

NOV 21 2022

OFFICE OF THE CLERK

22-6933

No.

22-5677

IN THE

SUPREME COURT OF THE UNITED STATES

JOHN HESSMER PETITIONER  
(Your Name)

vs.

ROBERT BRYAN — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

SIXTH CIRCUIT COURT OF APPEALS

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

PETITION FOR WRIT OF CERTIORARI

JOHN HESSMER

(Your Name)

105 EAST HIGH STREET

(Address)

LEBANON, TN 37087

(City, State, Zip Code)

(615) 962-0646

(Phone Number)

**ORIGINAL**

(7)

QUESTION(S) PRESENTED

1. SHOULD THE SIXTH CIRCUIT BE ALLOWED TO COVERUP JUDGE CRENSHAW'S VIOLATIONS OF SIXTH CIRCUIT & SUPREME COURT STANDING PRECEDENTS OF EXCEPTIONS TO THE YOUNGER & MIDDLESEX ABSTENTION DOCTRINES BY INTENTIONALLY MAKING A JUDICIAL CONSTRUCTION OF FAILURE TO PROSECUTE BECAUSE THE SIXTH CIRCUIT BOTH INTENTIONALLY OVERLOOKED AN IN FORMA PAUPERIS APPLICATION FOR CERTIFICATE OF APPEALABILITY IN FORMA PAUPERIS ... AND NEVER GIVING NOTICE OF THE SIXTH CIRCUIT'S INTENT TO DISMISS A MERITORIOUS APPEAL ... BECAUSE THE SIXTH CIRCUIT WAS "INTENTIONALLY" IGNORING AN IN FORMA PAUPERIS FOR CERTIFICATE OF APPEALABILITY, WHICH IN FACT IS AN "INTENTIONAL" DENIAL OF ACCESS TO THE COURTS OF A MERITORIOUS APPEAL OF DENIAL OF "EQUAL PROTECTION OF FEDERAL LAW" BY DISTRICT JUDGE CRENSHAW?

## 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. PETITION TO REHEAR EN BANC DENIED ON 10-31-22
2. PETITION TO REHEAR DENIED ON 9-6-22
3. APPEAL No. 225677
4. CASE No. 3:22-cv-00203

## TABLE OF CONTENTS

OPINIONS BELOW .....	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	
STATEMENT OF THE CASE .....	
REASONS FOR GRANTING THE WRIT .....	
CONCLUSION.....	

## INDEX TO APPENDICES

APPENDIX A	4 ACCOMPANYING SIXTH CIRCUIT PAPERS
APPENDIX B	4 PAGES OF ORIGINAL WRIT OF HABEAS CORPUS
APPENDIX C	
APPENDIX D	
APPENDIX E	
APPENDIX F	

# TABLE OF AUTHORITIES CITED

## CASES

## PAGE NUMBER

CUNNINGHAM v. TONETTI, 78 Civ. 993, *3 (W.W.C.) (S.D.N.Y. 1978)	13
WILKINSON v. ELLIS, 484 F.Supp 1072, 1084 n.31 (E.D.Pa. 1980)	13
HILL v. HALL, 3:19-cv-00452, *23 (M.D. Tenn. 2019)	13
CHRISTAIN v. WELLINGTON, 739 F3d 294, 298 (6th Cir. 2014)	13
JENNINGS v. FLY, 3:21-cv-00658, *4 (M.D. Tenn. 2022)	13
PARTINGTON v. GEDAN, 880 F2d 116, 135 (9th Cir. 1989)	13
OFFUTT v. KAPLAN, 884 F.Supp. 1179, 1190 (N.D. Ill. 1995)	13
TRUST B INV. ADVERTISERS, Inc. v. HOGSET, 43 F3d 290, 300 n.6 (7th Cir. 1994)	13
KUBLER v. HELFANT, 421 U.S. 117, 124-125 n.4 (1975)	13
GIBSON v. BERRYHILL, 411 U.S. 564, 577 (1973)	13

## STATUTES AND RULES

Tenn. Code Ann. § 39-16-504(a)(3)	13
Tenn. Code Ann. § 39-11-103(d)	13
Tenn. Rule Civ. Proc. 8(a)(2)	13

## OTHER

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 \_\_\_\_\_ 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: 10-7-22, and a copy of the order denying rehearing appears at Appendix A.

[ ] 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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. THE DOCTRINE OF YOUNGER ABSTENTION IS INAPPROPRIATE FOR (a) DESTRUCTION OF EXCULPATORY EVIDENCE BY BOTH STATE TRIAL COURT AND PROSECUTOR; (Tenn. Code Ann. § 39-16-504(a)(3)); (CUNNINGHAM v. TONETTI, 78 Civ. 993, \*3 (W.W.C. (S.D.N.Y. 1978)); (WILKINSON v. ELLIS, 484 F. Supp. 1072, 1084 n. 31 (E.D. Pa. 1980); (b) TRYING PETITIONER IN TWO DIFFERENT COURT FOR THE SAME CRIMINAL EPISODE; (Tenn. Code Ann. § 39-11-103(d)); (Tenn. Rule Crim. Proc. 8(a)(2)); (Hill v. Hall, 3:19-cv-00452, \*23 (M.D. Tenn. 2019)); (CHRISTAIN v. WELLINGTON, 739 F3d 294, 298 (6th Cir. 2014); (c) Illegally revoking \$1,200 BOND AND RAISING BAIL TO \$300,000 FOR A FEW HUNDRED DOLLARS WORTH OF DRUGS; (Jennings v. Fly, 3:21-cv-00658, \*4 (M.D. Tenn. 2022); and (d) AND ALL THESE THINGS AND MORE HAVE BEEN DONE, (AND FULLY EXHAUSTED), BY A STATE COURT JUDGE, (DEE DAVID GAY), WHO HAS BEEN SUED DOZENS OF TIMES IN FEDERAL COURT FOR DISPICABLE CONDUCT, THIS STATE COURT JUDGE'S ABHURANT MISCONDUCT INCLUDES DENYING PETITIONER EXCULPATORY EVIDENCE AND WITNESSES, AND YOUNGER ABSTENTION HAS BEEN UNIVERSALLY BEEN DEEMED INAPPROPRIATE BY MANY SISTER CIRCUITS: (PARTINGTON v. GEDAN, 880 F2d 116, 135 (9th Cir. 1989)); (OFFUTT v. KAPLAN, 884 F Supp 1179, 1190 (N.D. Ill. 1995)); (TRUST \$ INV. ADVERTISERS, Inc. v. HOGSET, 43 F3d 290, 300 n. 6 (7th Cir. 1994)); (KUGLER v. HELFANT, 421 U.S. 117, 124-125 n. 4 (1975)); (GIBSON v. BERRYHILL, 411 U.S. 564, 577 (1973);