

23-5464

IN THE SUPREME COURT OF THE UNITED STATES

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

IN THE MATTER OF

Patrick Okeyo

Appellant

Vs.

-Solicitor General of The United States

-Muungano SDA Church %

Allegheny East Conference of

Seventh-day Activist

-Matthew N. Klebanoff

-Hema P. Mehta & Brian M. Searls

-John Sandercock & Paul M. Tarr

New Brunswick SDA Church

Respondents

Court File No:

Supreme Court, U.S.
FILED

JUN 20 2023

OFFICE OF THE CLERK

ON PETITION FOR WRIT OF CERTIORARI *FORMA PAUPERIS* TO THE UNITED

STATES COURT OF APPEALS

Patrick L Okeyo

50 Grove Place

East Orange, NJ 07017

Phone# 551-208-8088

QUESTIONS PRESENTED

The Appellant is petitioning to reconsider the decision to reopen case #22-1875 from the third Circuit Court. Respondent seeks eligibility for relief for all abuses placed on him, for the reasons pertaining to the deprivation of his life and time and resource wasted, placing the responsibility on opposing counsel and wishes for the judiciary discretion of the court

LIST OF PARTIES

- Solicitor General of The United States
- George Camerra Okumu (Muungano SDA Church % Allegheny East Conference of the Seventh-day Activist)
- Matthew N. Klebanoff (Lyft)
- Hema P. Mehta & Brian M. Searls - Farmers Insurance
- John Sandercock & Paul M. Tarr - New Brunswick SDA Church

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- Huskey v. National Broadcasting Co., 632 F. Supp. 1282 (N.D. Ill. 1986).....pg 7
- Jackson v. Playboy Enterprises, Inc., 574 F. Supp. 10 (S.D. Ohio 1983).....pg 7
- McBriety v. Baltimore, 219 Md. 223 (Md. 1959).....pg 7
- Snyder v. Evangelical Orthodox Church, 216 Cal. App. 3d 297 (Cal. App. 6th Dist.
1989)..... pg 11
- United States V. Guest, 383 U.S.745 (1966).....pg 20
- Strutner v. Dispatch Printing Co.,2 Ohio App. 3d 377 (Ohio Ct. App., Franklin County
1982).....pg 23
- Black v. Aegis Consumer Funding Group, Inc., 2001 U.S. Dist. LEXIS 2632 (S.D. Ala.
Feb. 8, 2001).....pg 23
- “Hogin v. Cottingham, 533 So. 2d 525 (Ala. 1988).....pg 24
- Zacchini v. Scripps-Howard Broadcasting Co., 433 U.S. 562, 572 (U.S. 1977).....pg 25
- Trevino v. Southwestern Bell Tel. Co., 582 S.W.2d 582 (Tex. Civ. App. Corpus Christi
1979).....pg 25
- Douglass v. Hustler Magazine, 769 F.2d 1128 (7th Cir. Ill. 1985).....pg 25
- Martin v. Municipal Publications, 510 F. Supp. 255 (E.D. Pa. 1981).....pg 25
- Treviño v. Southwestern Bell Tel. Co., 582 S.W.2d 582, 584 (Tex.Civ.App. B Corpus
Christi 1979, no writ).....pg 26
- Terminal v. Guthrie, 210 S.W.2d 550 (Tex. 1948). U-Haul Int’l v. Waldrip, 322 S.W.3d
821,853 (Tex. App.—Dallas 2010), rev’d on other grounds, 380 S.W.3d 118 (Tex.
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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 Case Text NO. 22-1875; 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 March 29, 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: March 29, 2023, 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 _____.
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).

Appellant Appearing Pro Se

failed to notice. The Appellant feels somehow looked down upon by authorities, yet the evidence is compelling, a human being cannot be investigated years go years come nonstop. For these compelling reasons, the Appellant seeks relief through the honorable court's discretionary jurisdiction to reconsider their decision.

Investigation has taken so many years without being stopped and has caused injuries and damages to The Appellant. Investigations were/are carried out based on Alien # 99-157-853 among other avenues. By the constitution, the court must vacate and clear The Appellant's defamed image, they initiated investigation, this matter has taken too many years tormenting an innocent person without findings of wrongdoing. When the investigations are still on and The Appellant was being prosecuted by Immigration for deportation from the USA; and robbed his work arrears by unemployment agency, denied his escrow he worked for by a trucking company and chased out of Churches like a devil, work contracts canceled without regard, beaten at his job in Lyft like a homeless dog, is unconstitutional and doesn't warrant to have a Statute of Limitation since their abusive investigations are still on and current. If some of the Appellees use Statute of Limitation it should be a two-way traffic, they have also violated constitutional rights of The Appellant with their endless investigations, they have also violated Statute of Limitation with their continuous investigations. Their investigations are based either on bribery given to investigate, hate investigations, or hearsay investigations or political give away. The Court of Appeals failed to acknowledge the duration an Appellant has been investigated as if it is a life investigation. The Appellant was never sold to the United States as a slave to be used as a guinea pig.

STATEMENT OF THE CASE

1. The Appellant's appearance in the United States Supreme Court is to seek freedom, liberty, and independence from the highest court of the land and deactivate senseless investigations instituted on him. Law enforcement are acting on gossip with weak and baseless investigative information.

