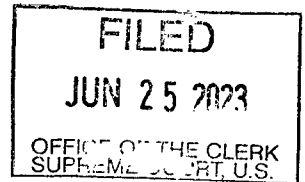


No. 23-5516

ORIGINAL



IN THE

SUPREME COURT OF THE UNITED STATES

ANGELA JOHNSON &
AUDREY JOHNSON-DUNCAN — PETITIONER
(Your Name)

USA C/O SOLICITOR
GENERAL OF THE VS. UNITED STATES, BEGINNING W/ UNITED STATES
COURT OF APPEALS FOR THE — RESPONDENT(S)
SIXTH CIRCUIT (SILER, COLE, DAVIS), ETAL.

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT (SILER, COLE, DAVIS)
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

ANGELA JANE JOHNSON AND
AUDREY JOHNSON-DUNCAN
(Your Name)

24 REVERE 13
(Address)

JACKSON TN 38305
(City, State, Zip Code)

731-513-0975; 731-444-0372
(Phone Number)

QUESTION(S) PRESENTED

1. Did Plaintiffs/Appellants/Petitioners Fail To Submit Evidence of Negligence As Alleged By Both United States Court of Appeals For The 8th Circuit (Siler, Cole, Davis) AND United States District Court Western District of TN - Eastern Division (York) ????
2. Do Pro Se Litigants or Paupers Applicants w/ Perfect Material Substance Cases Get Steamrolled ????
3. Do Either States MO or TN Fail To Set Out Reasons For Breach of Contract And Are Those Not Clearly Evidenced Already In Original Filing And Further, Strengthened In Subsequent Filings ????
4. Are Punitive Damages, Or IF-THEN POTENTIAL CONSEQUENCE A Thing ????

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:

United States District Court Western
District of TN - Eastern Division (Federal)
Madison County - 26th District Court
in Jackson-Madison County, TN (Court)

RELATED CASES

See Cases Argued In Conflict, But
Aren't In Supreme Court Exactly
Like This One, Similar Only, Case
Law Is Interpretive To Many?
Statutes & Rules Are Also
Already Argued In Conflict.
Constitutional & Statutory
Provisions Are Also All
Already Argued In Conflict.

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WRIT REQUEST

FORMA PAUPERIS

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STATEMENT OF THE CASE WITH REASONINGS

CONCLUSION

APPENDIX

- A. I. Order (United States Court of Appeals 8th Cir. Circuit)
II. Judgement
III. Brief In Reply
IV. Appellee Brief
V. Oct 25 Order
VI. Appeal & Contents of Appellant Brief
VII. Appeal of Summary Judgement

- B. I. Order (United States District Court W Dist. TN - East)
II. Judgement
III. Reply To Plaintiff
IV. Plaintiff's Response
V. Copy Motion For Summary Judgement
VI. Disclosures & Interrogatories
VII. Notice of Setting Trial
VIII. Plaintiff's Response To Counterclaim
IX. Answer
X. Removal To Federal Court

- C. I. Court Action Reg. Negligence of Insurance
II. Proof of Summons Receipts Claim Payout -
Reg. By Local Judge Atkins, Inc. Summary Action
Via Insurance Commissioner

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

- NO CASES ARE BEING ARGUED WITH REGARDS TO CASE LAW PREVIOUS WITH REGARD TO SUPREME COURT CASE ONLY. ONLY CONSTITUTIONAL PROVISIONS.
- CASE LAW WAS ARGUED IN FEDERAL COURT, TRANSFERRED FROM CHANCERY COURT; CASE LAW WAS ARGUED IN APPELLATE COURT - 6th CIRCUIT ALSO.

STATUTES AND RULES

- NO TREATISES APPLIES TO THIS CASE.
- BOTH PARTIES DEMANDED JURY TRIAL AT FIRST, DEFENDANTS WITHDREW & REQUESTED DISMISSAL OF CASE IN FEDERAL COURT, BEFORE TRIAL, WITHOUT NOTIFYING PLAINTIFFS, WITHOUT LEGITIMATE CAUSE, AND IN BLATANT VIOLATION OF EMAIL PROFESSIONAL CORRESPONDENCE

OTHER

BETWEEN PARTIES PRE-TRIAL IN GOOD FAITH & UNDER LAWS OF PROFESSIONAL CONDUCT. TRIAL WAS DENIED AGAINST WISHES OF PLAINTIFFS/PETITIONERS/APPELLANTS

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 Judgement Filed 3/27/23; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished.

Filed March 27, 2023

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 3/27/23.

