Ochiltree and Others Supreme Court of Judicature State of Indiana Term of 1916 to 1847. and

The Trustees of Philadelphia Association v Harts
Executors US Lexis 298 Wheat 1

Petitioner requested the District Court take her copyhold which included the two properties that Fannie Mae held loans. Petitioner never recieved a reply from the Court. If the Court would have taken the copyhold there would be a conflict of interest in the Court's presiding over the case and the care of Petitioners copyhold and person. The Court would have to appoint an attorney to take care of Petitioners copyhold and person of Petitioner so the Court could preside over the case. PETITIONERS VERY BEING, MENTALLY DISABLED, ALLOWS FOR EQUITABLE REMEDIES IN ANY FEDERAL COURT IN THE UNITED STATES EVEN IF PETITIONER DID NOT REQUEST EQUITABLE RIGHTS, REMEDIES OR JURISDICTION.

Who has the right of take care of the mentally disabled(idiots) and the emotionally disabled (lunatics) copyhold, persons, goods and chattels: the United State District Courts and not the States.

**IV THE COURTS BELOW ERRED BY NOT
 GIVING PETITIONER A JURY TRIAL**

Amendment VII to the United States Constitution:"
 In suits in common law, where the value in controversy exceed twenty dollars, the right to jury trial shall be preserved..."

First the care for the idiot (mentally disabled) and the lunatic (emotionally disabled) came from common law see underlined III above.

Second **Commentary On The Laws of England in Four Books**, pages 801,802 Sir Williams Blackstone Knt. on the Justice of his Majesty's Court of Common Pleas. " By the old Common Law there is a writ **de idiot inquirendo**, to inquire whether a man be idiot or not (n) must be tried by jury of twelve man .. " The

method of proving a person non composis very similar to proving him an idiot..."

Petitioner requested a jury trial from the lower Courts to determine if she was mentally disabled when Mr. Summerfield called her disabilities maladies. The Court below did not reply.

Petitioner requested a jury trial for her case because of her common law rights. The Court did not reply.

" Maintenance of a jury trial as a fact finding body is of such importance and occupies such a place in our history and jurisprudence that any seeming curtail of right to a jury should be scrutinized with utmost care Patton v United States 281 U.S. 276. " The controlling distinction between power of the court and that of the jury is that the former is the power to determine law and the latter to determine facts." Dimick v Schiedt 293 U.S. 474.

V THE COURT BELOW ERRED BY PICKING AND CHOOSING WHAT DISABILITY THEY ACCOMMODTE AND DISCRIMINATING.

Does accommodating some disabilities and not others violate the 14th Amendment Equity and Due Process.

Petitioner requested the appointment of an attorney as a 1973 Rehabilitation Act and ADA accommodation because she has no immediate recall She is deaf in the present. Being deaf in the immediate makes it difficult to win a case or to understand what is.

The Courts below dismissed the case and then replied NO to the 1973 Rehabilitation and ADA accommodation request with out any reason. Hafar v Reclamation Dist.(1884 4 S.Ct 663 " " due process of law" is meant one which follows the general rules established in our system of jurisprudence for the

security of Private rights, is appropriate to the case and just to the parties being affected." How can it be just to a party when one party can not hear what is being said.

The Courts accommodate the physical disabled with wheel chair ramps, elevators, parking, restrooms special doors. The Judicial Conference of the Administrative Office of the United States Courts all federal courts will " provide reasonable accommodations to persons with communicative disabilities" provided at Judiciary expense.

Petitioner never learned to use sign language or auxiliary aids because she lived in fear of being committed to a mental institute and being sterilized until she was 31. She wasn't tested until she was 48 from fear. American Citizens should have to live in fear of being themselves because of discrimination.

VI THE COURT BELOW ERRED BY NOT APPOINTING AN ATTORNEY UNDER LOCAL COURT RULE 202 IN THE UNITED STATES DISTRICT COURTS FOR THE EASTERN DISTRICT OF CALIFORNIA? WHAT DOES INCOMPETENT MEAN OR IS THAT JUST ANOTHER DEROGATORY WORD FOR MENTALLY DISABLED AND EMOTIONALLY DISABLED? HOW INCOMPETENT DOES ONE NEED TO BE TO QUALIFY FOR AN APPOINTMENT OF AN ATTORNEY?

Local Rule allows for the appointment for infants and incompetents.

Doesn't this Rule look much like the III above the care for infants, idiots, lunatics and certain charities by the Court of Chancery at the split of the United States from England.