Appellant Appearing Pro Se

2. The investigating agencies have gone overboard in conspiracy with some local Seventh Day Adventist Churches which are used to instill humiliations and deprive The Appellant the "right to assemble and associate" First Amendment. Why are the investigating agencies allowed for over three decades to abuse an innocent being? If the Hudson County Prosecutor's Office Children Department had nothing to investigate The Appellant for; they should say so and withdraw, they never replied to the summons mailed to them. They have put an innocent soul on a stretched investigation. In which country can an investigation take almost 27 years as if it is life imprisonment?
3. The Appellant is petitioning to reconsider the decision to reopen case #22-1875 from the third Circuit Court since it violates the bill of rights of an exploited immigrant to keep him being investigated year around. That violates the 14th Amendment and gives him a thin space of life in a democratic Country of The United States of America. Third circuit Court gave summary judgment without considering hip hop repercussions their judgment carried and moral they gave investigating agencies.
4. The Appellant came to the United States in Jan.13th.1992, and has never traveled home because of errors with USCIS decisions and records which induced USCIS to wrongly place an alien number-99-157-853 to his file when his legitimate Alien number is clean and non-criminal.
5. This has caused the Appellant to have endless investigations because agencies and departments that conspired with USCIS have kept their investigating file active.
6. The Appellant is appealing to the Great United States Supreme Court to oversee that Justice prevails and the investigating file closed forever from New Jersey Children Department-Hudson County Prosecutor's office, police departments and USCIS who are using Churches to fulfill their harassment. When the file is still active, and when agencies are still investigating the Appellant, there is no Statute of Limitation on The Appellant's end. A living human being cannot be investigated for over many-Years, separated from his family, then arguments in court

about Statute of limitation are they talking about depression?

7. The Appellant was depressed, mistreated, wasted his time concentrating on immigration drummed up and sponsored investigations. How does The Statute of limitation work when investigation has not been vacated, when the court has not officially deactivated investigations they started?
8. The Appeals court failed to give a two-way traffic on Statute of Limitation on Appellees too, instead of concentrating only on The Appellant. Investigating agencies have violated ethics and used excessive force-Title 8 chapter 39 offenses against public administration: 25 CFR § 11.448 - Abuse of office. The Appellant is humbled by requesting The United States Supreme Court to enforce the 1st, 4th, 5th, 9th and 14th amendment because The Appellant is under the protection of the United States constitution.
9. The Highest Court of the land must stop the impunity of continuous investigations over and over that affected change of status lasting twenty-six years instead of two years. The Appellant is a human being who has chores and responsibilities to achieve and fulfill, those chores have been shattered by illegal investigations.
10. The Appellant pays taxes like anybody else but is exploited by immigration and Hudson County prosecutor's office Children department for years on hate, defamation, false light and delaying change of status. The Court of Appeal failed to see the duration the file has taken with immigration; their delay was to buy time to see if anything will come their way.
11. The highest Court is requested to reconsider and reopen the case and establish freedom to The Appellant as tabled on First amendment and look widely on damages, injuries, pain and suffering to the extent of loss of income due to immigration standings and proceedings. There's no constitution that allows someone to be crucified on a crime/crimes that he has not committed, or of another person, or hearsay crimes under investigations. There's no constitution in the United States that permits extensive investigation ranging to three decades because they

were told or bribed, or they hate or they are jealous of The Appellant. This investigation is exhaustive, abusive, draining innocent life with his resources and must end by court order from the United States Supreme Court to reconsider the case and reopen.

REASONS FOR GRANTING THE PETITION

Facts on The Appellant's claims.

The Appellant is petitioning, to reopen his closed case, so that investigations can be declared excessive, unconstitutional, so that the beating, intimidation against title 42, U.S.C., SECTION 3631, humiliations, defamation and deprivation-Title 18, U.S.C; SECTION 241 (The Right to Marriage) can be sorted out by the Court of law. The Appellant was arrested in New Mexico April 24th, 2002 and the case was dismissed by USCIS court. USCIS wanted change of status application to be reapplied so that their hate mission could be accomplished , but the case took abnormally long and life has been difficult during change of status; they broke into 29 Manhattan Avenue, Jersey City, NJ through the kitchen widow and made unlawful searches in the entire house in 2005 when he was under deportation hearing in violation of 4th Amendment, without search warrant. This,was an invasion of privacy taking advantage of The Appellant's situation. "Invasion of privacy is considered the intrusion upon, or revelation of, something private. *Huskey v. National Broadcasting Co.*, 632 F. Supp. 1282 (N.D. Ill. 1986). One who intentionally intrudes, physically or otherwise, upon the solitude or seclusion of another or his/her private affairs or concerns, is subject to liability to the other for invasion of privacy. *Jackson v. Playboy Enterprises, Inc.*, 574 F. Supp. 10 (S.D. Ohio 1983)" Creating publicity that unreasonably puts the other in a false light before law enforcement and the public creating an injury to The Appellant's mental stability and public outlook. "A government, be it Federal, State, or County will be liable for an illegal intrusion from her officials *McBriety v. Baltimore*, 219 Md. 223 (Md. 1959)." The 4th Amendment "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon

probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized”.

The Hudson County Prosecutor's Office Children Department was taking pictures of The Appellant on Central Avenue when he lived on 29 Manhattan Avenue, no evidence if those pictures were circulated within law enforcement. His name was circulated across the U.S.A where he went to deliver as daily Journal can support. The Appeals Court failed to reopen the case in support of intrusion into The Appellant's house. USCIS wanted a change of status application to be reapplied so that their hate mission could be accomplished. The Court of Appeal gave summary judgment, overlooked facts of the case and duration to adjust status. Respondent seeks relief of all abuses, for the reasons pertaining to the deprivation of his life and time and resource wasted, placing the responsibility on opposing counsel and wishes for the judiciary discretion of the court

