No. 23-5520

SUPREME COURT OF THE UNITED STATES

TAMARA SUE HARBEC

PETITIONER,

vs.

THE UNITED STATES,

NORTH COUNTRY HOSPITAL, AND HEALTH PRACTICES,

NORTH COUNTRY NEUROLOGY SERVICE,

NORTHERN COUNTIES HEALTH CARE

RESPONDENTS

ON PETITION FOR WRIT OF CERTIORARI TO

THE UNITED STATES COURT OF APPEALS

FOR THE SECOND CIRCUIT

PETITION FOR WRIT OF CERTIORARI

Tamara Sue Harbec

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Friend of the Court

QUESTIONS PRESENTED

Was it constitutional to deny the right of an interpreter because of bilateral sensorineural hearing loss?

Was it constitutional to deny the right of access to medical care and services by not informing, providing, or transferring to a level one trauma center when loss of life and limb was known?

Was it constitutional to use the word "RETARD" when referring to Tamara Sue Harbec as a patient in a life or death situation, and did Tamara Sue Harbec receive adequate testing to assess and diagnose at onset to receive proper care and obtain an expert?

Will Tamara Sue Harbec suffered damage and harm from the decision of the lower courts based on incorrect information, with no inquiry or investigation?

Will Tamara Sue Harbec continue to suffer undue harm and substantial risk of dying without redress?

LIST OF PARTIES

[ ] All parties appear in the caption of the case on the cover page.

[X] 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 judgement in the subject of this petition is as follows:

THE UNITED STATES

NORTH COUNTRY HOSPITAL AND HEALTH PRACTICES

NORTH COUNTRY NEUROLOGY SERVICE

NORTHERN COUNTIES HEALTH CARE

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APPENDIX C Amendment to protected health information from Dartmouth Hitchcock Medical Center, from neurologist Dr. Benjamin J. Saunders M.D.

APPENDIX D Diagnostic medical record of white matter brain disease from Dr. Rizwan Haq M.D. of North Country Neurology Service.

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TABLES OF AUTHORITIES

CASES:

Amorgianos v. National Railroad Passanger Corporation., 303F3d 256, 266, (2d Cir.2002) quoting Daubert, 509 U.S. at 593, 594, 113

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 B to the petition and is

[X] reported at US Court of Appeals for the Second Circuit; 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 A to the petition and is

[X] reported at US District Court for the District of Vermont; 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

[X] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was 04/26/2023.

[ ] No petition for rehearing was timely filed in my case.

[X] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: 05/31/2023, 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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

UNITED STATES CONSTITUTION AMENDMENT I

UNITED STATES AMENDMENT VII

UNITED STATES AMENDMENT XIV

" All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of the citizens of The United States; nor shall any state deprive any person of life, liberty, or property without due process of the law; nor deny any person within its jurisdiction the equal protection of laws."

STATEMENT OF THE CASE

My affidavits are a true account of what occurred and have been entered into evidence, for this reason I believe the decision of the trial court is unjust and clearly wrong. I belief I am the victim of manifest constitutional error that is obvious and not harmless. My daughter's medical care is being compromised by the defendants and this has not been corrected. We need protection from the law.

REASONS FOR GRANTING THE PETITION

This case should be reviewed and decided by the highest court in the United States. It is a case that decides my future and death, and those similarly situated, and is of national importance, and the final decision is not only important to me, It will affect the lives of innocent children.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Tamara Sue Hanbec

Date: 08/15/2023