

23-6568

IN THE SUPREME COURT OF THE UNITED STATE

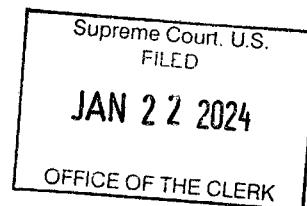
BOUAZZA OUAZIZ,

Petitioner

v.

JERSEY CITY et al,

Respondents



ON PETITION FOR WRIT OF CERTIORARI TO THE

UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT

PETITION FOR WRIT OF CERTIORARI WITH APPENDIX

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SUPERIOR COURT U.S.
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QUESTIONS PRESENTED

1.Whether the court of appeal third circuit erred in affirming the district court dismissing plaintiff sexual assault under color of law on December 19, 2019 with prejudice based on 2 years statute of limitation ,and new jersey statute of limitation for sexual assault and all related injuries is 7 years N.J. Stat 2A:14-2a and accordingly petitioner claim for sexual assault will expire on 2026, and plaintiff have pleaded element of discovery rule

2.Whether to court of appeal erred in dismissing plaintiff none frivolous complaint of 106 pages and 28 conspirators and 4 years of conspiracy to war zone crime , sexual assault , fraud , Rico act ,extortion , and state claim for diversity .

1.Whether the court of appeals erred in dismissing claims against defendant judges and prosecutor assistant who involved in aid and abet crimes and involved in interfering with plaintiff rights to appeal and rights to free of violence and rights to due process and equal and rights to properties and liberties not to be taking away based on erroneous concepts of law ,

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IN THE
SUPREME COURT OF THE UNITED STATE
BOUAZZA OUAZIZ
PETITIONER

V

Jersey city entity , jersey city police commissioner Tawana moody ,laboratory corporation of America holding and its workers luz friaz; Samantha Galloway ; Ada Pompay ;Gary stuhllmiller , NYC police officer Robert Gonzales Rodriguez ; Noura El Ghazoini ,Somia el ghazoini ; Ali Hilali;Micheal Colombas ; Artusa law firm and its attorney artusa ;Jeff Henninger and its attorney Ciro Spina; Thomas vignault law firm and its attorney Thomas Vigneault ;Goldstein law group LLC and its attorney Hilary Brower ;Corrinne Mullen law firm and its attorney Corrinne Mullen ;Brad micklin law group LLc and its attorney Brad Micklin , Townsend ,Tomaie& Newmark LLC and its attorney Kevin Ku , Pasquale Marago law firm and its attorney Pasqual Marago ;Christ hospital entity ;CityMd emergency Urgent care and its doctor Rohani ; Judge Andrea Sullivan , judge Maurreen B. Mantineo , prosecutor assistant Jane wiener police officer Michael O'Connell ; detective Prez; detective travez ;NJ Investigation LLC and its agents Paul , and Orlando Pegan attorney Paul Sica ;Dunne ,dune &Cohen LLC and its attorney Leonard Cohen ;Bradly &Coreale llP and its attorney Robert Coreale , police officer William Olszewski, police officer Darren Sorrentino

respondents

ON PETITION FOR WRIT OF CIRTIORARO TO THE UNITED

COURT OF APPEAL FOR THE THIRD CIRCUIT

PETITION FOR WRIT OF CERTIORARI

Bouazza Ouaziz petitions for a writ of certiorari to review the third circuit opinion in this case .

OPINION BELOW

Bouazza Ouaziz v. Jersey City et al NO:22-3385 U.S court of appeal third circuit judgment entered October 24,2023, 22-3385(3RD Cir 24,oct 2023)(App,infra,Pa1-Pa7)

Bouazza Ouaziz V. Jersey City at al, NO 2:22-cv-04546 U.S district of new jersey judgment entered December 2,2022. 22-4546(SDW)(ESK)(D.N.J.DEC.2,2022) (App,infra,Pa8-Pa16)

JURISDICTION

The third circuit entered its opinion on October 24,2023 and the time for filing this petition has not yet expired (90), and this honorable court has jurisdiction under 28 U.S.C 1254(1)

CONSTITUTIONAL AND REGOLATRY PROVISION INVOLVED

(A)14 The amendment to united state constitution “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 citizens of the 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”

(B)9th amendment to the united states constitution The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.”

(D)42USC 1983 Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person

within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress,”

(E)42USC 1985: (2) Obstructing justice; intimidating party, witness, or juror
(3)Depriving persons of rights or privileges and immunities .appendix 01(Pa1)

(F)42USC1986 failure or refuse to prevent conspiracy of crime. appendix 01(Pa1,2)

(G)18USC1961 , 18 USC 1964 Rico act ,**see appendix 01(Pa2,3,4,5)**

(K)N.J.stat.2A:14-2A statute of limitation for sexual assault in NJ. Appendix 01(Pa5)

STATEMNT OF THE CASE

Petition been tortured and is torturing and will be tortured under color of law since 2019 (4 years of war zone crime) under color of law in new York and new jersey , aggravated sexual assault after knock out under color of law multiple times , lawless violence of orders , interfering with rights to appeal and rights to properties and liberties not to be taking on the basis of an erroneous or distorted conception of law , rights to be free of violence ,and rights to live in peace , and fair hearing ,and free of unreasonable punishment ,