Seventh Day Adventist Churches and Sunday Church

Attending Church service at Muungano SDA Church 1799 JFK BLVD, Jersey City, NJ 07305, a freshman girl told The Appellant that it was her last day at Church on a Saturday, she'll be traveling to school, and she wanted The Appellant to wish her bye. The Appellant told her that he will visit her parent's house at 16 Seaview Avenue the following day. The Appellant went and found nobody home. Another day, The Appellant was on an exercise walk and met a lady, a mother, a member of the same Church Muungano SDA Church who invited him to her house to talk to her daughters “S” and “M” at 375 Stegman Parkway. The two incidents were brought to Muungano SDA Church Board, The Appellant was told by Elder Zachary Moitui he was not welcomed in that Church because he is spoiling their girls. (Elder Zachary Moitui was mentioned on summons to City Hall Jersey City about him using Snyder High School Girls to chase and harass The Appellant, but nobody answered that summon). Pastor Kayus said that The Appellant was not welcomed in that Church, otherwise he would report to the Church Conference Office; Elder Peter Masongo said “Go clear your criminal records then come back, Elder Ondari suggested calling the police to investigate the matter.

Those incidents are not criminal, they happened outside church, but they were all brought to church because they wanted to humiliate The Appellant in violation of First Amendment. If anything was violated outside the church, it is a police matter not a church matter where someone has gone to worship on Sabbath. There was no criminal act, but he was told to leave the church. The Appellant is asking for justice on separation of church and State on the 1st amendment because all occurrences happened far from Church premises. This is what has been happening all around. The Appellant was called to the basement of the church for impromptu board meeting without any reason. The Appellant went to South Precinct and Police replied that there was no crime, apparently, some elders called Police for that. This surveillance and mudslinging using a church platform on The Appellant's innocent image is unconstitutional. The Appeals court's summary judgment is injurious to justice sought. The Church which does not respect the constitution must be deregistered for slander and false light. The United States Supreme Court has a reasonable ground to reconsider and reopen the case.

This happened on Saturday Oct.1st.2022 when the case was still with the Third Circuit Court on the same issue when the Church repeated it. "The free exercise clause and wall of separation" between what's in Church where The Appellant went to worship God and outside the community where he went to create friendship; The Appellant's name was captured in the Congregation violating his privacy on his visitation in the community. Invasion of privacy is captured "in the 14th amendment, the right to privacy is implied by the guarantee of due process for all individuals, meaning the State cannot exert undue control over citizen's private lives. Individuals also have a right to be excluded from unwarranted publicity." This same church went as far as organizing a pre-wedding ceremony for his son without notifying his FATHER, yet his father was a few blocks away on grounds that his father is "CONTROVERSIAL" contrary to 5th Commandment honor thy father and mother (Ex.20:12) and divisive. Any Christian church teaches children Christian life not divisive life. The church instead of building families and creating harmony was the base of accelerating investigations, harassment, and defamation, they do not want The Appellant to feature anywhere in leadership of the church. The

United States Supreme Court should reconsider this case, lay grounds to deter defamation, harassment, and investigation in conspiracy with the State agencies involving three Seventh Day Adventist Churches and one Sunday church. The church is formed in the community for religious and spiritual purposes, not law enforcement.

The Appellant was the first Kenyan to buy a house on 240 Virginia Avenue, Jersey City (which is now owned by the school) which inspired other Kenyans to buy properties and settle; also, he made a contract with Watson Funeral Home to deal with Kenyan account when death arose in the community, which they have used over twenty-eight years than loitering funeral to funeral homes. That should prove to the United States Supreme Court that The Appellant is a community person, a loving person and his vision is what is troubling those opposed to him. Their energy is used to solicit falsehood to have The Appellant harassed, investigated and surveillanced-and have him not recognized anywhere in any function within the community; he has been helping the disadvantaged in the community by mobilizing well-wishers and sympathizers to help. My Ladyship and Lordship reconsider decision on the case so that justice for dismissal by the court of appeal is decided, otherwise they will continue with their ill investigations to harm endlessly.

Furthermore, the same conspiracy happened in New Brunswick English SDA Church, when The Appellant went with Christmas gifts to give to his youthful lady friends in the Church "D and N"; he was escorted out of Church that he is talking to kids. Those were his friends since they were kids from Kenya; secondly, that The Appellant cannot give gifts in Church, that he should give his gifts to the Third-Party Moses Atinga to pass it to them. The Appellant was marched out of Church by five Church officials. The Appellant was humiliated, disrespected, demeaned, and shamefully left with psychological harm. His First Amendment Clause was violated, "Freedom of worship, freedom of expression to his friends through gifts and freedom of peaceful assembly." The 5th amendment clause "nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor be deprived of life, liberty, without due process of law;" Repetitive investigations for three decades are

unconstitutional, which is like life in prison. That The Appellant was spoiling their girls pg.1 of the reply appeals court case #22-1875. Also read pg.6 of appeals case #22-1875. Church officials caused emotional damages, defamation of character and psychological effect for being undermined-false light.

New Maranatha Karibu SDA Church, 177-179 Duncan Avenue, Jersey City, under Pastor George Camerra Okumu, The Appellant was told that the board decided to ex-communicate him, he was approached by Elder Peter Aganyo, James Muchina Njoroge, Richard Tuvako and Pastor himself that the board passed, it does not want him in Church. According to the Seventh Adventist Church Manual, when the board sits, they invite whoever they have an issue with and record what was discussed, and then they take it to the Church Business Meeting for a vote. There was no Church Board meeting nor Church Business Meeting; it was just harassment because they did not want The Appellant in Church. The Pastor or the church (Allegheny East Conference) failed to reply to court summons.