☐ 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 _____.
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 PROVISIONS

Regarding Arguments of Law:

Additional to what has already been argued, concerning both common sense and case law, the following:

- (1) United States Court Law Rule 52 says that CLEARLY ERRONEOUS civil procedure Rule 52a run over by failure to be protected by not only the Federal court, but the Appellate court.
- (2) United States Court Law Rule 52 says that PLAIN ERROR under Federal Rules of Civil Procedure Rule 52 ...a plain error that affects substantial rights may be considered even though not brought to the court's attention...AND it should be stated for the record, we fulfilled all 3 burdens of proof: (a) deviation from legal rule of rights to trial, (b) clear theft, (c) substantial rights violated and burden of proofs clearly already presented.

Regarding Arguments of Law:

Additional to what has already been argued, concerning both common sense, case law, complaints about the Appellate Court appealing from, we add the following Constitutional Law:

Passed by Congress Sept 25, 1789, and Ratified Dec 15, 1791:

Amendment VI Right to a fair trial

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed; which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Amendment VII Rights in civil cases

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

STATEMENT OF THE CASE

(see next pages)

This case is being escalated and brought to the attention of the superior court of the United States Supreme Court, as the lower court, the United States Court of Appeals For The Sixth Circuit, (Siler, Cole, Davis), by Appellate Court Order of (Siler, Cole, Davis), on March 27, 2023.

The United States Court of Appeals For the Sixth Circuit stated in summary an order that was long awaited, but it denied and contradicted Plaintiff's/Appellant's arguments of negligence and ignored proofs submitted in original filing to Circuit Court or subsequent filing's actual material substance, to affirm US District Court for Western District of Tennessee, Eastern Division, summary judgement, which was in fact, erroneous, and without trial, and made just before trial, in a unilateral and uncopied or unnotified motion sent to judge by opposing counsel without Plaintiff's/Appellant's knowledge.

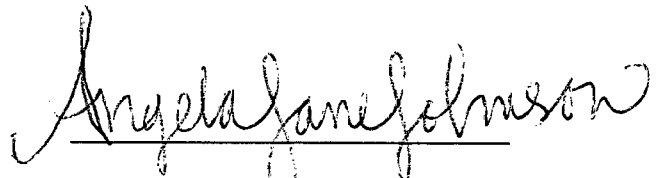
The United States District Court for the Western District of Tennessee, Eastern Division stated in summary a judgement that denied relief to Plaintiffs stating several things of importance (1) they, the federal court, had jurisdiction over the Circuit Court Madison County Circuit (Civil) Court Claims, filed 7/24/20, because Nationwide (Victoria's Insurance) was originally bought in Missouri (MO), and transferred to Tennessee (TN), and TN was place of Plaintiff's residence and damages claims filed in TN, and that is uncontested. The trial before the magistrate judge was requested by Defendant's attorney's and also uncontested. (2) The federal court, by magistrate judge John York, after much delay due to COVID, took a unilateral motion from the attorney R. Reviere for Defendant, demanding a summary judgement just before trial, stating Plaintiffs could not prove the engine blew up, something found in emails between lawyers- Plaintiff Pro Se and Defense Attorney J. Stewart (see evidences) and also, Plaintiff and Nationwide agent. The correspondence assured that the engine blow was assumed and not being argued or contested as that was obvious. This was also brought to the attention of the appellate court, the United States Court of Appeals For The Sixth Circuit, and ignored on their summary judgement (Siler, Cole, Davis). Please see email of correspondence between Angela Johnson and co-counsel for the Defendant/Appellee, Jonathon Stewart. The magistrate judge, John York, for the United States District Court of Tennessee, Eastern Division, (3) stated no proof was established negligence occurred. He refused to set trial. But in actuality, ALL primary evidence needed to award in favor of the Plaintiffs was attached to original filing in Circuit Court Madison County Circuit (Civil) Court Claims on 7/24/20. There was, at that time, a summons sent to Commissioner of Insurance via 26th District TN Circuit. It is not OK. There have been several unethical mishandlings and legal maneuvers by Rainey, Kizer, Reviere & Bell already; specifically, R. Reviere & co-counsel J. Stewart, such as excluding Plaintiff Pro Se from copies of filings before the courts, leaving the Plaintiffs/Appellants "in the dark".