Defendant Noura El Ghazoini deceived petitioner to marriage scam and fraud on march 14 , 2019 ,on September 6 2019 petitioner found respondent Noura is over stayed visa, and she had a boyfriend and they knocking out plaintiff to have sex and drug ,and she get pregnant from her boyfriend Micheal Colombas while they knocking out plaintiff , Micheal Colombas sister is a police supervisor in jersey city , whom plaintiff found many time was trying to ambush petitioner to kill him or get me arrested ,and she was covering their crimes ,Plaintiff filed many police report but never forwarded to prosecutors or open investigation, not even writing the names of

conspirators in the complaint ,

Petitioner filed annulment in Hudson County on September 18,2019, till submitting this petition still pending, because of conspiracy of judges to conceal cause of action and cover their wrongdoing ,and delays to avoid appeal ,and torture plaintiff emotionally and financially for discovering their fraud and crimes ,and more violence ,and extortion .

Defendants Noura and her boyfriend Micheal Colombas and colombas sister police supervisor in jersey city and Somia El Ghazoini and her boyfriend Robert Gonzales Rodriguez police officer in new York city assaulted petitioner sexually after they knock him out on December 19,2019,(Pa17 police officer O'Connell report receipt says DV, sexual assault)and plaintiff had surgery for anal fissure (Pa 18,19),
Petitioner went to CITYMD in jersey city for sexual assault and dizziness and throwing out , and doctor Rohini called police after examined petitioner , and police officer O'Connell was the first officer showed up to the scene (PA17) , suddenly detective Prez and detective Travez showed up to the scene ,and they told to petitioner lets go to judge , and they took petitioner to west district police department in jersey city ,and they told to petitioner this names aren't exist , we are going to investigate and forward the complaint to prosecutor , but never did .CityMd refused to provide plaintiff with discharge paper till February 2021 and fake reason for visiting cityMD and said petitioner had urine problems . so why doctor Rohani called police? New jersey required sexual assault to be investigated and forwarded it to prosecutor ,but they never did .Micheal Colombas is a worker of Christ hospital

(Doctor or Nurse), defendant Noura and Micheal Colombas and judge Mantineo conspired in prior private agreement and faked DNA test on December 10,2019 in Christ hospital and they give it to judge Mantineo to give it judicial stamp to conceal cause of action and protect themselves from liabilities , and to deceive immigration,

Micheal Colombas was acting in scope of employment of Christ hospital , and his supervisors knows that Micheal Colombas was drugging petitioner to have sex with defendant Noura , and they involved in fraud of DNA Test to conceal cause of action ,and Micheal Colombas was using his sister as police supervisor to cover his crimes ,

Plaintiff hired Artusa law firm on September 30, 2019 , and paid him 2500 \$and Artusa didn't file letter of representation till January 2019 ,and new jersey law required attorney to drop of letter of representation in 10 days , and he conspired with judge Mantineo to delay the case ,

On February 2020 Petitioner moved to Brooklyn and rent a room in family house , defendants again send one drug dealer timothy Taylor and his step son Richard Taylor and rent a room in the same house ,and they conspired with landlord Kathrine Chung ,and they knocking petitioner out and they were faking evidences and defendant Noura was taking pictures that she still lives with petitioner to prove to immigration that she still lives with petitioner ,

On January 2020 petitioner fired Artusa and hired respondent Jeff Henninger law firm and signed retainer agreement with its attorney Ciro spina , plaintiff paid 2500\$, and Ciro spina intentionally was delaying the case again ,and he amended

the complaint without plaintiff consent and he involved in fraud and misrepresent of facts and submitted settlement agreement without plaintiff consent ,

defendant Ciro spina prepared settlement agreement and said that "litigant must submit motion for paternity in 30 days after of signing this agreement" (PA20) Petitioner found defendant Ciro conspired with defendant Noura and judge Mantineo and police not to submit DNA test motion ,and delay the case,

On January 16 ,2020 they knock out petitioner in best western hotel in Brooklyn and they steal plaintiff memory cards, because plaintiff recorded them in Atlantic city when they were knocking petitioner out , plaintiff went to 61 precinct and police told to plaintiff is private property you need subpoena ,Plaintiff went to court and they told him its covid 19 you need attorney ,

Petitioner went to Middlesex county in new jersey , and filed for protection order against defendant Noura to keep her out from stalking drugging and knocking out , on October 7,2020 we had online hearing with judge Andrea Sullivan , and Andrea Sullivan denied petitioner access to the online hearing , petitioner requested transcript and managed to pay for it ,and when petitioner get to Middlesex county NJ, the transcript agency told to petitioner you need to talk to judge or you need attorney ,intentionally to delay appeal and hide fraud ,

On December 14, 2020 we had in person hearing in front of Judge Andrea Sullivan , and petitioner had submitted evidences via JEDS one month before as required by NJ law , at the hearing judge Andrea Sullivan told to petitioner you didn't submit evidences in mail box , and petitioner told her "I did your honor via

JEDS and I have confirmation number “and she dismissed petitioner protection order based on no evidences submitted to mail box ,

