

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Abdul Mohammed — PETITIONER
(Your Name)

VS.

Prairie State Legal Services Inc et.al RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

DuPage County, Will County, Kane County, Cook County, Illinois Appellate Courts, Federal Court, 7th Circuit

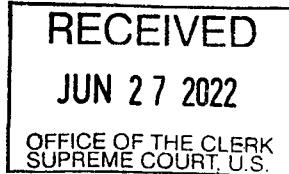
Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: _____, or _____

a copy of the order of appointment is appended.




(Signature)

**AFFIDAVIT OR DECLARATION
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Abdul Mohammed, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts; that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$_____	\$_____	\$_____	\$_____
Self-employment	\$_____	\$_____	\$_____	\$_____
Income from real property (such as rental income)	\$_____	\$_____	\$_____	\$_____
Interest and dividends	\$_____	\$_____	\$_____	\$_____
Gifts	\$_____	\$_____	\$_____	\$_____
Alimony	\$_____	\$_____	\$_____	\$_____
Child Support	\$_____	\$_____	\$_____	\$_____
Retirement (such as social security, pensions, annuities, insurance)	\$_____	\$_____	\$_____	\$_____
Disability (such as social security, insurance payments)	\$ <u>878.00</u>	\$_____	\$_____	\$_____
Unemployment payments	\$_____	\$_____	\$_____	\$_____
Public-assistance (such as welfare)	\$ <u>1327.31</u>	\$_____	\$_____	\$_____
Other (specify): _____	\$_____	\$_____	\$_____	\$_____
Total monthly income:	\$ <u>2205.31</u>	\$_____	\$_____	\$_____

I am divorce and I am primary care taker of my 3 minor children for 223 days out of every year.

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
			\$
			\$
			\$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
			\$
			\$
			\$

4. How much cash do you and your spouse have? \$_____
 Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
Checking Account	\$ 0.33	\$_____
	\$_____	\$_____
	\$_____	\$_____

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

<input type="checkbox"/> Home Value _____	<input type="checkbox"/> Other real estate Value _____
<input type="checkbox"/> Motor Vehicle #1 Year, make & model <u>1994 Honda Accord</u> Value <u>\$300.00</u>	<input type="checkbox"/> Motor Vehicle #2 Year, make & model _____ Value _____
<input type="checkbox"/> Other assets Description _____ Value _____	

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
_____	\$_____	\$_____
_____	\$_____	\$_____
_____	\$_____	\$_____

7. State the persons who rely on you or your spouse for support. For minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

Name	Relationship	Age
A.F	Daughter	18
A.F	Daughter	16
U.M	Son	11

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ 1200.00	\$ _____
Are real estate taxes included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 75.00	\$ _____
Home maintenance (repairs and upkeep)	\$ _____	\$ _____
Food	\$ 811.00	\$ _____
Clothing	\$ _____	\$ _____
Laundry and dry-cleaning	\$ 60.00	\$ _____
Medical and dental expenses	\$ _____	\$ _____

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ 100.00	\$ _____
Recreation, entertainment, newspapers, magazines, etc.	\$ _____	\$ _____
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ _____	\$ _____
Life	\$ _____	\$ _____
Health	\$ _____	\$ _____
Motor Vehicle	\$ 45.00	\$ _____
Other: _____	\$ _____	\$ _____
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ _____	\$ _____
Installment payments		
Motor Vehicle	\$ 371.00	\$ _____
Credit card(s)	\$ _____	\$ _____
Department store(s)	\$ _____	\$ _____
Other: _____	\$ _____	\$ _____
Alimony, maintenance, and support paid to others	\$ _____	\$ _____
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ _____	\$ _____
Other (specify): _____	\$ _____	\$ _____
Total monthly expenses:	\$ 2662.00	\$ _____

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes No If yes, describe on an attached sheet.