Stimel, Stimel & Roeser wrote, "Lawsuits can also be brought against religious organizations. A cause of action against church officials and clergy will lie for the following (a) if their behavior was unreasonable; and (b) if they had intentionally interfered with marital and family relationships of another. The Appellant will explain in court when the court grants permission to appear. See Snyder v. Evangelical Orthodox Church, 216 Cal. App. 3d 297 (Cal. App. 6th Dist. 1989). Church allegations are based on the influence of The Appellant who some people do not want him in leadership. Court of Appeals did not consider the unreasonable behavior of the Pastor with his church officials for imaginary ex-communicating The Appellant from church when he was not-which was false. It is against the constitution of the United States of America; for misleading information and hoaxes- 18 U.S. Code § 1038. Ex-communicate The Appellant for what?

Linden Police

Linden Police Department joined the bandwagon trying to incriminate The Appellant who was then a Lyft Ride Share Driver, he was called to drive from Elizabeth NJ to Linden, NJ and pick up a passenger, but the passenger was a child boy student. He was never picked nor entered the vehicle and

was not a customer but a child to a customer; Lyft as any transportation company prohibits picking up a minor. The Appellant was assaulted by the father of the minor for refusing to take his minor child to school, but Linden police wrote a cosmetic Police Report yet The Appellant called 9.1.1 on record, the Police alleges that the Minor assaulted The Appellant in order to protect the father or to start constructing a Case on Children (with Hudson County prosecutor's office children department). The Police were requested to edit but they failed and declined. The United States Supreme Court should note construction of cases on a child as mentioned like New Brunswick English SDA Church and Muungano SDA Church. All those are falsehood-allegations with false light and misleading to build a case involving a child to incriminate The Appellant. The Third Circuit Court failed to see the false light that The Seventh Day Adventist's allegations are false, untruthful, and hateful. Also, the court failed to see the same non-profit entity's three-decade abuse and conspiracy with the New Jersey Children Department to have The Appellant arrested.

Harrison Police Department

The Appellant is appealing to the United States Supreme Court to reinstate Harrison Police Department for giving three different accident reports and for failure to be decisive and shed light on the accident. The Video Clip from CCTV displays the innocence of The Appellant. Matters at District Court about Harrison Police department should be left with the District Court when The Appellant withdrew, but now wants United States Supreme Court to reinstate it-he paid high insurance premiums for the accident he never caused, but because he was the most wanted by Hudson Prosecutor's office Children department-New York City Police Department and Immigration. The Court Must close, deactivate, disable and vacate the investigating file.

Other Children Affairs

Walgreens drugstore Jersey City the child is given commodities by cashier but looking at The Appellant and the father is looking-The Appellant told the child to pick the goods, the father reacted

(Video subpoenaed), Hudson County prosecutor's office children department investigating The Appellant and IRS-child tax credit was not given or honored until they were grown. Child credit exception 26 U.S. Code § 24-Child tax credit, New Jersey Unemployment (Labor Department) failed to provide unemployment arrears it was taking from The Appellant that he was lacking Work Permit which Immigration declined to issue after he was terminated on several occasions for failure to provide work authorization, yet he had children to take care of. When they took his arrears, he was lawfully working, Immigration conspiracy with New Jersey Unemployment Agency was brutal, yet there is "equal employment opportunity. On the Fifth Amendment "nor shall be compelled in any criminal case to be a witness against himself". The Appeals court failed in totality on fatal decisions it took and supported illegal exploitation. The Appellant life. Title 18, U.S.C., SECTION 242-Deprivation of Rights Under Color of Law. Title 18, U.S.C; SECTION 241-Conspiracy Against Rights. These are too many years they are stealing from an innocent hard-working immigrant. The Appellant has a right to a partner, but females are cautioned especially at church to stay away from The Appellant for no reason. The Court of Appeals decision assists with the ongoing abuse and disregarded to reopen file number #22-1875 to have the trial court deactivate and vacate investigations. The Appellant is neither a Muslim nor Middle Eastern or a terrorist as they alleged verbal insults to deny him his settlement that he will support terror, The Appellant is a Christian and has no hate on humanity.

The Appellant has been deported several times in immigration courts, destabilizing his financial capability, but the BIA and appeals court have vacated those deportation. His last case with Court of Appeals is case # 13-3519 whereby The Appellant got his permanent residence card in December 2019 six years down the road after the Appeals court. Still, they are investigating The Appellant which is Excessive force. The Appeals court failed to notice a lot of discrepancy on USCIS. This brings another question: if The Appellant marries and goes to this same USCIS office with his wife for change of status, what treatment will he or she get during the interview? The Supreme court can witness the arrogance of Immigration using excessive and unnecessary force.

Appellant Appearing Pro Se

References of this case can also be traced to files below:

2:21-cv-03321, 2:21-cv-17431 and 22-1875. Third Circuit Court of appeals file #13-3519. The Appellant petitioned the Appeals Court to compile the two-district court filing made through ignorance instead of amending it and give it leniency. The case has overwhelming plausible facts according to federal rule 12(b)(6).

Immigration

In 1993 during the Interview of change of status through marriage which was done by officer Bracey who did not trust divorce in Africa and saw The Appellant as a polygamist. The Appellant was put on trial and warrant of arrest was issued in October, 23rd 1998 by Immigration court for failure to appear a notice which was never received, and he was arrested on April 24th.2002 in New Mexico on his way with a loaded tractor trailer to Los Angeles California and detained in El Paso Immigration Detention Center. Then the Ministry of Foreign Affairs and International Trade intervened officially and acknowledged divorce on Jan.2017 through State Counsel Joram Kimemia page 2 (certificate) and received permanent residence card in Dec. 2019 a duration ranging from 1993-2019 for the green card. The Appeals court failed to see the dates, documents, and duration of the USCIS file. U.S Supreme Court should reopen the case and deter the long-lasting abuse of The Appellant. Immigration Court order of arrest issued on Oct.23.1998 with an ongoing case was terminated by Judge Henry Dogen 04/19/2005 page 8 followed by several deportation hearings up to BIA. The Appellant has seen doctors for X-rays to change status several times; some X-rays may cause cancer; there were so many. USCIS was doing this out of constitutionally allowed period to change status and it was running a one-way traffic to get rid of The Appellant by all means, change of status was to be reapplied and as they closed the file administratively and sent the interview to Nairobi-Kenya.