Petitioner fired Ciro spina and moved to Goldstein law group on about august 2020 , and signed retainer agreement with its attorney Hillary brewer and paid 6500\$, Hilary Brower amended the complaint after petitioner asked her not to do ,and she misrepresented the facts ,and she submitted amendment complaint without petitioner signature , and she said “defendant Noura often left the house and slept in the hotel” and she added “plaintiff found defendant car in co-defendant drive way” and she added “...the address of co-respondent is unknown” (PA21,22) , intentionally and wonton to deceive how defendant Noura get pregnant ,petitioner fired Hilary Brower ,and moved to Mullen law firm On September 2020 and signed retainer agreement with its attorney Mullen Corrine and paid 2500\$,Corrinne Mullen called back to petitioner and said , “I’m not going to do that , I think this people are criminals” petitioner asked Mullen if they come to her ,and she said “yes”, and Mullen said “ I will give you your money back” but she never did , and petitioner called her many time and emails her many times, but she never answer ,

On September 2020plaintiff fired Mullen ,and moved to Thomas Vigneault law firm and signed retainer agreement and its attorney Thomas Vigneault and paid him 10000\$, Thomas intentionally and wonton was delaying the case ,defendant Thomas took 10000\$, and any time petitioner call him always his answer is “I’m In emergency call back or come back another time”

Plaintiff fired defendant Thomas and hired Paul Sica and paid 2000\$,and

asked not to amend the complaint ,and found Paul Sica was trying to fake statement that plaintiff knows defendant had a boyfriend and accept it , and plaintiff fired Paul Sica . any attorney petitioner hired must amend the complaint to fake and extort more money from petitioner. Petitioner moved and filed for pro se paternity motion .

On about December 2020 plaintiff hired defendant Townsend, tomaio& Newmark llc , and signed retainer agreement with its attorney Kevin Ku and paid 3500\$ and asked not to amend and he forced petitioner to amend the complaint to fake facts and to extort more money ,the first hearing with judge Mantinoe on January 14,2021 , plaintiff logged on online hearing ,and judge Mantinoe asked plaintiff to disconnect and she said "I don't need you online sir", (PA25,IT4-10)and Kevin Ku petitioner attorney said , "I don't need him ",(PA25,1T4-21)and Kevin Ku petitioner attorney after the hearing refuse to provide transcript to petitioner ,and Kevin Ku told to petitioner "you wouldn't be able to get ,")

Kevin Ku conspired with judge Mantinoe and other conspirators to withdrawn plaintiff pro se motion for paternity without petitioner consent intentionally and deliberately to prevent plaintiff from recording fact and legal theory for refusing paternity of the child ,

Plaintiff get transcript on august 2022 and found the online hearing on January 14,2021 judge Mantinoe said "are you gentleman want this on record or of record PA25 1T5-8-9" and Respondent attorney Leonard Cohen respondent Noura attorney said "better of"(PA25,1T5-10) and petitioner attorney Kevin Ku "said better off I have something to say"(PA25,1T511-12, Kevin Ku charged petitioner 10600\$ and was

helping judge Mantineo to commit fraud and crime fraud , Kevin Ku knows other were knocking out plaintiff in Brooklyn to fake evidences and destroy evidences ,and defendant Noura was taking pictures that she still lives with plaintiff to prove her faked application to immigration ,

Judge Mantineo signed order of paternity and she knows defendant Noura and baby didn't took DNA test , and she knows Micheal Colombas is the father of the baby , and seizure plaintiff money and properties , and put levy on petitioner account, and signed warrant arrest against plaintiff without probably cause , and based on fraud and crime she committed under color of law , and she kept plaintiff in the court since 2019 to extort his money and torture him financially and physically and she refuse to disqualify and she was delaying the case and she was signing orders and never send them to prevent plaintiff from appeals and play on statute of limitation ,and plaintiff has sustained injures due to judge lawless violence of orders,

plaintiff fired Kevin Ku ,and Kevin Ku changed his old law firm ,and his old office Townsend ,tomoia& Newmark llc still sending bill to plaintiff to pay 10600 \$which already paid , and still send plaintiff bills to pay , and plaintiff already paid their fees,

The court send first DNA test appointment on February 10,2021 ,plaintiff was living in Bensonhurst Brooklyn NY and there is two LabCorp branch near petitioner ,and defendants premeditated planned intentionally and wonton and conspired with LabCorp they were sending plaintiff to home crest in Brooklyn to jurisdiction of 61 precinct police department where defendant Robert Gonzales Rodriguez works as a

police officer to destroy petitioner spaceman , and defendant Noura and her boyfriend Micheal Colombas go down to jersey city LabCorp branch and send their spaceman with permission of Kevin Ku and LabCorp and judge Mantineo ,and west district police in jersey city and police 61 precinct in Brooklyn ,

On February 10,2021 plaintiff went and took DNA test and at the time when plaintiff took DNA test the LabCorp worker were running away from each other and took plaintiff in and out many times ,(petitioner has a witness)

On April 18 2021 plaintiff was in his girlfriend car waiting for his girlfriend and one drug dealer Dimitry Kolker friend of respondent police officer Robert Gonzales Rodriguez drove in wrong way and crushed petition girlfriend car as attempt to destroy girlfriend property and kill plaintiff and his girlfriend ,(PA36)

