

23-6294

ORIGINAL

CASE NO. 23-3254

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OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE SUPREME COURT OF THE UNITED STATES

**GREGORY IFESINACHI EZEANI, Plaintiff - Appellant**

**V.**

**BRIDGETT KELLY**

**UNION COUNTY COLLEGE HUMAN RESOURCES**

**RESPONDENT**

**ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATE  
COURT OF APPEALS FOR THE 3<sup>rd</sup> CIRCUIT**

**PETITION FOR WRIT OF CERTIORARI**

**Mr. GREGORY IFESINACHI EZEANI**

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**Plaintiff/Appellant**

**CIVIL LAWSUIT ON 4<sup>th</sup>, 5<sup>th</sup>, 8<sup>th</sup> and 14<sup>th</sup> AMENDMENT CONSTITUTIONAL RIGHT  
CASE**

**QUESTION PRESENTED**

Briefly, the case originates from a case of Ezeani V Anderson V CFG health system (case No:23-1187) because the defense attorney of CFG health system (Mr. Jeffrey McClains) contracted by Anderson of Essex county correction department engaged into falsification of subpoena using the act of impersonation as an officer of New Jersey District court instead of a practicing attorney to serve subpoena to Union county college and Essex county college requesting all employment record of the pro se without pro se consent from former employer where the pro se worked as an adjunct instructor at business department teaching undergraduate business student in 2021. The Essex County college refused to send out the pro se all employment document because the employee never consents to the request, and Essex County college regard it as a forged document that does not bear the address of New Jersey district court even though it was presented as if it was issued by New Jersey district court. Union county college human resources search and produce all employment document that stop working with the institution since 2021 and forwarded all employment record of the pro se to the defendant attorney (Mr Jeffrey McClains) as he requested in the subpoena without the consent of the pro se. The human resources department of union county college provided the attorney with the pro se academic master transcripts degrees from different university which contain the pro se social security numbers, date of births, academic grades Pro se master's degree certificates, Pro se resume, marital status, pay stub etc. The attorney went on to use the document to file a request to obtain a third deposition in a medical case

of Ezeani V. Anderson v CFG health (case No:23-1187) asking the pro se to provide school fees receipt on how he paid for those university master studies in United States, pro se IRS record, marital status and divorce record in other to help the attorney to pursue delay of the medical malpractice case of Ezeani v. Anderson v. CFG health system. The Pro se filed a lawsuit at New jersey district court against the human resources manager of union county college for federal privacy right violation because the pro se stop working with the university since 2021 and the pro se never consent to provide any portion or all his entire employment history to anyone starting from the time he starts the adjunct teaching job to end of the time he works with the institution. The institution provided the pro se all employment history to the attorney in 2022 without the pro se consent which is unlawful search and seizure of the pro se record that violate due process right of the pro se constitutional right to 4<sup>th</sup>, 5<sup>th</sup>, 8<sup>th</sup> and 14<sup>th</sup> amendment constitutional right. Moreover, the pro se filed a lawsuit for privacy right violation and the district court issued a summons to the human resources manager to answer the pro se complaint. The attorney of the union county human resources failed to respond to the court summons to answer the lawsuit filed by the pro se on violation of federal privacy protection right **(Exhibit 1A showing summon issued by the district court)**. The defendant attorney filed motion asking for extension then the district judge now see that the defendant did not answer the summon after the clerk entered default then decided to dismiss the case on the grounds that the lawsuit suppose to be file with the first case of Ezeani V. Anderson V. CFG health system (Case No:23-1187) because it originated from the case. **(See Exhibit 2A showing the defendant attorney motion asking for extension)**. The pro se filed an appeal to the third circuit court for abuse of discretion by the district court that violates due process right because the human resource manager violated

the pro se privacy right to retrieve the employment record of a former employer without consent and provide it to Mr. Jeffrey McClains after he used legal fraud to impersonate himself as officer in New District court and unlawful legal command in the subpoena to force the human resources of Union county to provide all employment record of the pro se without pro se consent which is unacceptable legal practice used by the attorney in order to pursue a third deposition to continue delay of the case of Ezeani V. Anderson V. CFGH. The human resource of union county college released the employee record to the Attorney email without consent of the former employee which is a collaborative effort to help the attorney because the subpoena served followed with consent signed by the pro se that specified what is to be release and not all employment record. **(See exhibit 3A of the subpoena served to the Human resources of union county college; Exhibit 4A showing the consent signed by the pro se which was submitted to the union county college human resources).**