The Plaintiffs/Appellants have been without relief and have been denied Justice for almost 7 years now. The Volkswagen Jetta should have been repaired at latest during Summer 2016. After much haggling, the car's engine blew, the damage to the front of the car being unrepaired awaiting promised restitution, and then haggled again, and the car engine blowing occurred in 2019, in Arkansas (AR) on Interstate 40, luckily aside a shoulder lane and while driving onto shoulder without anyone being on right side of to further complicate accident. The company that refused to pay damages DID pay something at that time, and that being the amount they demanded that they weren't going to pay more than on and they determined fair in 2015/early 2016. Which was grossly unfair. The engine itself was worth more than that. The car was owned in full by the Plaintiffs. The Plaintiffs were fully insured, with comprehensive coverage, and met ALL the qualifications required to have the car timely repaired, and that has not once been contested. That is a completely undisputed fact(s) of the case. It is also undisputed by the Defendant that something should have been paid, because something was, albeit at

be reported to the Department of Commerce and Insurance for ultimate avengement in judgement against Nationwide insurance et al.

- (4) Additionally, since this case has escalated to the Supreme Court of the United States of America, the Plaintiffs/Appellants are also requesting any damages that the United States of America Supreme Court deems just due to Plaintiff's/Appellant's lack of fair and equitable consideration by the lower courts, at the sole discretion of the Supreme Court of the United States of America, in determining what that expiation should be, from funds at their discretion, and for the overruling of the lower court's judgements found in error of consideration for the Plaintiffs/Appellants and the drivers in the United States of America.

Thank you for the consideration of this appeal to the Supreme Court of the United States of America, and for the honor to bring our case and expiation requests before the honorable Justices therein. We respectfully request the acceptance of our application for Writ of Certorari.



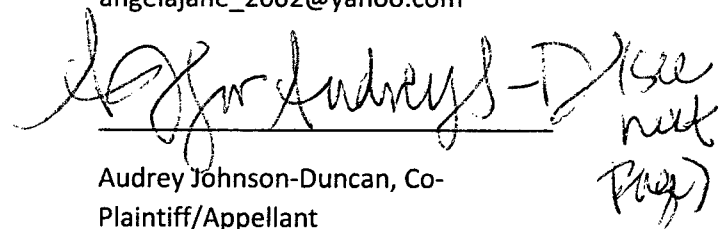
Angela Jane Johnson, Plaintiff/Appellant

24 Revere 13

Jackson, TN 38305

731-513-0975

angelajane_2002@yahoo.com



Audrey Johnson-Duncan, Co-
Plaintiff/Appellant

24 Revere 13

Jackson, TN 38305

731-444-0372

audreyangeljd@yahoo.com

REASONINGS FOR CASE ARGUMENT

This case is being escalated and brought to the attention of the superior court of the United States Supreme court, as the lower court, the United States Court of Appeals For The Sixth Circuit, (Siler, Cole, Davis), by Appellate Court order of (Siler, Cole, Davis), on March 27, 2023. The case is escalated for the following reasons:

- (1) Trial was never allowed.
- (2) Legal maneuvers were made to exempt the Plaintiffs from knowledge about Motions to Dismiss. The Magistrate Judge DID NOT reprimend illegal actions by lawyers. He ruled without trial finding of fact, and ruled in both clearly erroneous and plain error, against the Plaintiffs, having knowledge of the Chancery Court filing with all attached evidences.
- (3) On Appeal to the United States Court of Appeals For The Sixth Circuit, (Siler, Cole, Davis), the Appellate Court upheld the Magistrate Judge refusal to allow trial, rights clearly outlined in the Constitution, as well as being privy to what Rule 52 terms as clearly erroneous, and also but differently, plain error. We believe this was because the Appellate court wanted so much to uphold the authority of the court, to adjudicate and dismiss at their discretion, that they steamrolled the clear rights of the People, the Plaintiffs.
- (4) Justice has not been served yet in this issue.
- (5) Clear theft and degradation of the value of the automobile occurred, for the material substance benefit of Nationwide Insurance company, who denied relief for over two years, in order to wear out the insured.
- (6) The Plaintiffs/Petitioners/Appellees have undergone significant stress, litigation expense, although pro se, and have been without transportation, awaiting expiation without incurring debt, a religious issue for Messianic Jews. The lengthy duration of the case and negligence by the Federal Court and Appellate court to uphold Justice should also be considered in a (a) punitive award form from the United States at their discretion and based upon ability to pay, ADDITIONAL to the reversal of the decision to not adjudicate against Nationwide Insurance Company to (b) pay both Petitioners \$1,000,000 in damages, punitive to the fraudulent insurance company, who stole years of premiums, as well as to (c) replace the Volkswagen Jetta, with a clear title, previously owned and paid for to the Petitioners, with a new one, with a clear title, as a measure of expiation in these issues.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Angelafane Johnson & AF for AF Duncan
(See next page)

Date: 6/24/23