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form? Yes No

If yes, how much? _____

If yes, state the attorney's name, address, and telephone number:

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

Yes No

If yes, how much? _____

If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

I am a legally disabled person. I am receiving \$878.00 as my Disability Benefits and \$1327.31 as Public Benefits per month and I do not have money to pay for this case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: _____, 20____

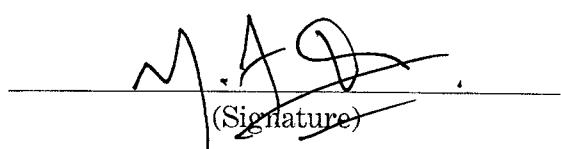

(Signature)

EXHIBIT-1

No. _____

In the
Supreme Court of the United States

Abdul Mohammed,

Petitioner,

v.

Prairie State Legal Services et.al,

Respondents.

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

PETITION FOR WRIT OF CERTIORARI

Abdul Mohammed
Pro Se Petitioner
258 E. Bailey Rd, Apt C,
Naperville, IL 60565
(630) 854-5345
aamohammed@hotmail.com

March 17, 2022

QUESTION PRESENTED

The question presented is:

- 1) whether a legally disabled pro se litigant with several physical and mental disabilities need to be provided at least one opportunity to amend his complaint as a reasonable accommodation pursuant to Title II of the Americans with Disabilities Act and the Rehabilitation Act of 1973, Section 504.

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Appendix A

Order of the United States Court of Appeals for the Seventh Circuit,
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(October 26, 2021) App-1

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PETITION FOR WRIT OF CERTIORARI

This presents a very important question. If unchecked, the 7th Circuit's opinion below sets a dangerous precedent that a legally disabled pro se litigant with several physical and mental disabilities need not to be provided at least one opportunity to amend his complaint as a reasonable accommodation pursuant to Title II of the Americans with Disabilities Act and the Rehabilitation Act of 1973, Section 504. This matter will not take much time of this court as this Petition is only 3 pages long but if left unchecked the opinion below of the 7th Circuit has far-reaching repercussions and will snatch away an important cornerstone of the Title II of the Americans with Disabilities Act and the Rehabilitation Act of 1973. Further the opinion below of the 7th Circuit shuts the door of the court for legally disabled pro se litigants with physical and mental disabilities.

OPINIONS BELOW

The unreported opinion of the Court of Appeals is reproduced at App. 1–5.

JURISDICTION

The Court of Appeals issued its opinion on November 05, 2020. This Court has jurisdiction under 28 U.S.C. § 1254(1).

CONSTITUTIONAL PROVISIONS INVOLVED

5th and 14th Amendments of the Constitution of the United States.

STATEMENT OF THE CASE

1. The District Court dismissed the Petitioner's complaint under Rule 8 without giving a single opportunity to the Petitioner to amend his complaint

and the 7th Circuit affirmed the District Court's dismissal.

REASONS FOR GRANTING CERTIORARI

The Americans with Disabilities Act seeks to prevent not only intentional discrimination against people with disabilities, but also — indeed, primarily — discrimination that results from “thoughtlessness, indifference and apathy,” that is, from “benign neglect.” *Alexander v. Choate*, 469 U.S. 287, 301 (1985); see H.R. Rep. No. 101-485(II), at 29 (1990). Thus, it is insufficient for a program to be offered on equal terms to those with and without disabilities; the law requires “affirmative accommodations to ensure that facially neutral rules do not in practice discriminate against individuals with disabilities.” *Henrietta D.*, 331 F.3d at 275; see also *Tennessee v. Lane*, 541 U.S. 509, 511 (2004) (“Recognizing that failure to accommodate persons with disabilities will often have the same practical effect as outright exclusion, Congress required the Places of Public Accommodations and Public Entities to take reasonable measures to remove . . . barriers to accessibility.”); 42 U.S.C. § 12112(b)(5)(A) (defining discrimination to include failing to “mak[e] reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability”). As the Second Circuit has put it, “[i]t is not enough to open the door for the handicapped; a ramp must be built so the door can be reached.” *Dopico v. Goldschmidt*, 687 F.2d 644, 652 (2d Cir. 1982) (internal quotation marks and alterations omitted). The Petitioner mentioned in several places in his complaint that he is a legally disabled person pursuant to the Americans with Disabilities Act and the Rehabilitation Act of 1973,

Section but the court dismissed the complaint without giving an opportunity to amend his complaint even once in violation of Due Process clause of the 14th Amendment and Equal Protection Clause of 5th Amendment.