On April 30 ,2021 before the hearing start law clerk of judge Mantineo and respondent Kevin Ku send emails to petitioner said “judge want attorney only” see (see PA37,38)and they know defendant Noura and her attorneys will present ,after hearing of April 30, 2021petitioner asked Kevin Ku again to get him transcript ,he refused , and transcript agency refuse to provide petitioner with transcript , their answer is you need attorney, “a litigant has a duty independent of that of his or her attorney ,to follow the process of the case and to take action when a counsel does not” Sakun v.taffer ,268 III.App.3d,343,643,N.E.2d 1271(1Cir 1994) and judge Mantineo was taking this duty from petitioner by prevent him from access a hearing .

On august 2022 petitioner get transcript for hearing of April 30 ,2021 , and judge was asking for parties after law clerk of judge and kevin said judge want only

attorneys (PA28 ,2T3-5)and found defendant Noura and Baby didn't took DNA test and she said "her mailbox was broken" (see PA34,2T14-8), and when defendant Noura and her attorney defendant Leonard Cohen struggle to find reason why she didn't took DNA test judge Mantinoe said "mailbox", (see PA34,2T14-2) and judge Mantinoe said "mister Colombas wasn't tested and Bouazza tested on December 10 , " (see PA30 ,2T7-20-21-22-23-24)and Kevin Ku was present and petitioner was kept out of hearing ,and Kevin Ku refuse and failed to object that plaintiff Bouazza tested on February 10 not December 10" and kevin ku conspired to keep plaintiff out of hearing and defendant Noura and her attorney was present to fake record ,and prevent petitioner from hearing not to object, Kevin Ku knows that plaintiff is not the father ,and he knows Micheal Colombas is the father , and he keep sending plaintiff bills and keep committing fraud and crime and facilitate interstate crime against petitioner ,and Judge Knows respondent Noura didn't took DNA test

plaintiff objected to first DNA test result, and respondent judge Mantinoe refuse to release DNA test result as required by new jersey law (DNA result must be released to litigants in 10 days) (PA34,2T14,24025-26) ,the court in Hudson county NJ send another appointment for may 25,2021 , scheduled 10 am for plaintiff , and 12:30 pm for defendant to the same LabCorp branch as on previous appointment of February 10,2021 Brooklyn for plaintiff and jersey city for defendant Noura, petitioner asked respondent Kevin to change location for appointment of may 25,2021 and he refuse ,we asked judge Mantinoe to take DNA test in the same time and the same location she refused ,we asked judge Mantinoe to take DNA test in

courthouse she refused (PA33,2T13-8-9-10-12)(PA39), we asked Lula Johnson paternity agent in Hudson county NJ to change location she refuse

defendants and judge Mantineo conspired with LabCorp to send deferent appointment location and time to give opportunity to defendants to destroy petition spaceman and defendant and Noura and her boyfriend went down to jersey city and send their spaceman , petitioner found they faked baby birthdate in department of human service in Trenton NJ, and had a baby born on 2000 instead of 2020(PA40) ,respondent Kevin Ku said “we don’t have to correct it judge Mantineo agree to sign order isn’t your baby , and baby already passed 19 years old and you don’t have to pay child support ,but baby must be in your record”.

plaintiff took second DNA test on may 25, 2021 at 10:30 am (PA41) and in subpoena says petitioner took DNA test at 1pm pm (SeePA49),and petitioner provide American passport card and new York state ID as identification and to prove ethnics and race, and its been suppressed from subpoena intentionally to hide race ,

on about April 2021 petitioner hired Bradly &Coreale LlP and signed retainer agreement with it attorney Robert coreale and 2500\$ to file a criminal complaint against conspirators who assaulted plaintiff sexually on 2019 and still acting in conspiracy to conceal cause of action , and petitioner submitted all evidences police report and surgery reports and defendants Robert Coreale and prosecutor assistant conspired to suppression of evidences and respondent Jane Wiener told to plaintiff you didn’t submit evidences and we are going to investigate and we let you know , but never did ,

the court had hearing scheduled on Jun 21 2021 ,(PA53) and plaintiff fired Kevin Ku , and hired respondent brad Macklin , and the court postponed the hearing of Jun 21,2021 for not receiving DNA test , and they already receive it on Jun 3,2023 (PA54)intentionally and deliberately to bring new attorney to conspiracy .

petitioner subpoenaed LabCorp and asked for all DNA test and any information and document related to Bouazza Ouaziz (PA55-57), Stuhllmeller LabCorp agent returned subpoena under oath and notarized and there is only 10 pages of second DNA test of may 25,20221 in LabCorp stored information (PA42),and no first DNA test does petitioner took on February 10,2021 ,and LabCorp compared plaintiff paternity probability index to Caucasian people (PA43), and its says plaintiff took DNA test at 1 pm (PA49, petitioner took DNA test at 10:32am(PA41)and plaintiff passport provide to prove ethnics and race was suppressed , intentionally not to compare plaintiff probability index to his race and ethnics and plaintiff isn't Caucasian , the conspiracy of LabCorp to fake DNA test was the cause of crimes and interstate crime against plaintiff ,(PA62)