When The Appellant tried to change his status, he was denied this time that it was untimely filed; the court can ask why errors after errors on this individual who has been exploited and exhausted.

Appellant Appearing Pro Se

The matter was reported to the State of New York-Supreme Court-Appellate Division for disciplinary and granted page 16. Case was appealed with US Third Circuit Court of Appeals Philadelphia file# 13-3519 and granted. Interview was set for Nairobi to be on **06Feb2011** with Interview confirmation number NRB2011832024 apparently from the past visa lottery of 1996 when he was told that there were no available visa that time, Judge Rodger Harris gave voluntary departure by **April.12th.2011** -The Appellant wants the court to see this schedule conflict and why should the Interview be held in Nairobi when all filings were done in Newark New Jersey? In Nairobi it was Scheduled **06Feb2011** and voluntary departure date **April. 12th.2011** -this are two immigration notices, receipt number WAC-11-902-32385 dated **February 10,2011** exposes immigration claims that it was filed untimely. It was filed timely, but funds were not in the Bank for the check written by the legal team page 9-sub page 4. If The Appellant had traveled to Nairobi for an interview, he was not going to return to the USA. The Appeals court failed to see the duration the case has been under immigration; U.S. The Supreme Court should uniformly reconsider the decision of the file so the trial court can grant freedom and justice to The Appellant.

9.1.1 Calls and Recorded Assaulted

Lyft Passengers who assaulted The Appellant were on a mission; all their physical attacks to The Appellant, undermined, and disrespected The Appellant's place of work; his car was his office. All Police reports were recorded on 911, Jersey City Lyft passenger assault incident report #210351; Union New Jersey incident report # 19-7391, Linden Incident report #19012057. Car accident report was written three times because of police errors; Harrison Police car accident report# 16-00885 pages 13-14. The Lyft passengers who assaulted The Appellant were blocked from Lyft Platform not to use Lyft services not sure about account holder parent of the child boy-student who had an account with Lyft. The Court should reconsider and reopen the case so the trial court can set him free.

(A) Summary Judgment the Appeals court gave is brutal. It failed to stop continuous investigations, harassment, stalking and the removal of blockades that are entered secretly towards The Appellant.

(B). The Seventh Day Adventist Community that has been compromised to believe and accept gossip, defamation, hate and must be restrained from scandalizing, referencing, and calling sister Churches in the area The Appellant goes to worship. The United States Supreme Court should grant constitutional means to deregister any religious entity which was influenced by law enforcement agencies to undermine the privacy of a worshiper (The Appellant).

- (i) The Church must be restrained completely from entering/commenting/advising any female friend The Appellant will have and protect The Appellant from female snatching within the congregation and wife suggestion. This is the Protection- that the Appeals court failed to see.
- (ii) The Court should allow those churches that conspired directly through Pastor George Okumu Camerra be deregistered for harassment and constitutional violations with conspiracy.

This defamation will continue over and over unless the injunction is issued by the court order. False allegations from three Seventh Day Adventist Churches are liable for False allegation crime-” talking to kids, spoiling their girls-” the board ex-communicated you from church” which are all false allegations, false claims, false prosecution which resulted to exclusion to serve God in church activities or within church, loss of standing in seventh day Adventist faith, slander, and defamation of character in the church company. Oral statements from church officials were deliberately adjudicated and caused harm in reputation. They deliberately did so to deny The Appellant service to God in church, drop his standing in Church and crucify his reputation in Church. If The Appellant has been denounced in the Church of God deliberately what will the community think about him? Malicious implications and investigations in conspiracy with Hudson County Prosecutor's office Children Department and USCIS caused mental (emotional) anguish for a long period of time. The Appellant was illegally restrained to worship where he wanted to worship because they had some ill motive. The Sunday Church Angelic Baptist Church allowed into Church immigration female clerical officers to play undercover to persuade The Appellant to talk to her. My Ladyship and Lordship, if The

Appellees do not have substance on their case, they should refrain from wasting time, knowing that The Appellant is seeking Justice, freedom, and liberty, not to be under investigation for the entire life. The Court of Appeal failed to see all those damages and reopen the case to deter further abuse.

(iii) The Court should look on clerical errors in The Appellant's history right from Immigration, followed by the other local governments including police (Linden Police Pushing the minor in the Police report, like Christ hospital describing The Appellant as a female, immigration mixing up numbers by scheduling interview in Nairobi-Kenya at the same time voluntary departure from United States Immigration Court by Judge Harris; Hudson County Court seeking help from Ocean County Court to make a ruling without notifying the Complainant of the case. Immigration's allegations for untimely filing instead of saying insufficient funds in legal team's account; The Appellant is requesting the Court to look to the burden of untimely filing and the process it took at appeals court to reopen the file, instead of writing that funds were insufficient in the account which was easier to solve than going to The Third Circuit court to waste resources and time. U.S.P.S delivered mail designated and addressed to Hudson County Clerk's Office to Mebane, NC. Immigration has caused a heavy burden in The Appellant's life without legitimate reason other than portraying hate. Immigration has exhaustively delayed change of status for almost three decades to buy time, maybe at one time they will arrest The Appellant, or The Appellant will fall sick and die and leave those settlements with local governments. The Appeals court failed to notice these and gave a green light for Immigration to continue with their impunity. These investigations are about the hidden settlement belonging to The Appellant, if he is arrested and jailed, they have a good reason to deport him from jail straight to Nairobi and benefit on stolen settlement. The Court of Appeal is in support of this corruption and abuse of office.