CONCLUSION

For the reasons set forth above, this Court should grant the Petition for Certiorari.

Respectfully submitted,

Abdul Mohammed
Pro Se Petitioner
258 E. Bailey Rd, Apt C,
Naperville, IL 60565
630-854-5345
amohammed@hotmail.com



March 17, 2022

CERTIFICATE OF SERVICE

I, Abdul Mohammed, the Pro Se Petitioner, hereby certifies that on this 17th Day of March 2022, I caused a copy of the Writ for Certiorari of the Petitioner to be served by email on the following counsel of the Respondents:

Emily Bothfeld,
Karen DeGrand,
Christina Hansen,
Mathew Henderson,
Rima Kapitan,
Eric Kaplan,
Scott Kater,
Zubair Khan,
Stephen Kolodziej,
Christopher Wunder,
Kerry O'Brien.

Attorney for Respondents

I further certify that all parties required to be served have been served.

Respectfully submitted,

Abdul Mohammed
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258 E. Bailey Rd, Apt C,
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March 17, 2020

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**On Petition for Writ of Certiorari to the
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**APPENDIX TO PETITION FOR WRIT OF
CERTIORARI**

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March 17, 2022

NONPRECEDENTIAL DISPOSITION
To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals
For the Seventh Circuit
Chicago, Illinois 60604

Submitted October 25, 2021*
Decided October 26, 2021

Before

WILLIAM J. BAUER, *Circuit Judge*

MICHAEL S. KANNE, *Circuit Judge*

MICHAEL B. BRENNAN, *Circuit Judge*

No. 20-2419

ABDUL AZEEM MOHAMMED,
Plaintiff-Appellant,

Appeal from the United States District
Court for the Northern District of Illinois,
Western Division.

v.

3:20-cv-50133

PRAIRIE STATE LEGAL SERVICES,
INC., *et al.*,
Defendants-Appellees.

John Robert Blakey,
Judge.

ORDER

Abdul Azeem Mohammed appeals the dismissal of his most recent lawsuit targeting more than 40 defendants connected to his divorce proceedings. He asserted violations of his rights under the Thirteenth and Fourteenth Amendments to the federal Constitution under 42 U.S.C. § 1983, as well as claims under the Americans with Disabilities Act, 42 U.S.C. §§ 12101–12213; the Rehabilitation Act of 1974, 29 U.S.C.

* We have agreed to decide the case without oral argument because the appeal is frivolous. *See* FED. R. APP. P. 34(a)(2)(A).

§§ 701–797; the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. §§ 1961–1968; and state law. The dismissal was proper, and so we affirm. Further, because this appeal is just the latest of Mohammed’s frivolous filings, we order him to show cause why he should not be sanctioned.

Between April 16, 2020, and May 17, 2020, Mohammed filed six complaints in this case—all before paying a filing fee or petitioning for in forma pauperis status, and none with leave of court. Each complaint was hundreds of pages long, and the third, fourth, and fifth amended complaints included thousands of pages of exhibits. Mohammed, a restricted filer, eventually paid the filing fee. On its own accord, the district court dismissed the fifth amended complaint for violating Rule 8(a) of the Federal Rules of Civil Procedure. And, because of Mohammed’s numerous prior complaints with the same flaws and his violation of its earlier orders, the court determined that amendment would be futile and entered a dismissal with prejudice.

On appeal, Mohammed first argues that the district court erred because it must not have read his pleadings: his complaint was 558 pages long with 3,419 pages of exhibits, but the district court said it was 1,125 pages with 2,852 pages of exhibits. This is not a winning distinction. First, the district court cited the page numbers as broken down on the electronic docket, which says nothing about whether it read the complaint. Second, Mohammed cannot reasonably expect that a court would waste precious resources digesting every word of a complaint this prolix, repetitive, and frivolous. *See Stanard v. Nygren*, 658 F.3d 792, 798 (7th Cir. 2011).