Richard Muglia attorney in Brad Micklin law firm informed plaintiff that there is no first DNA test in LabCorp , he said "may be they lost it". On august hearing 2021 defendant Leonard Cohen told to judge Mantineo "do you recall your honor , brad Macklin wasn't her , you told me I will take his money away", judge Mantineo was signing orders and she never send them intentionally to prevent plaintiff from discovering fraud, and to prevent plaintiff from appeal ,and play on statute of limitation ,Plaintiff asked brad Micklin attorney about judge orders ,he said "never

received any thing", (**PA64,65**)

Brad Micklin extort 18000\$ from petitioner , and he knows there is no first DNA test in LabCorp stored information ,and he knows DNA test was faked ,and he knows the other defendants are drugging plaintiff in Brooklyn , and refuse to provide plaintiff with orders to prevent plaintiff from appeal ,

defendant Noura and Micheal Colomabas and police 61 precinct in Brooklyn and west district police department in jersey city ,and judge Mantineo conspired knocking out plaintiff and his girlfriend and they telling to people plaintiff girlfriend is helping them , plaintiff and his girlfriend were living in 6floor 6d , and they were coming to 5floor 5d , and are using escape stair to knock out plaintiff and his girlfriend from the window to fake evidences and destroy evidences , and defendant Noura was taking pictures with plaintiff to prove to immigration that she still lives with petitioner ,

On about April 2022 Plaintiff hired Pasquale Marago law firm, and signed retainer agreement with its attorney Pasqual Marago and paid him 6000\$, since then never answered emails or phones and he refuse to uphold his retainer agreement and he refuse to return money to plaintiff ,

On about October 25,2021 Orlando ross from office of Yvette Clark Congresswoman 9th district in Brooklyn called plaintiff and said " your wife called asking for help with social security" , and plaintiff told him "I don't have a wife, and I'm in annulment since 2019", and Orlando ross said "her name is Noura El Ghazoini and she has the same address as yours and she called on your phone number" how

defendant Noura get to plaintiff phone number ?, and why she didn't call to her congressmember in new jersey?

Petitioner filed for motion to disqualify judge Mantineo on December 2021 and she denied any wrong doing ,On December 2021 on settlement hearing judge Mantinoe told to respondent Leonard Cohen attorney of defendants Noura get me the other things she meant Cross Motion to torture plaintiff financially and revenge for filing motion to disqualify judge Mantineo,

On February 2022 Plaintiff filed for motion to vacate orders based on fraud on the court ,and based on no first DNA test in LabCorp stored information and second DNA test is faked , and judge Mantinoe signed paternity order based on no existing DNA test ,and she told to plaintiff just give her the money you are going to get your money back some how ,

On February 26,2022 defendants judge Mantineo and LabCorp and Leonard Cohen and defendant Noura and Micheal Colombas and west district police department inn jersey city and 61 police precinct in Brooklyn conspired under color of law knocked out plaintiff in Brooklyn at 12 AM to duplicated DNA test after petitioner found no first DNA test in LabCorp stored information and filed for motion to vacate ,

judge Mantineo wasn't performing judicial act by conspiring to knock out plaintiff at 12 am to duplicate DNA test in Brooklyn , judge Mantineo was performing criminal act similar to gangs group and mafia organization, they conspired in prior private agreement to fake DNA test and the had defendant as plaintiff and plaintiff as

defendant (PA66),and they keep plaintiff in the court to torture him with crime and extort his money , private prior agreement to change the outcome of proceeding and keep plaintiff in the court for 4 years to torture him financially ,emotionally and more crimes ,Plaintiff filed a federal complaint on July 15,2022 and judge Mantinoe disqualified after plaintiff girlfriend submitted affidavit of witness ,and petitioner girlfriend showed up with plaintiff in criminal court in kings county as a witness ,

Defendant LabCorp in third circuit appeal failed to provide proof of first DNA test of February 10,2021 , LabCorp attorneys in third circuit appeal only submitted two lawless violence order of judge Mantineo signed on April 27, and 30 2021 ,(PA67) plaintiff was prevented from access that hearing on April 27,30 2021 ,and defendant and her attorney were present ,(PA37,38)

Defendant LabCorp compared petitioner probability index to Caucasian population , and plaintiff isn't Caucasian . how you going to know Obama is from Kenya if you don't compare his DNA test to Kenyan population ?, or by comparing his DNA test to Caucasian people ?(PA58) paternity suit raise doubt about DNA test /Washington post by tom jackman /august 21,2005, and see PIX 11 investigate calls round to reform fraud NJ family court (PA68)