(C) The Appellant is petitioning the United States Supreme Court to reconsider and reopen the file and

enforce circulation of his name to any place of worship he has attended on Sabbath. The court should put an injunction of any blacklist against the Appellant's life and activities. Further, the court should ask the State of New Jersey about settlement of The Appellant and who allowed it to be administered from Hudson County and who petitioned for it? Appeals court failed to reopen the case and failed to identify which names and alien numbers were used in investigations.

Patrick L Okeyo Alien number 99-157-853

Patrick L Okeyo Alien number 070-836-455

(E) The United States Supreme court should also define exactly as by the books and the Constitution on Statute of Limitation. The court can take her own merits and demerits of the case and reference Donald Trump Vs E. Jean Carrol which happened in 1996 same time with The Appellant's case which the court of appeals failed to notice and yet the investigating file is very active. Appeals Court failed to see the nature and duration The Appellant has been investigated, the psychological torture afterwards, police brutality of even writing a police report and saying the child assaulted The Appellant in Linden and many others, prosecutors stalking, endless harassment, defamation, malice, slander, being separated from country of birth because of the ill investigations and creating life for The Appellant to live without a partner; whereby they bring their own females to set up The Appellant for sexual crimes. The serious crime they did like others was in 2017 when immigration declined to renew work authorization, yet The Appellant had a new car from Toyota and had rent to meet when Motor Vehicle declined to renew his driver's license for six months. The Appeals court failed to address all the grievances living space for other developments while the case was ongoing. The Appellant was having restricted life, retrained from attending church of his like and restrained from constitutional liberty to aggravate him and buy their investigative time.

(F) Court of Appeal failed to reopen the case in order for the court to stop improper investigations and the removal of A#99-157-853 from being used against The Appellant contrary to The 14th

AMENDMENT " No State shall make or enforce any law which shall abridge the privileges or

immunities of citizens of United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

The Appeals court failed to see the excessive extension of cases, interviews and exploitation created by USCIS to deprive The Appellant of life, decent atmosphere and created the impression that The Appellant is somehow a criminal against the 14th Amendment. They have not arrested him, they have not prosecuted him and have not jailed him, but they are busy to defame and harass him pg.2 of the appeals court case #22-1875. This matter was complained about in 2004 with the State of New Jersey which did little to stop the abuse with detective Joseph Trap and Paterson CJ-2004-00839-G, pg.3 of court of appeal. Immigration closed The Appellant's file administratively, knowing the need of change of status; 14th Amendment equal protection laws, Brown vs Board of education (racial discrimination), Roe vs Wade (reproductive rights), Bush vs Gore (election recounts), Reed vs Reed (gender discrimination), University of California vs Bakke (racial quotas in education). Pg.3 appeals court 22-1875. Equal protection laws are for people regardless; the Appeals court failed to affirm clause by the constitution. The investigation euphoria has disadvantaged The Appellant in church leadership and community leadership because of distortion; he is not recognized but undermined to the place of worship for many years.

(G) The Appeals court ruled on summary judgment, the prolonged investigations have demoralized and tainted the face image of The Appellant. Summary Judgment granted as by Farmers' insurance does not leave The Appellant compensated for damages of his car. Insurance should have compensated for both if that was the case, but The Appellant was on his green, he did not cause the accident. Summary judgment avoids legitimate grievances and promotes dirty tricks to cover investigating agencies, the other driver had a suspended license. The Appellant paid high premiums for the accident he never caused. In the past The Appellant was called abusive slurs like a Muslim, a Terrorist and a Middle Eastern and was under The Patriot Act Surveillance, yet The Appellant has

nothing to do with mass killing or any crime to legitimize the government coming after him.

Immigrants have two lives, in the USA and back in their countries of origin because they send money home to support their families. Immigration has ruptured The Appellant's dreams and expectations that the Court of Appeal failed to notice. There were no equal protection laws, the 14th Amendment was/is highly violated.

Their investigating file should be deactivated and be responsible for damages and injuries caused. If courts dismiss a legitimate case like this, The Appellant will be persecuted, tormented, and put on surveillance for crimes he did not do for the rest of his life. The court of law to enforce the constitution of The United States of America does not expect an immigrant categorized as an illegal alien to go to court against USCIS or other agencies which will prompt USCIS to arrest and deport him when he did not have papers; the State government safety department was informed. The Appellant could not under any circumstance take any government agency to court then under his dramatized conditions; The Appeals court failed to realize to agree with The Appellant claims which are true.

Hudson County Clerk's office failed to reply to summons issued, but they are contesting in court. There is no law in a civilized country where a county government can indulge itself in investigating The Appellant from the child department for decades, while the administrative government takes properties (settlement) that belongs to him. The Appeals court failed to see this and took it as hearsay. The Appellant's summons were not responded to, some of them, the Appeals court failed to give direction on those who failed to respond. The Court of Appeal failed to read and determine how and why Hudson County clerk's office failed to answer questionnaires mailed to them, why they overlooked it and why they are in court arguing. Claims have been mentioned severally on which relief was sought but the Court of Appeals did not recognize.

My ladyship and Lordship, this is the court of law, The United States Supreme Court should strike the appellant out under federal Rule:12(f) for insufficient defense and failure to respond. Right from the District court to the Court of Appeal, the appellant is in practice of impunity and hypocrisy in

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the law that they swore to respect, protect, and enforce. State action Clause: "14th amendment declares that a state cannot make or enforce any law that abridges the privileges or immunities of any citizen. The court decided in United States V. Guest, 383 U.S.745 (1966) that the enforcement clause gave congress the power to regulate the private lives of individuals who conspired with State officials to deprive people of their rights under section one of the 14th amendment. "The constitution of the United States guarantees equal protection clauses to residents or citizens of the great country". Other appellees who did not respond are not in court contesting. Also read pg.17-18 case#22-1875.

