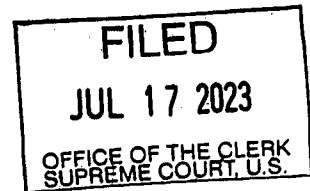


No.# **23 - 5219**



**IN THE SUPREME COURT
OF THE UNITED STATES**

**Jerry Wilson-aka-Steve Vic Parker,
Plaintiff, Pro Se,**

V.

**William Stephens, Brad Livingston, Joni White,
Charley Valdez, P.S. Baggett and Rudi Martinez,
Defendants.**

**On Petition For Writ Of Certiorari To
United States Court Of Appeals For The
Fifth Circuit**

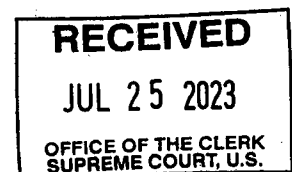
PETITION FOR WRIT OF CERTIORARI

Jerry Wilson-aka Steve Vic Parker

3506 Doherty Place

Katy, Texas 77449

Ph.# 737-247-5516



Questions Presented

- 1. Is a United States Citizen Wrongfully Imprisoned, "LIFE INDANGER" ?**
- 2. What is Permission Granted by a United States District Judge?**
- 3. Can (1) One United States District Judge Over Rule Another United States District Judge FOR THE EXACT SAME REASON PERMISSION WAS GRANTED?**
- 4. What is CLEAR Abuse of Discretion by United States District Court Justices?**
- 5. Is Default Judgment Once Lawfully Filed And Entered "FINAL JUDGMENT"?**

(x) All parties appear in the caption of the cover page.

RELATED CASES

**UNITED STATES STATUTORY CONSTITUTIONAL
LAW**

28 U.S.C. sec. 1915(g)

28 U.S.C. rule 54. and Rule 55.

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INDEX AND APPENDICES

APPENDIX A

JURISDICTION

The Supreme Court's jurisdiction is established in Article III sec. 2 of the United States Constitution and further defined by Federal Statutory Law.

This Court has jurisdiction under 28 U.S.C. sec. 1253, which provides that any party may appeal to the Supreme Court from any Order Granting or Denying, after notice and hearing, an interlocutory or permanent injunction in any Civil Action, Suit or proceeding required by any Act of Congress to be heard and determined by a District Court of (3) three Judges.

TABLE OF AUTHORITIES CITED

CASES

McLane Co. Inc. V. E.E.O.C. 581 U.C. (1017)...

**Shamblin V. Brittain, 44 Cal. 3d. 474,478
(1988).....**

**General Electric Co. V. Joinner, 522 U.S. 136
(1997) Supr. Ct.....**

**City of Sacramento V. Drew, 207 Cal. App. 3d
1278,1297 (1989).....**

STATUTES AND RULES

**28 U.S.C. sec. 1915(g) United States Const.
Amend. Wrongful Imprisonment, Life In-
dangerment. "Permission Granted".**

Scope of Review 5 U.S.C. sec. 706.

Fed. R. Civ. proc. Rule 79(a)

Fed. R. Civ. Proc. Rule 54. Default Judgment.

Fed. R. Civ. Proc. Rule 55.

28 U.S.C. sec. 1292 "Final Judgment"

OTHER:

Standard Abuse Of Discretion Review.

**This Court Case CLEARLY Demonstrate
Erroneous Malious Abuse Of Discretion.**

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 _____; 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**:

N/A

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 April-17-2023

☒ 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 N/A.
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 STATUTORY PROVISIONS
INVOLVED

Long before this 42 U.S.C. sec.1983 Law Suit was brought before the District Court for Filing.

The Plaintiff was Completely and Fully Aware of the Fact that Had Previously Been Sanctioned By the U. S. District Courts for fling (3) three or more 42 U.S.C. sec. 1983 Civil Rights Complaints were frivolous, malicious and did not state a claim that could be granted.

And The Plaintiff WAS Completely And Fully Aware Of The Fact That He HAD To First Obtain Permission From A United States District Court Judge Or A United State Magistrate Judge.

Pursuant to 28 U.S.C. sec. 1915(g)

And the Plaintiff DID Follow Constitutional Law and DID Obtain Permission FIRST from a United States District Court Judge.

Please See Appendix A.