#### **THE FOLLOWING QUESTION ARE PRESENTED FOR REVIEW**

1. The Pro se presents that the third circuit court final decision requires review for due process violation because the third circuit court used false statement and misrepresentation of truth to determine the decision of denial which was also used in the case of Ezeani v. Anderson V. CFG health system (case no:23-1187). The pro se presents the false statement and misrepresentation of truth used by third circuit final decision on quote **"In support, he attached the at-issue documents, which included his pay stubs, resume and cover letter, academic transcripts, and a form bearing his name and signature authorizing Union County to furnish Ezeani's medical records and**

5A showing email from the attorney to the pro se when the electronic copy of all the employment data of the pro se was transmitted to his email and this documents consist of social security number and date of birth printed on the academic transcripts grades, certificates, resume, pay stub, marital status etc.; See Exhibit 8 the letter the attorney sent to the pro se on document require for third deposition which is the basis for third deposition requesting the pro se to provide tuition receipt of the list of the university he attends, IRS document, marital status, and divorce certificate etc.; The pro se also presents another contradictory issue because third circuit court on quote stated that **"Under these circumstances - where the disclosed information does not appear to be highly personal in nature and, especially, where the aggrieved party has signed a form authorizing the release of all information - we are satisfied that no constitutional violation has occurred"**. Use of any form misrepresentation of truth using false statement violates Rule 60 and Rule 59, which violates the due process right of the plaintiff. The pro se presents that third circuit decision violates 28 U.S §144 by acting as the lawyer of the defendant because the never consent to any authorization to release of any/all employment record to the attorney.

2. The pro se presents that the action of human resources department of Union county college violates the federal statutory privacy act protection of 5 U.S.C. § 552a because there is no consent signed by plaintiff to release his personal information to the attorney (Mr. Jeffrey McClain). Moreover, Essex County college refused to honor the subpoena because the pro se did not consent to release his personal information. **See exhibit 6A showing a copy of subpoena serve to Essex County college.** The pro se presents that

**“any and all information [Union County] may have regarding . . . Ezeani,” to McClain’s law firm.**<sup>6</sup> See *Ezeani v. Kelly*, Civ. No. 2-22-cv-06164, ECF No. 1-6”. This is a false statement and misrepresentative of truth which violates due process right of the plaintiff right to fairness because the plaintiff never signed any document or form directing union county to release pro se employment record to anyone in 2021 when he worked for the employer and stop working for the same employer in 2021. Therefore, the third circuit misrepresentation of truth statements has serious impact in all decision which requires supreme court review. The pro se stop working in union county college in 2021 with the employer while all the employment information of the pro se was released to the attorney in 2022 so when did the pro se signed document with union county college to release his personal information to the attorney of CFGH requires review because this a false statement that never happen **(See Exhibit 4A showing the consent form that discloses pro se signed form on what to release to the defendant attorney)**. The union county college released personal information of the pro se to the Attorney email without pro se consent to help the Attorney pursue third deposition. The third circuit court presented that the pro se signed a consent to provide his employment material document to the attorney McClain office which is a false statement and misrepresentation of truth statement to cover legal fraud and privacy violation committed by the attorney. Constitutionally, use of act of deceit and unlawful forcefulness to steal the pro se personal information unlawfully which was used in securing unlawful third deposition in a medical malpractice case of Ezeani V. Anderson V. CFG health system (case No:23-1187) violates due process. Use of fraud of any form violates Rule 60 and Rule 59 which violates due process right of the pro se. **See exhibit**

the union county college is not exempted from privacy act protection act. Therefore, human resources manager of union county college violates 5 U.S.C. § 552a(b) because the institution is not exempted from federal privacy right violation of the plaintiff.

## **TABLE OF CONTENTS**

<b>1. QUESTION PRESENTED .....</b>	<b>2</b>
<b>2. TABLE OF AUTHORITIES.....</b>	<b>12</b>
<b>3. PETITION FOR WRIT OF CERTIORARI.....</b>	<b>14</b>
<b>4. OPINION BELOW .....</b>	<b>14</b>
<b>5. JURISDICTION.....</b>	<b>15</b>
<b>6. STATUTORY PROVISION INVOLVED.....</b>	<b>15</b>
<b>7. STATEMENT OF THE CASE.....</b>	<b>17</b>
<b>8. REASON FOR GRANTING THE WRIT for CERTIORARI .....</b>	<b>22</b>
<b>9. CONCLUSION AND PRAYERS FOR RELIEF .....</b>	<b>23</b>



3.