According to the federal civil 12 (A)(I) (B)(C). (A) a defendant must serve an answer (I) within 21 days after being served with summons and complaint or (B) a party must serve an answer to counterclaim the complaint or cross claim within 21 days after being served with the pleading (C) a party must serve a reply to an answer within 21 days after being served with an order to reply. The Clerk's office failed to answer about the building they are occupying and unemployment benefits belonging to The Appellant being donated there; yet he is living in Hudson County for all decades under investigation which has hidden motives. Some appellees did not respond to summons addressed to them and summons said failure to answer, the court will rule against them. According to federal rule of civil procedure 12 (b) (6), motions and complaints depend on the Judge rather than the law. The Appellant is pleading to The United States Supreme Court for necessary action. All the opposing appellees' motions should be dismissed for insufficient defense under federal rule:12 (f) and reconsider the case and reopen it. Lyft failed to surrender information of passengers to police to arrest for assaulting The Appellant who was driving for Lyft. Lyft is acting like a sponsor than a business entity; The Appeals court failed to sanction Lyft and Linden Police for acting irresponsible.

USCIS is the essence of all abuses The Appellant has faced in the U.S with collaborated schemes of undermining change of Status contributing to dwindling his income, orchestrating scandals leading to multiple scrutiny paragraphed to deprivation of intimate life (Right to Marriage) as well as

name calling. Repetitive USCIS courts withhold change of status to disable an immigrant for many years, since change of status is the core ground of stability, which implies then that the Court of Appeal supports all the background mistreatment by giving summary judgment without ground of facts and giving way for relief. The court failed to see; how many removal proceedings and why those removal proceedings, work authorization applications, renewal of work authorization, work permits denied -meaning no work or driver's license renewal. Immigration avoided substantial facts leading to providing insufficient defense on unreliable facts whereby the Third Circuit Court should have dismissed the appellant's motion in favor of The Appellant under federal rule 12 (f). The Appellant under no circumstance will not live with manufactured information in a fake Alien number which they have used to mismanage The Appellant's immigration benefits in violation of 5th amendment for being put on immigration cases continuously "nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation." The 14th amendment "nor be deprived of life, liberty" and "The 9th Amendment December 15, 1791. It says that all the rights not listed in the Constitution belong to the people, not the government. In other words, the rights of the people are not limited to just the rights listed in the Constitution." In 1948 The United Nations Declared human rights universally as an international law meaning the right to food, the right to education, and the right to work. Which were violated by USCIS pg. 5 of Appeals.

The Court of Appeal failed to channel ways of removing unwanted information in immigration files, meet lost life, finances, and also act on defaming his character and damaging his character under falsehood by denting his reputation. Court of appeal also failed to recognize the disregard of the District Court for not informing The Appellant after dismissing his case overlooking extensiveness, duration and side effects caused with USCIS cases, even after attending a scheduled immigration court only to be told it was not scheduled by immigration clerk, that it was an error. The lawyer in the

company was paid after being told the case was not in calendar. The District Court wanted The Appellant to amend, but what was he to amend, the court has an obligation to act on what's significant substance and sideline what it feels like not important. The Court of Appeal failed to realize that The Appellant cannot travel out of the country with a compromised Alien number in his record which it failed to officially block as the court of law by reopening the file to proceed. Court of Appeal failed to reopen the file so that the federal agency and state that were stalking and harassing The Appellant to be blocked since the complaint was filed in 2004 with the State of New Jersey file#CJ2004-00839-G supported with a daily journal. The Court of Appeal failed to reopen the case so that Hudson County prosecutor's office Children department investigations which have taken decades in conspiracy with immigration can go to the federal court to disable and vacate. The Court of Appeal failed to reopen the file so that the court can recover The Appellant's settlement, money donated from his settlement and properties bought and built from his settlement and rule on continuous harassment that brought further damage against The 14th Amendment. The Appellant was not notified of his settlement due to depression he was undergoing whereby they took advantage of it and distributed his settlement, yet he was within Hudson County.

Identity Theft and Assumption Deterrence act-18 U.S. Code § 1028. The Court of Appeal failed to reopen the case so that identity theft issues with immigration could be discussed in court or necessary deterrent action taken against whichever agency that led to invasion of privacy. The Appellant's name was circulated across the U.S.

The Law offices of Stimel & Roeser wrote: "The right of privacy is, most simply, the right of a person to be let alone, to be free from unwarranted publicity, and to live without unwarranted interference by the public in matters with which the public is not necessarily concerned. *Strutner v. Dispatch Printing Co.*, 2 Ohio App. 3d 377 (Ohio Ct. App., Franklin County 1982). A person has an actionable right to be free from the invasion of privacy. *Black v. Aegis Consumer Funding Group, Inc.*, 2001 U.S. Dist. LEXIS 2632 (S.D. Ala. Feb. 8, 2001). An actionable invasion of the right of privacy is

the unwarranted appropriation or exploitation of one's personality, the publicizing of one's private affairs with which the public has no legitimate concern, or the wrongful intrusion into one's private activities in such a manner as to outrage or cause mental suffering, shame or humiliation to a person of ordinary sensibilities."-Like SDA churches accepting orders of abuse from a law enforcement agencies knowing they're in church, intentionally violating the standing of Church Vs State because they are promised immunity. U.S Supreme Court as the highest court of the land should reconsider to reopen the case for trial where motion for deregistration enforcement will be raised.