Mohammed next insists that the district court erred in dismissing the complaint because of its length. “[U]ndue length alone ordinarily does not justify the dismissal of an otherwise valid complaint.” *Id.* at 797. But “[l]ength may make a complaint unintelligible.” *United States ex rel. Garst v. Lockheed-Martin Corp.*, 328 F.3d 374, 378 (7th Cir. 2003). Here, the district court noted the unintelligibility as well as the length, and unintelligibility justifies dismissal. *See Stanard*, 658 F.3d at 798. And the district court’s assessment was accurate. Length aside, the claims are substantively incoherent because of the vast and vague scope of the allegations, and the confusing or nonexistent connections between the disparate events and defendants. The complaint does not give the defendants, or the court, fair notice of the claims and does not set the stage for remotely manageable litigation. *Id.* at 797.

Mohammed also argues that the district court erred by dismissing his complaint without giving him a chance to amend it. But a court need not allow amendment if it

would be futile. *Always Towing & Recovery, Inc. v. City of Milwaukee*, 2 F.4th 695, 707 (7th Cir. 2021). Here, the district court explained, correctly, that amendment would be futile because Mohammed provided no semblance of a viable claim after six tries and refused to comply with the court's orders (such as a directive to refrain from filing any further routine motions until his fee status was resolved). The district court relied on our decision in *Vicom, Incorporated v. Harbridge Merchant Services, Incorporated*, in which we explained that a "confusing, redundant, and seemingly interminable" amended complaint was an "egregious" violation of Rule 8(a) and could have been dismissed with prejudice on that ground. 20 F.3d 771, 776 (7th Cir. 1994) The district court's decision was sound.

Finally, Mohammed contends that the district court incorrectly screened the case under 28 U.S.C. § 1915A even though he is not incarcerated and eventually paid the full filing fee. But the district court did not cite § 1915A in its dismissal order, although it had stated before Mohammed paid the fee that it would screen the complaint under that provision. Rather, the court relied only on Rule 8(a) when it dismissed the case on its own accord, and its *sua sponte* action was permissible. "District judges have ample authority to dismiss frivolous or transparently defective suits spontaneously ... even when the plaintiff has paid all fees for filing and service." *Hoskins v. Poelstra*, 320 F.3d 761, 763 (7th Cir. 2003). And we have already agreed with the district court's assessment that the suit was indeed defective.

We now turn to Mohammed's practice of vexatious litigation. He has been warned on multiple occasions, in this case and others, of the consequences of frivolous filings. We have already restricted Mohammed from filing *in forma pauperis* until his outstanding fees and costs are paid. *Mohammed v. NLRB*, No. 20-3178 (7th Cir. Jan. 11, 2021). And we are not alone. The Executive Committee of the U.S. District Court for the Northern District of Illinois instituted a filing bar against him, which we upheld. *In re Mohammed*, 834 F. App'x 240, 241–42 (7th Cir. 2021). We similarly upheld a decision to sanction Mohammed with dismissal and \$3,792 in attorneys' fees when he engaged in abusive litigation tactics. *Mohammed v. Anderson*, 833 F. App'x 651, 655 (7th Cir. 2020). These decisions, apparently, have done little to dissuade him.

Because he has pursued a frivolous appeal, under Rule 38 of the Federal Rules of Appellate Procedure, we order Mohammed to show cause within 14 days why this court should not sanction him with a fine of \$5,000, the nonpayment of which would lead to a circuit-wide filing bar—this time regardless of his fee-paying status. *See Support Sys. Int'l, Inc. v. Mack*, 45 F.3d 185, 186–87 (7th Cir. 1995).

One final matter: Mohammed recently moved—again—for the disqualification of this court's judges and transfer of his case to the Ninth Circuit. We have considered the motion and its purported basis in orders of the Illinois Supreme Court, and deny it.

In summary, we AFFIRM the judgment, issue a rule to show cause, and DENY the motion to disqualify [Doc. 81].

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v.

Prairie State Legal Services Inc. et.al,

Respondents.

**On Petition for Writ of Certiorari to the United
States Court of Appeals for the 7th Circuit**

CERTIFICATE OF COMPLIANCE

As required by Supreme Court Rule 33.1(h), I certify
that the document contains 558 words, excluding the
parts of the document exempted by Supreme Court
Rule 33.1(d).

I declare under the penalty of perjury that the
foregoing is true and correct.

Respectfully submitted,

/s/ Abdul Mohammed,

Pro Se Petitioner

Dated: March 17, 2022