On January 2023 plaintiff filed for second motion to vacate previous orders after found fraud on transcript , and transcript agency and defendants conspired to prevent plaintiff from transcript till filed federal complaint on July 2022, and defendants and her attorney submitted motion Rosenblum order ,

the court in Hudson county had a hearing on march 17,2023 in person , and

judge potters issued Rosenblum orders and he lied when did he assign to the case , judge potters writ on statement of reason and said “plaintiff subsequently filed two motions to challenging the court’s paternity decision . the first was motion for recusal of the HON. Maureen B. mantineo J.C.S., the judge then assigned to the matter” plaintiff filed only one motion challenging the paternity result ,and judge Gary potters didn’t assignee to the case till about February 2023 ,plaintiff filed motion to disqualify judge Mantineo on November 2021 and denied it , and till may 2022 judge Mantinoe was presiding over the case, judge potters lied ,and judge potters didn’t assign to the matter till 2023 one year and half after plaintiff filed to disqualify judge Mantineo, judge potters knows judge Mantineo was committing fraud and aid and abet crimes and she disqualified and her all orders are void and must be vacated ,

On October 20,2021 plaintiff filed protection order in kings county NY , and at the beginning we had honorable waterman , and Leonard Cohen and office of Yevette clerk in Brooklyn assigned judge Caroline to delay protection order against defendant Noura ,and obstruct subpoenas for camera footage from the building where they knocking out plaintiff to fake evidences ,

judge Caroline Cohen as NYC elected judge has no subject matter jurisdiction to hear protection order according to NYS constitution Art 6,12 Caroline Cohen moved the case from kings county to Richmond county to another support magistrate judge Gregory gieldman with no petition from petitioner or respondent to move the case ,support magistrate judge Gregory gieldman has no personal jurisdiction , and no subject matter jurisdiction according to NYS family act 439 and see the *matter of*

Rubino v. Morgan 203 A.D 2d ,698,609 N.Y.S (3 DEPT 1994) ,and plaintiff filed disqualification and objections and Gregory gieldman refuse to disqualify or return the case to kings county ,

On December 27 2022 defendant conspired and arrest petitioner falsely as retaliation and revenge for filing appeal to third circuit , and as attempt to keep plaintiff out of reaching federal court ,and to inform federal authorities about their crime under color of law to deprive petitioner rights and immunities secured by united state constitution , in the indictment dismissed on July 21,2023

Plaintiff filed federal law suit in united state court -district of new jersey (Newark),on July 17,2022 for deprivation of rights under color of law 42usc 1983,1985,1986, and Rico act and fraud ,and state claims for diversity plaintiff is new York state residents and defendants are new jersey and North Carolina residents ,plaintiff served some of defendant and issued waiver of service to attorneys and entities ,some of them returned waiver of service and some ignored and failed to return waiver of service , plaintiff managed and hired server and paid service of expenses to serve those who failed to return waiver of service ,after giving reasonable time according to Federal civil procedure 4(F)

On October 10,2022 we had a minute entry held by HON. Magistrate judge EDWARD Kiel , and magistrate judge well understood allegation in the complaint , and he said “some of your allegation are expired and are you welling to answer all motions to dismiss”. indication that the court understood allegation in the complaint

Plaintiff filed for motion requesting service of expenses from defendants who

failed to return waiver of service , and HON. Edward Kiel denied plaintiff motion requesting service expenses for not returning waiver of service according to federal civil procedure 4(2)

On December 2, 2022 the honorable district court dismissed plaintiff claim for sexual assault with prejudice for statute of limitation ,and statute of limitation for sexual assault in new jersey in 7 years , and plaintiff sexual assault occurred in December 19 ,2019, will expire on 2026 according to new jersey bill S477/A3648 signed on may 13, 2019 and took effect of December 1, 2019 NJ Stat .2A:14-2A,The district court dismissed claim against defendant judges and prosecutor assistant with prejudice who conspired to commit crimes against plaintiff , and conspired to interfere with plaintiff rights to appeal and due process clause and free of violence and rights to fair hearing and conspired to extort plaintiff money and properties based on fraud and crime fraud they committed ,and aid and abet crime , and conspired to suppression of evidences and prevent plaintiff from getting access to transcript ,and aid and abet knocking out to fake evidences and destroy evidences and to knock out to duplicate DNA test to conceal cause of action and refuse to disqualify ,and involved in prior private agreement to fake DNA test ,and conspiracy private prior agreement to fake DNA test and change the outcome of annulment proceeding to conceal cause of action,

the district court granted defendant CITYMD and Christ hospital motion to dismiss on the pleading , and dismissed plaintiff other claim without prejudice and 30 days to amend only on remaining claims ,Plaintiff didn't move to amend and stand

on his original complaint and to protect his rights for statute of limitation from running out and filed appeal on December 15,2022 , the third circuit accepted appeal and plaintiff submitted brief defending his claims and defendants submitted appellee brief , and the third circuit affirmed the district court order on October 24,2023 ,and plaintiff filed this instant petition to united state supreme court asking this honorable court to accept the petition and vacated the third circuit order,

REASON FOR GRANTING THE PETITION

his case presents to independent issues that satisfy the courts certiorari criteria .the third circuit conclude issues were controlled by its prior precedent , in the petitioner instances issues the prior precedent and all petitioner presented issues is a acknowledged conflicts with that of other circuits and the circuit its self and the supreme court ruling . Petitioner issues are important in the adjudication of frequently recurring constitutional claim which seeks to constrain government instruction of private life .the court should grant to shorter solve them .

1.Sexual assault in new jersey and statute of limitation is 7 years.

