

FEB 16 2023

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No _____

22-7093

IN THE

SUPREME COURT OF THE UNITED STATES

In re
(WALTER HARRIS) Pro-se — PETITIONER
 (Your Name)

NEIL TURNER, WARDEN vs.
North CENTRAL CORRECTIONAL COMPLEX — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S DISTRICT COURT FOR THE NORTHERN WESTERN DIVISION

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

PETITION FOR WRIT OF CERTIORARI

WALTER HARRIS
 (Your Name)

@2075 South Avon -Belden Road
 (Address)

Grafton ,Ohio 44044
 (City, State, Zip Code)

N/A

(Phone Number)

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THE QUESTIONS PRESENTED FOR REVIEW

The petitioner 42 & 1983 complaint was dismissed for putting the wrong statutes the PRISON LITIGATION REFORMS ACT complaint forms need to be reinforce, by this SUPREME COURT OF THE UNITED STATES the forms clearly states "DO NOT GIVE ANY LEGAL ARGUMENTS OR CITE ANY CASES OR STATUTES". This is why petitioner did not cite the CULER V. ADAMS,449 U.S. 433 and statutes INTERSTATE AGREEMENT ON DETAINERS on the forms.

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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 A to the petition and is

[] reported at DEC. 30, 2022 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[] is unpublished.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 B to the petition and is

[] reported at JUNE 1, 2021; 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[] is unpublished.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 8 to the petition and is

[] reported at _____
[] 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[] is unpublished.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 is unpublished.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 8-2-2022

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: 12-30-2022, 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 8.

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).

CONSTITUTION AND STATUTORY PROVISIONS INVOLVED

FIFTH AMENDMENT

No prisoners shall be transfer without a pre-transfer hearing violates a prisoner due process rights, respondent violated petitioner **CONSTITUTION FEDERALLY PROTECTED EXTRADITION LAWS.**

FOURTEETH AMENDMENT

No person shall deny to any person within its jurisdiction the **EQUAL PROTECTION OF THE LAW.**

STATEMENT OF THE CASE

Petitioner filing this Writ Of Certiorari on a appeal from the United States Court Of Appeals Sixth Circuit under Civil Action 42 U.S.C. 1983 For Violating Agreement On Detainers and State Law O.R.C. 2963.09 Mandatory Hearing.

The petitioner states Interstate Agreement On Detainers alleging that his Constitutional Rights were violated when he was transfer from OHIO to CALIFORNIA pursuant to (IAD) on a WARRANTLESS EXTRADITION without a pre-transfer hearing.

Petitioner states Defendant(s) Neil Turner, Warden is employee by North Central Correctional Complex in OHIO is the place of negligence.

Defendant(s) allow two officer illegal seizures and transfer the petitioner on April 28, 2017 the trial commenced on December 6, 2017 Los Angeles Superior Court Judge Bernie L.Laforteza stated on the record stated the peoples complaint was an error in the committing date August 10, 2010 corrected to July 1, 1991. Trial counsel objects to the Statute Of Limitation issue, the trial ended in a mistrial on December 15, 2017 on January 16, 2018 the one count was dismissed.

District Court abuse of discretion to hold a pro-se petitioner to the same standard as paid lawyer.

Petitioner states the (IAD) is not a new legal theory cause petitioner sign the (IAD) on January 9, 2017 and was transfer under the (IAD) on April 28, 2017.

Defendant (s) Turner as Warden of NCCC, there was no valid excuse for seeing if a Pre-transfer Hearing has been held; a common duty for some holding such an office.

Petitioner states he filed his original complaint on July 16, 2018, case no: 3:18-cv-1627, pending until September 29, 2020, when the district court dismissed complaint because the UCEA does not create a private cause of action ; 2) Petitioner failed to cite any UCEA provision to the contrary .Dismiss the complaint for putting the wrong statutes is clearly ABUSE OR DISCRETION. If a prisoner put the wrong statutes or cite should not be a reason to dismiss the complaint 42 & 1983 clearly states DO NOT CITE ANY CASES OR STATUTES.

On January 15, 2021 petitioner refiled his prisoner complaint case No: 3-21-cv-122 on June 1, 2021 District Court dismissed the complaint citing the wrong statutes could and should have been raised in his original lawsuit.

Petitioner filed in COURT OF APPEALS FOR THE SIXTH CIRCUIT CASE NO: 21-3612 for a rehearing on Aug. 2-2022 order affirming rehearing is denied on Dec.30, 2022.

Petitioner states the IAD and the UCEA have both established procedures for the temporary custody of another prisoner, is entitled to a pre-transfer hearing. If state officials failed to grant him the requisite pre-transfer hearing both the IAD the UCEA have created a ground for relief pursuant to; the Extradition Act applies to persons at liberty as well as to persons in prison .SEE CUYLER V. ADAM 449 U.S. 433.

Fed. R. Civ. Proc. 8 (A)(2) requires only a short and plain statement of the claim showing that the pleader is entitled to relief. The prisoner complaint forms states on 4-5, DO NOT CITE ANY CASES OR STATUTES.

Defendant violated O.R.C. 2963.09 requiring mandatory hearing .Violated shall be fined or imprisoned or both, when he extradited petitioner from OHIO TO LOS ANGELES, CA. without a pre-transfer hearing ,the issue is still a live issue,without a court order.

RELIEF MAKE NO LEGAL ARGUMENT, DO NOT CITE ANY CASES OR STATUES.

Petitioner states he followed the instructions, that is why he did not cite the case, CUYLER V. ADAM, 449 U.S. 433, and the INTERSTATE AGREEMENT ON DETAINERS ON THE FORMS. Both the District Court stated the reasoning they dismissed the prisoners complaint due to the fact he failed to cite any case or statutes; he should have added to the original filed on JULY 16, 2018 was filed in the 2 years. Petitioner is attaching exhibits 1-5 to support his WRIT OF CERTIORARI.

CIVIL RIGHTS ACTS brought by prisoners in pro-se must be submitted on the forms specified by the court.

The form complaint expressly directs, DO NOT GIVE ANY LEGAL ARGUMENTS OR CITE CASES OR STATUTES. Section 1983 CIVIL RIGHTS FORMS SEE WHITE V. NEWCOMB, 2022 U.S. DIST. LEXIS 125213 MUST COMPLY WITH FEDERAL RULES OF CIVIL PROCEDURE, LOCAL CIVIL RULE 5.

IN CONCLUSION

Petitioner was transfer on a warrantless extradited clearly a private cause of action.

Therefore, petitioner prays for this SUPREME COURT OF THE UNITED STATES to hold the Respondents accountable for actions and Grant his WRIT OF CERTIORARI.

CERTIFICATE OF SERVICE

I certify that a copy of this motion was sent to united states supreme clerk of court via u.s. mail on 12 day of ,2023.

SIGNATURE Walle Harris

REASONS FOR GRANTING THE WRIT

Petitioner states the reasons to grant the WRIT OF CERTIORARI to reinforce the court's on the rules of the 42 & 1983 prisoner rights complaint forms. Respondent(s) transfer the petitioner without a pre-transfer hearing creates a cause of action where has been injury under color of state law.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Walter Harris pro-se

Date: 2-12-2023