**TABLE OF AUTHORITIES**

Rule 59.....	5
Rule 60 .....	5
28 U.S.C §144.....	17
5 U.S.C. § 552a .....	15
<u>5 U.S.C. § 552a(b)</u> .....	16
4 <sup>th</sup> , 5 <sup>th</sup> , 8 <sup>th</sup> and 14 <sup>th</sup> amendment right.....	16

#### 4 PETITIONS FOR WRIT OF CERTIORARI

I, Gregory Ifesinachi Ezeani petitions the court for a writ of certiorari to review the judgement of the united state court of appeal for the third circuit.

#### 5. OPINIONS BELOW

The opinion of the third circuit court was denied and the third circuit En banc was also denied. The basis of the denial violates due process right of the federal privacy protection right of the pro se because use of false and misrepresentation of truth statement used by third circuit court to cover up the legal fraud and privacy right violation committed by the attorney of CFG health system have serious impact in all the case determination. The use of fraud or misrepresentation of statements violates Rule 60 and Rule 59 of federal civil proceedings which violates due process right of the pro se. The third circuit court on quote at the final determination of appeal stated **"In support, he attached the at-issue documents, which included his pay stubs, resume and cover letter, academic transcripts, and a form bearing his name and signature authorizing Union County to furnish Ezeani's medical records and "any and all information [Union County] may have regarding . . . Ezeani," to McClain's law firm.**<sup>6</sup> See *Ezeani v. Kelly*, Civ. No. 2-22-cv-06164, ECF No. 1-6". This is false and misrepresentation of statement to cover the attorney legal fraud and privacy right violation of using act of stealing and impersonation using the name of New Jersey district court to obtain all the pro se employment record to obtain an unlawful third deposition in a case of *Ezeani V. Anderson V. CFG health system* (case no: 23:1187) which third circuit failed to review to exonerate justice department contractors from medical malpractice which violates pro se due process right. Use of fraud or

misrepresentation of the truth or act of omission of the truth violates Rule 60 and Rule 59 of the federal civil procedure which violates due process because the pro se only sign medical consent form and no consent to release any or all employment record from Union county college to Mr. Jeffrey McClain who is the attorney of CFGH. Moreover, The third circuit court did not base the review on the district court decision because summon was issued but defendant attorney did not answer the summon and the clerk of the district court entered default so the idea of the opinion of the third circuit court to defend the defendant by stating that the pro se did not state claim which is the argument of the defense attorney of the human resource manager of union county college violates due process right of the pro se. The opinion of not stating claim was not raised by district court judge in his final decision or when summon was served which was not answered but it was raised by the defendant argument in third circuit appeal court which is irrelevant because the third circuit court has not proven beyond reasonable doubt as stated in supreme court previous determination (Conley v. Gibson, 355 U.S 41 (1957) that the defendant did not violated federal privacy protected act of the pro se which is the requirement of Rule 8 that warrant the court authority to dismiss a case on the grounds of not stating a claim.

## **6. JURISDICTION**

The third circuit appeal court enter decision on 3<sup>rd</sup> July 2023 and third circuit En banc appeal court enter Judgement on August 1st, 2023. **See Appendix A and Appendix B and Appendix c of district judge decision.** This petition is timely filed in pursuant to supreme court Rule 13.1. this court has jurisdiction under U.S.C 1254(1).

7.

### STATUTORY PROVISION INVOLVED

This case involves “review under **federal privacy act protection** 5 U.S.C. § 552a because the third circuit court held that the Human resource department manager of union county college did not violate the pro se federal privacy protection act by releasing the former employee all employment document to the attorney (Mr. Jeffrey McClains). The human resource was served with the medical consent form signed by the pro se which specified that only medical record will be release but the Attorney Mr. Jeffrey McClain used legal deception to include all employment history using impersonation of the New Jersey district court to cause deception that led to release of the pro se academic master degree transcripts that have pro se social security number and date of birth, birth certificates, marital status, payment stub, resume etc. which the attorney used to obtain unlawful third deposition in a case of Ezeani V. Anderson V. CFG Health system (case no: 23-1187). Moreover, the third circuit decision requires review under 5 U.S.C. § 552a(b) to determine if the union county college is exempted from federal privacy protection policy of releasing former employee who stop working with the institution in 2021 but his record was provided to the Attorney in 2022 without his consent. Moreover, this case is a federal privacy right violation that requires review of 4<sup>th</sup>, 5<sup>th</sup>, 8<sup>th</sup> and 14<sup>th</sup> amendment right because the human resources department of union county engage into unlawful search of the pro se record in 2022 who stop working with the college in 2021 without the consent of the pro se. The pro se never signs any document to release his employment record but signed a medical record which is different from all employment record so the third circuit should not use false information that never happen because this is clear

due process right violation to protect justice department contractors and Union County college human resources. The action of using false determination and misrepresentation of the truth impacted the entire decision which a clear miscarriage of justice against the pro se.