N.J. Stat. § 2A:14-2a:b.(1) Every action at law for an injury resulting from the commission of sexual assault or any other crime of a sexual nature against a person 18 years of age or older that occurred prior to, on or after the effective date of P.L. 2019, c. 120(C.2A:14-2a et al.) shall be commenced within seven years from the date of reasonable discovery of the injury and its causal relationship to the act.”

Accordingly petitioner claim for sexual assault occurred on December 19,2019 will expire on 2026 , and the district court dismissed plaintiff claim for sexual assault

based on 2 years statute of limitation . the district court said plaintiff didn't provide enough information about Micheal Colomabs . plaintiff had served defendant Micheal Colomabs properly and provide enough information about defendant Micheal Colomabs . who ?when ?where what ?and why he was acting under color of law , and under scope of employment and of Christ Hospital , and petitioner had provided enough to satisfy element of discovery rule included fraud , conspiracy misrepresentation of facts , trauma ,conspiracy to attempt to kill under color of law , conspiracy to stalking and spying , conspiracy to extortion , lawless violence of orders ,prevent plaintiff from access the court , using covid 19 as reason to keep plaintiff out of the court ,using criminals to commit crimes against plaintiff on their behalf ,

2. Dismissal of none frivolous complaint for 4 years of war zone crime is harsh penalty against plaintiff and conflict with third circuit rules and the other circuits rules and the united states supreme court ruling.

Plaintiff filed a federal complaint for conspiracy to deprive rights under color of law for 4 years of war zone crimes and 43 conspirators ,and fraud and Rico act , and State claims for diversity , and the complaint is 108 pages :12 pages for identification of defendants and jurisdiction ,and 28 page for facts65 pages for claims , and every day and every nights crimes , any conspirators petitioner discover , the new conspirator has to commit crime and fraud to conceal cause of action ,any attorney petitioner fired for fraud and crime has to interfere with plaintiff rights to conceal legal malpractice lawsuit , and its became beg because of conspiracy of defendants judges and police ,

the defendants in our instant case were complaining about the length of the complaint , (the respondents should complaint about their length of crimes four years of conspiracy and still going) some of defendant submitted answer and some of them submitted motion to dismiss and district order was very detailed about plaintiff allegation ,the honorable district court was very understood the allegation and the order and opinion issued on December 2/2022 well detailed about the allegation in the complaint , Far from viewing the amended complaint as unintelligible, the served defendants stipulated to its filing, and they then promptly answered it. Indeed, it is evident that defendants understood the nature of plaintiff bouazza 's claims even from his original complaint, for answering and filing a motion to dismiss, In light of defendants' demonstrated ability to understand plaintiff Bouazza,s complaint and to file answers to his pleadings, and in light of the amended complaint's statement of nonfrivolous claims, the district order conflicted with the third circuit prior proceeding and the third circuit order affirming the district court order conflict with its precedent rule and other circuits rules ,and conflict with the united state supreme court rules ,and plaintiff has asserted conspiracy to deprive rights ,conspiracy to fraud , conspiracy to extortion ,and Rico act ,and state claim for diversity “A case brought under the civil rights act should not be dismissed at the pleading stage unless it appears to certainly that the complaint would be entitled to no relief under any state of facts which could be proved in support of his claim .” Scher v. Board of education of West orange 424 F.2d 741,744(3rd Cir 1970), the third circuit and district order dismissing plaintiff complaint conflict with others circuits rules “dismissal is

not appropriate unless it is plain that the plaintiff cannot prove no set of facts that would support the claims in the complaint " Next century V. Ellis 318F.3d 1023(11th Cir 2003) ,

the seventh circuit ruled about the fats in the complaint and ruled that a complaint only can be dismiss if plaintiff cannot prove of set of facts entitled him to relief "but when the complaint adequately performs the notice function prescribed for complaints by the civil rule , the presence of extraneous matter does not warrants the dismissal "fat in the complaint cam be ignored" Benett v. Schmidt .153 F.3d 516.517 (7th Cir 1998) , the second circuit allowed the dismissal only if the court cannot understand allegation " if the trial court understood the allegations sufficiently to determine that they could state a claim for relief the complaint has satisfied rule 8" Kittay v Kornstein .supra ,230 F.3d at 541 .(2 Cir , 2000) "were plaintiff's confessed over drafting their only sin , we would be inclined the agree that dismissal was overly harsh penalty" Kuehl v. FDIC ,supra ,8 F.3d at 908 see also Simmons V. Abruzzo,49 F.3d 83,87(2d Cir 1995) ,indeed the punishment should be fitted to the crime, here only faintly blameworthy and entirely harmless." in our instant case the court order was very detailed about allegation in the complaint ,and some defendants answered and some defendants filed motions to dismiss ,and the court held minute of entry by magistrate judge , and none of them complained about frivolous , the fourth circuit also allowed dismissal only if plaintiff cannot prove no set of facts entitled him to relief. "A *pro se* litigant's complaint should not be dismissed unless it appears beyond doubt that the litigant can prove no set of facts in support of his claim that would

entitle him to relief'. *Gordon v. Leeke*, 574 F.2d 1147, 1151 (4th Cir. 1978). The district court order dismissing plaintiff complaint and the third circuit order affirming the district order conflict with united supreme court ruling and federal civil procedure rule 9 (b),as petitioner sued for deprivation of rights under color of law , and Rico act and extortion and state claim for fraud and legal malpractice and 4 years of war zone crime and 43 conspirators ,federal civil procedure rule 9(b), "To survive a Rule 12(b)(6) motion to dismiss, a plaintiff must plead sufficient facts to state a claim that is "plausible on its face." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)), Rule 9(b) states that "[i]n all averments of fraud or mistake, the circumstances constituting fraud or mistake shall be stated with particularity. Malice, intent, knowledge, and other condition of mind of a person may be averred generally.