The Appellant has a constitutional right to be let alone from USCIS excessive, exploitative investigations and immigration courts after another violating his right to privacy (unwarranted exploitation of one's personality). Although the public has a right of information of a notorious criminal in their church or neighborhood, the State has excessively gone beyond civility of the modern law and constitution. The Appeals court failed to reopen the case, depriving The Appellant privacy from unwarranted publicity calling Churches he goes to worship underrating his standings in church and intruding his private activities without cause, as that caused mental suffering, shame, humiliation and degradation. "Hogin v. Cottingham, 533 So. 2d 525 (Ala. 1988)". The Appeals Court failed to reopen the case so that circulation of The Appellant's name to places could go to Court of law so that the investigating agencies can be mandated by the Court to cease and desist from undermining The Appellant.

False light privacy claim which is like the tort of defamation, where The Appellant's image and name has been tainted in the church without cause, which is malice before the church family and companies. The Appeals Court failed to reopen so that the Court can hear why matters on the street or at someone's home were brought to impromptu church board suspending The Appellant from attending church services. So, the court can make a ruling about feelings and sensibilities of invasion of privacy. The Appellant is entitled to recover damages for the harm for invasion of privacy on false light that he was spoiling girls in the community as Impromptu board meeting revealed, yet The Appellant does not

talk to any girls in the community; he has never had sex with any of them yet he's told to be spoiling their girls. The Appellant suffered harm of publicity for visiting a private home and for damaging his reputation, emotional distress, shame, embarrassment, humiliation, feeling powerless and drained in a community that he serves and further degrading his reputation. Something he went privately on the community tour was brought to a congregation. See *Zacchini v. Scripps-Howard Broadcasting Co.*, 433 U.S. 562, 572 (U.S. 1977). If The Appellant was spoiling community girls, The Police Department "Public Safety Act" should enforce the law not a church. The South Precinct Police Department told The Appellant that there was no crime. *Trevino v. Southwestern Bell Tel. Co.*, 582 S.W.2d 582 (Tex. Civ. App. Corpus Christi 1979). That resulted in loss of respect, reputation as far as community status from a respectable person to spoiling community girls as alleged. See: *Douglass v. Hustler Magazine*, 769 F.2d 1128 (7th Cir. Ill. 1985); *Martin v. Municipal Publications*, 510 F. Supp. 255 (E.D. Pa. 1981).

Anglo-American law from Magna Carta Article 39 (1215) says that "No free man is to be arrested, or imprisoned, or disseized, or outlawed, or exiled, or in any other way ruined, nor will we go against him or send against him, except by the lawful judgment of his peers or by the law of the land.

My Ladyship and Lordship, The Appellant would prefer to be allowed to appear in court and allow a meeting of all the three SDA congregations and one Sunday to gather at one place on Saturday during service that he could also bible version about his harassment in their place of gathering.

The Appellant feels like sidelined and looked down upon with this kind of discrimination, yet he has a compelling case; the added alien number must be removed, robbery of his escrow was never honored, unemployment benefits denied yet they took arrears from his pay-which is unwarranted exploitation, excessive loss of income for being denied work authorization, illegal and outrageous investigations for twenty six years, stalking his movement and phone, calling places including place of worship and commercial, conspiracy to denounce him and harass him publicly; sidelining him from church of God in worship and leadership because of immigration status, not recognized in community affairs, sending immigration clerk to a Sunday church to solicit a relationship to deport him, The

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church calling police for him yet no crime committed, church calling Hudson County Prosecutor's office yet they have so far not arrested but excessive investigation, church stalking him in whichever house he's visiting and putting him on impromptu board meeting, immigration was solicited to delay issuance of papers so to keep investigating him. Interference with his female friends and snatching, interference with his planned academic schedule because of immigration status. US Navy surveillance calling him every three months ``you're under US naval surveillance this is a recorded message." Immigration mix up one side gave voluntary departure and the other side scheduling interviews in Nairobi, excessive money lost with immigration cases on clerical services and attorneys, calling off from work to attend immigration one sided cases and wastage of time, life, and separation from his family in Kenya as if he is a slave. Invasion of his privacy and instituting search in his house without notice or search warrant, false light on his name to undermine his reputation loss of reputation, beaten while driving for Lyft ride share service without any action taken and robbed by car insurance for an accident he never caused. The Appellant has suffered emotional disturbance, physical attacks, defamation, and reputation distortion; IRS child credit exempt was not honored because of investigation, he filed for bankruptcy after being arrested and was unable to pay for equipment, identity theft and slander.

CONCLUSION

The divorce decree was investigated for many years wasting fertile time of The Appellant appealed docket #13-3519 page 000339-000345, among others. Immigration has used this document to terrorize The Appellant and put him under Patriotic Act-yet never will he indulge in mass eliminations. That is how depression came he suffered demoralization and ridiculed. Treviño v. Southwestern Bell Tel. Co., 582 S.W.2d 582, 584 (Tex.Civ.App. B Corpus Christi 1979, no writ). The Appellant having financial responsibilities to meet due to habitual loss of income, immigration was on a continuous proceeding that drained the ability of The Appellant that encouraged trucking companies to financially abuse him. See Dallas Railway and Terminal v. Guthrie, 210 S.W.2d 550 (Tex. 1948). U-Haul Int'l v.

Waldrip, 322 S.W.3d 821,853 (Tex. App.—Dallas 2010), rev'd on other grounds, 380 S.W.3d 118 (Tex. 2012). Respondent seeks relief of all abuses, for the reasons pertaining to the deprivation of his life and time and resource wasted, and wishes for the judiciary discretion from the Honorable Court in granting this petition for writ of certiorari

Respectfully Submitted,

Date: _____