Petitioner qualifies under this rule for the appointment of an attorney because she functions at a level expected of a child less than seven years of age.

What does the term incompetent mean? How incompetent does one have to be to qualify under this rule? Here are several examples.

1. Albert Einstein had dyslexia. He had to have a wife to take care of him but he was a genius. It is very hard to read court cases with dyslexia. Does he qualify?
2. John Nash won a noble prize for mathematics and economics. He was sent to a mental institute and given insulin shock treatments. Does he qualify?
3. Stephen Hawking functioned at a level expected of a child less than seven years of age but developed black hole theory. Does he qualify?

America is losing through eugenics and discrimination her best genius because they also have disabilities.

VIII THE COURT BELOW ERRED BY CLAIMING PETITIONER MOTION TO PROCEED IN FROM PAUPERIS WAS GRANTED.

Petitioner paid \$350 in a check. The check got sent back. Petitioner paid \$402.00. That check got sent back because the case number wasn't on the check. Petitioner put the case number on the check and sent it back. Petitioner can provide the documents.

PETITIONER CAN PROVIDE A TWENTY YEAR HISTORY OF DISCRIMINATION BY THE COURTS BOTH STATE AND FEDERAL: WHAT ALLOWS THIS TO HAPPEN?

THE DISCRIMINATION AND DEGENERACY OF THE MENTALLY DISABLED AND THE EMOTIONALLY DISABLED CREATED BY BUCK V BELL 31 SUPREME COURT REPORTER 200-2008

IX IS BUCK V BELL A HATE CRIME BY TODAY'S STANDARDS AND SHOULD BE OVERTURNED BY THIS SUPREME COURT?

Conspiracy Against Rights 18 U.S.C. §241 " This statute makes it unlawful for two or more persons to conspire to injure, threaten, or intimidate a person in any state, territory, or district in the free exercise or enjoyment of any right or privilege secured to him or her by the Constitution or laws of the U.S. " Hate Crime Laws(CRT) Department of Justice update March 7, 2019. This law does not exclude the Supreme Court of the United States. This statute doesn't excuse the United States Supreme Court Justices.

X THE SUPREME COURT ERRED IN ALLOWING THE MENTALLY DISABLED AND THE EMOTIONALLY DISABLED TO BE PLACED IN A CONCENTRATION CAMP (MENTAL HOSPITAL) WITHOUT DUE PROCESS OR A JURY TRIAL

Buck v Bell 31 Supreme Court Reporter allows the States to segregate the mentally disabled and emotionally disabled in concentration camps(mental hospitals) and then sterilize them without a jury trial or due process is violation of the 14th amendment. This issue was brought up by Buck's attorney but ignored by the Court.

This Case violates the IV Amendment" The right of the people to be secure in their persons, houses, papers and effects..." There is a need for a warrant supported by an oath to seize a person or person's things. In Buck v Bell The thing seized is the person who is mentally disabled or emotionally disabled and their without warrants.

Buck v Bell violates the Fifth Amendment. The Fifth Amendment is clear"... nor be deprived of life, liberty or property, without due process of law..."

**XI THE SUPREME COURT ALLOW THE STATES
TO INFLICT CRUEL AND UNUSUAL
PUNISHMENT ON THE MENTALLY DISABLED
AND THE EMOTIONALLY DISABLED AND TAKE
MANY OF THEIR CONSTITUTIONAL RIGHTS**

This Case violates the VII Amendment right to a jury trial. There were no jury trials to investigate if these persons were mentally disabled or emotionally disabled. See above.

This Case violates the VIII Amendment "...nor cruel and unusual Punishment inflicted" What would this Court consider electric shock treatment, insulin shock treatments, and sterilization if not cruel and unusual punishment?

Once they were confined to the mentally institutes other right were taken. The Second Amendment right to bear fire arms. Amendment XV "The right of Citizens of the United States to vote..."Petitioner is sure there are more rights but there isn't space here. What crime did the mentally disabled and the emotionally disabled commit to deserve this type of treatment?

**XII BUCK V BELL VIOLATES ADA SEC 12182
(1) DENIAL OF PARTICIPATION
(2) PARTICIPATION IN UNEQUAL BENEFITS
(3) SEPARATE BENEFITS**

CONCLUSION

For the foregoing reasons, the Petitioner respectfully request this Honorable Court to grant Certiorari in the above caption cases. Petitioner makes mistakes please over look the mistakes in the mistakes in the spirit of Gildon v Weinwright 375 US 335

Respectfully Submitted
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