STATEMENT OF THE CASE

The Plaintiff KNEW for meny of years the Fact before the Plaintiff could File a 42 U. S. C. sec. 1983 Civil Rights Action, the Plaintiff WAS Co-mpletely and Fully Aware The He Would FIRST Have To Obtain Prior Permission Before the Plaintiff Could Bring a 42 U.S.C. sec. 1983 Action before a Federal Court. Because the KNEW HE

Had Previously Received (3) Three Stikes.

Thus the Plaintiff DID follow the proper Const. Procedure and Contacted Southern U.S.District Court Judge The Honorable Kenneth Hoyt.

And the Plaintiff Specifically Explained To the Honorable U.S.District Judge K. Hoyt, that he Had Previously Sanctioned (3)Three Stikes For Filing Frivious,Malious Civil Rights Complaints in the passed. And the Plaintiff Ask U.S.District Judge K. Hoyt For His Consent and Permission to Bring This 42 U.S.C. sec. 1983 Civil Rights Complaint Before the U.S. District Courts.

And on December 02nd, 2013, U.S. District Court Judge K. Hoyt, GRANTED Plaintiff Permission To Bring Forth This Now Pending Civil Action Before This Honorable Supreme Court.

Pursuant To: 28 U.S. C. sec. 1915(g).

Please See Appendix A.

And also on December 02nd, 2013, the Honor-

able U.S. Dist. Judge Malinda Harmon was assigned to the Plaintiff Case. Civil Action Number 4:13-cv-03522.

Then Appox. (3) Three Months Later on March 07th, 2014, the Plaintiff FILED the Original and Completed 42 U.S.C. sec. 1983 Civil Rights Complaint Form into the U.S. Southern District of Texas.

Then after all the Defendant's were served by the U.S. Marshall's with the Sommons and Complaint Forms.

The Plaintiff then waited approx. (3) Months and NOT RECEIVING No Response At All From The Defendants.

Then on June 24th, 2014, the Plaintiff Filed the Motion to the Court Requesting That Default Judgment Be Filed And Entered gainst all Defendant.

And on July 08th, 2014, Default Judgment WAS Filed And Entered into the Record By the Clerk, pursuant to Statutory Const. Law 28 U.S.C. sec. 79(a).

Then on July 15th, 2014, in Direct Violation of Const. Law U. S. District Judge Malinda Harmon Abused Discetion and Dismissed the Plaintiff's 42 U.S.C. sec. 1983 Civil Action, illegally Citing the (3) Three Stike Rule pursuant to 28 U.S.C. sec. 1915(g).

U. S. District Judge M. Harmon, Clearly Abused Discetion and Violated The U.S. Constitution by Dismissing the Plaintiff's 42 U.S.C. sec. 1983 civil Rights Action For The Exact Same Reason That The Plaintiff WAS Granted Permission From U.S. Dist. Judge K. Hoyt. 28 U.S.C. sec. 1915(g).

U. S. District Court Judge M. Harmon was First Assigned and Appointed To The Plaintiff Civil Action As Far Back As December 02nd, 2013, for Over (6) Six Months Before Default Judgment WAS FILED AND ENTERED.

U.S. District Judge M. Harmon, HAD Been Assigned to the Plaintiff's Civil Case For Over (6) Six Months, and for Judge M. Harmon To Wait Until Until After Default Judgment To Be Lawfully Filed And Entered to Dismiss The Plaintiff's The Plaintiff's Civil Action For The EXACT SAME REASON

THAT IT WAS GRANTED IS CLEAR ABUSE OF DISCRETION.

Please See Appendix A.

REASON FOR GRANTING THE PETITION

THE PLAINTIFF DID INTENTIONALLY, KNOWINGLY, AND RESPECTFULLY FOLLOW ALL CONSTITUTIONAL PROCEDURES REQUIRED UNDER FEDERAL STATUTORY LAW.

THE PLAINTIFF DID FIRST OBTAIN PERMISSION LONG BEFORE THIS 42 U.S.C. sec. 1983 CIVIL ACTION WAS EVER FILED INTO U.S. COURT. BY U.S. DISTRICT JUDGE K. HOYT. Pursuant To 28 U.S.C. sec. 1915(g).

IMMINENT DANGER OF SERIOUS PHYSICAL INJURY OR DEATH

(Please See Appendix A.)

CONCLUSION

**The Petition For Writ Of Certiorari Should Be
GRANTED**

Respectfully Submitted,

-aka- Jerry Wilson
Steve Vic Parker
Plaintiff

Date: 07-19-2023