## **8. STATEMENT OF THE CASE**

Concisely, this case is about privacy invasion lawsuit filed by the pro se against the Human resources manager of union county college which originates from the unlawful legal malpractice of the attorney in a case of Ezeani V. Anderson V. CFG health (case no: 23-1187). The attorney of CFG health system (Mr. Jeffrey McClains) used legal fraud of privacy right invasion to cause miscarriage of justice and union county college use act of wickedness and criminal collaboration to engage into privacy right violation to aid the attorney legal fraud activities to secure third deposition in a case of Ezeani v. Anderson v. CFGH. himself from the case. The Essex County college identified the document as a forged document that does not bear the New Jersey district court address and consent of the pro se to release all his employment record to the address that is not court address. The Essex County college refused to release it because it is not coming from the court. The human resources manager of union county college out wickedness and criminal collaboration went and search the record of the employee who stop working with the institution in 2021 and release all employment record of the pro se without his consent in 2022 to the attorney CFGH email address. The consent form submitted in the subpoena never indicate any or all employment record to be release but medical record

but the human resources manager of the institution out of wickedness and unlawful collaboration releases all employment information of the pro se to the defendant attorney email in 2022 which is clear violation of privacy right of the pro se. The employment record release includes academic certificates and transcripts from several universities which have all the plaintiff's personal information such as date of birth, social security, course grades, courses offered etc. The college also releases copies of pro se payment stubs, marital status, resumes etc. without the consent of the pro se. The document released to the attorney was used to file for third deposition in a case Ezeani V Anderson V CFG health system (case no: 23-1187).

**9**

**REASONS FOR GRANTING THE WRIT**

This case is about federal constitutional privacy act (5 U.S.C. § 552a) on privacy right violation by act of forceful steal of command used by an attorney (Jeffrey McClain) and criminal collaboration by act of wickedness used by human resources manager because the pro se did not sign consent any consent to release all his employment record and the subpoena did not present any document that show pro se consent to release all his employment document . Moreover, federal privacy act violation under attack so there is strong reason for supreme court to restore law and order to protect the federal privacy act right of the pro se because the criminal action of collaboration and legal fraud practice of the attorney in federal civil proceeding is an unethical conduct that must be eradicate from justice premises because it is harm to the public justice and federal procedural act as a matter of law. The defendant attorney of CFGH (Jeffrey McClains) has no fear of keeping professional conduct of legal practice as required in federal civil procedure that requires preservation of

ethical rule of conduct. The Human resources department of union county college produced and released all employment documents of the pro se to the defendant Attorney as he commanded to his email address without the consent of the pro se which due process violation to pro se privacy right. The use of fraud or misrepresentative of truth violates Rule 60 and Rule 59 which violates due process right of the pro se because this false statement and misrepresentation was used by third circuit court to support the decision of Ezeani Anderson V. CFG health (case no: 23-1187) in attempt to exonerate the human resources department of union county college and Justice department contractors (Essex County college and CFG health system). Human resources management of union county action of privacy invasion violates pro se 4<sup>th</sup>, 5<sup>th</sup>, 8<sup>th</sup> and 14<sup>th</sup> amendment right because there is no consent signed by the pro se to release any or all his employment record to the defendant.

#### **CONCLUSION AND PRAYERS FOR RELIEF**

The plaintiff prays that this petition for review by the supreme court will be accepted because the pro se have not receive any medical diabetes treatment because the human resources manager of union county college violated the federal privacy right of the pro se to retrieve all employee record that stop working with the institution in 2021 and release pro se all employment information to Jeffrey McClains which he used to secure third deposition of 15<sup>th</sup> December 2022 that support the attorney delay strategy to kill the pro se so that the case will end automatically. The attorney of the CFG health system and Human resources of union county have no respect for the federal privacy protection law which made both to intentionally violate the pro se federal privacy right out of wickedness to help the Mr. Jeffrey McClains to succeed with his delay strategy in a case Ezeani V. Anderson V. CFG health system

(case no: 23-1187). The probability that the pro se privacy protection right will be respected and preserved as a matter of United State constitution depends on supreme court decision to accept this case and restore public protection on federal privacy protection right of the pro se as a matter of Rule of law. This is a public federal privacy right protection that only supreme court can correct.

Regards

Gregory Ezeani