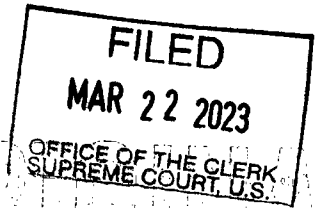


22-7133

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



\_\_\_\_\_  
IN THE

SUPREME COURT OF THE UNITED STATES

\_\_\_\_\_  
RYAN STANCU

— PETITIONER

(Your Name)

vs.

SOUTHERN METHODIST UNIVERSITY

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

TEXAS SUPREME COURT

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

PETITION FOR WRIT OF CERTIORARI

RYAN STANCU

\_\_\_\_\_  
(Your Name)

5454 Amesbury Drive, Apt. 907

\_\_\_\_\_  
(Address)

Dallas, Texas 75206

\_\_\_\_\_  
(City, State, Zip Code)

(214) 541-2041

\_\_\_\_\_  
(Phone Number)

## **QUESTIONS PRESENTED**

1. Did the lower courts and the Supreme Court of Texas usurped the Seventh Amendment to the United States Constitution by wrongly denying Stancu's right to a jury trial?

2. Did the lower courts and the Supreme Court of Texas wrongly deny Stancu's due process rights by (a). denying Stancu's right to discovery, (b). holding a hearing without Stancu's presence, and (c). wrongly dismissing Stancu's Breach of Contract case involving a payment plan agreement for college tuition?

## 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:

## TABLE OF CONTENTS

OPINIONS BELOW .....	1
JURISDICTION.....	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	3
STATEMENT OF THE CASE .....	4-5
REASONS FOR GRANTING THE WRIT .....	5-6
CONCLUSION.....	7

## INDEX TO APPENDICES

APPENDIX A - Decision by the Supreme Court of Texas.

APPENDIX B - Decision by the Court of Appeals,  
Fifth District of Texas at Dallas.

## TABLE OF AUTHORITIES CITED

### CASES

### PAGE NUMBER

City of Monterey v. Del Monte Dunes at Monterey,  
Ltd., 526 U.S. 687, 708 (1999).

5

### STATUTES AND RULES

The Seventh Amendment to the U.S. Constitution

5

### 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 A 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 of Appeals,  
Fifth District of Texas - Dallas court appears at Appendix B 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: \_\_\_\_\_, 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 10/28/2022. A copy of that decision appears at Appendix 4.

☐ 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 March 27, 2023 (date) on 12/27/2022 (date) in Application No. 22 A 570.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

1. Seventh Amendment to the U.S. Constitution.
2. Fifth Amendment to the U.S. Constitution.
3. Fourteenth Amendment to the U.S. Constitution.

## **STATEMENT OF THE CASE**

Petitioner (“Stancu”) sued Respondent (“SMU”) for Breach of Contract, Violations of the Deceptive Trade Practices Act, and Retaliation.

On July 13, 2021, Judge Staci Williams of the 101<sup>st</sup> District Court in Dallas, Texas, sent a letter to Stancu and SMU, stating that the jury trial was set for June 14, 2022, at 9:00 a.m.

On July 29, 2021, Stancu received an e-mail from Respondent’s attorney stating that the case was dismissed on February, 2021, after the trial court held a hearing with Respondent without Petitioner’s presence. Petitioner was never notified by the court that his case was dismissed. On August 10, 2021, Petitioner appealed the wrongful dismissal of his case to the Fifth Court of Appeals, Dallas, Texas.

On August 16, 2021, the appellate court notified Petitioner that the appeal will proceed as a restricted appeal because Petitioner “did not timely file any post-judgment motion.” The appellate court disregarded the fact that Petitioner did not timely file a post-judgment motion because the trial never informed petitioner that his case was dismissed. On the contrary, as stated above, the trial court notified Petitioner that his case was set for a jury trial on June 14, 2022.

Few weeks later, the appellate court denied Petitioner’s appeal and on top of this unjust denial, ordered Petitioner to pay Respondent’s attorney’s fees.

On September 2, 2022, Petitioner Ryan Stancu filed his petition for review with the Supreme Court of Texas. This court continued the pattern and practice of abuses of discretion exercised by the lower courts and arbitrarily denied Stancu's petition.

## **REASONS FOR GRANTING THE PETITION**

1. The 101<sup>st</sup> District Court in Dallas, Texas, the Fifth Court of Appeals, Dallas, Texas, and the Supreme Court of Texas wrongly denied Stancu's Seventh Amendment Constitutional right to a jury trial.

The Seventh Amendment to the United States Constitution states that: "In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of a trial by jury shall be preserved, and no fact tried by jury shall be otherwise re-examined in any Court of the United States, than according to the rules of common law."

Case precedents also contradict the usurpation of Stancu's Constitutional right to a jury trial, as shown below:

**City of Monterey v. Del Monte Dunes at Monterey, Ltd., 526 U.S. 687, 708 (1999).** The Seventh Amendment to the United States Constitution provides that in "suits at common law," the right to a trial by jury is preserved.

The right to an impartial jury trial in civil cases, and especially in Civil Rights matters is inherent in the Seventh Amendment's preservation of a "right to trial by jury" and the Fifth Amendment's guarantee that "no person shall be...deprived of life, liberty or property, without due process."

2. The denial of Stancu's rights to discovery and amendment of his pleadings is in violation of Constitutional due process laws, specifically the Fifth and Fourteenth amendments to the U.S. Constitution.

3. The facts of this case show a very disturbing picture of systemic abuses of power by the courts named above, against prose plaintiffs in general, and against Stancu in particular. The main contributing factor to this blatant usurpation of the U.S. Constitution is the sad reality that most of the Texas judges are well aware that the U.S. Supreme Court will never review a petition involving Constitutional law filed by a prose petitioner. Thus, the Constitutional rights for American citizens who cannot afford an attorney are practically nullified, because said judges can do whatever they want without being responsible for their abuses of power.

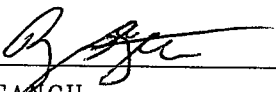
In addition to abusing Stancu's basic Constitutional rights this case has a stringent national importance because it is undermining the people's faith and credibility in our judiciary. The mass-media is paying more and more attention to this usurpation of our freedom and liberty. For example, CNN presented in November, 2022, a one-hour prime time documentary titled, "*The Deep Pockets of Texas*." The broadcast concluded by comparing the State of Texas with a **Russian style oligarchy**.

Furthermore, this Court is currently reviewing two cases filed on behalf on universities, regarding forgiveness of student loans (Dept. of Education v. Brown, and Biden v. Nebraska). Under the notion of fairness, if the interests of universities are important enough to be reviewed, a student's petition (Stancu's) should also be reviewed. Because (a). involves a similar issue, brought by a student (education costs), and (b). is even more important because, in addition, involves Constitutional issues.

## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

  
\_\_\_\_\_  
RYAN STANCU

Date: March 18, 2023