"In appraising the sufficiency of the complaint we follow, of course, the accepted rule that a complaint should not be dismissed for failure to state a claim unless it appears beyond doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief.' *Conley v. Gibson*,355U.S41,45 46, 78 S.Ct. 99, 102, 2 L.Ed.2d 80 (1957)

"if the trial court understood the allegation sufficiently to determine that they could state a claim for relief the complaint has satisfied rule 8" *kittay v. Kornstein* ,supra,230 F.3d at 541(2Cir 2000) .Fed.R.Civ.P. 8(e)(1). Under the Rules' liberal pleading standards, a plaintiff must disclose sufficient information to permit the defendant "to have a fair understanding of what the plaintiff is complaining about

and to know whether there is a legal basis for recovery. " Ricciuti v. New York City Transit Auth.,941 F.2d 119, 123 (2d Cir.1991).The district court order indicate the plaintiff complaint is confusing ,and the court and defendants didn't mention anything about frivolous " "Dismissal ... is usually reserved for those cases in which the complaint is so confused, ambiguous, vague, or otherwise unintelligible that its true substance, if any, is well disguised." Salahuddin v. Cuomo, 861 F.2d 40, 42 (2d Cir.1988).the honorable district court order was very detailed about allegation in the complaint which put in place clear indication that the district court well understood the allegation in petitioner complaint.

the dismissal of the complaint was hardship penalty against plaintiff who tortured for 4 years under color of law , and the dismissal gives more courage to defendants to commit more crimes as retaliation and more crime to cover previous fraud and crime ,and still going till submitting this petition

3. judicial immunity and prosecutorial immunity:

when the judge deliberately terminated citizen rights and opportunity to appeal ,and conspired to crime and aid and abet crimes and refuse to disqualify when a law required him/her to do ,the chance to appeal is the most important because its provide a means of curing defects in any other due process violation, judge isn't immune for taking action that intentionally and plainly prevent further review ,error can be subject to appellate review, but extortion and conspiracy to knock out , aid and abet crime fake record and conspiracy to prevent petitioner from getting transcript hearing not to discover their fraud and crime fraud ,this violations aren't

amenable to appellate review ,judge aren't immune for conspiracy in prior private agreement to change the outcome of proceeding and to keep plaintiff in the court for more than 4 years to extort his money and torture him emotionally and physically and mentally for 20 days of marriage and to prevent plaintiff from appeal, Should a judge not disqualify himself, then the judge is violation of the Due Process Clause of the U.S. Constitution, and he/she is involved in interfering with interstate commerce judges aren't immune for conspiracy to knock out plaintiff on February 26 2022, at 12 am in Brooklyn to duplicate DNA test after plaintiff found no first DNA test in LabCorp stored information ,and filed for motion to vacate , "The right violated by an assault has been described as the right to be secure in one's person, and is grounded in the due process clause of the Fourteenth Amendment. *See Curtis v. Everette*, 489 F.2d 516 (3d Cir. 1973); *Johnson v. Glick*, 481 F.2d 1028 (2d Cir. 1973); *Reed v. Philadelphia Housing Authority*, 372 F.Supp. 686 (E.D.Pa.1974).and aren't amenable to appellate review ,

the right to a tribunal free from bias or prejudice is based, not on section 144, but on the Due Process Clause. *see United States v. Francischine*, 512 F.2d 827, 829 (5th Cir. 1975); *United States v. Farmer*, 512 F.2d 160, 162 (6th Cir. 1975), due process of course requires a fair hearing, *United States v. Foster*, 500 F.2d 1241, 1244 (9th Cir. 1974). It has long been recognized that freedom of the tribunal from bias or prejudice is an essential element of due process. *E. g., In re Murchison*, 349 U.S. 133, 136-137, 75 S.Ct. 623, 625, 99 L.Ed. 942, 946 (1955); *Whitaker v. McLean*, 73 App.D.C. 259, 118 F.2d 596 (1941); *Chessman v. Teets*, 239 F.2d 205, 216-217 (9th Cir.

1956), *vacated on other grounds*, 354 U.S. 156, 77 S.Ct. 1127, 1 L.Ed.2d 1253 (1957); *cf. Morrissey v. Brewer, supra*, 408 U.S. at 489, 92 S.Ct. at 2604, 33 L.Ed.2d at 499. , Should a judge not disqualify himself, then the judge is violation of the Due Process Clause of the U.S. Constitution. *United States v. Sciuto*, 521 F.2d 845 (7th Cir. 1996) ("The right to a tribunal free from bias or prejudice is based, not on section 144, but on the Due Process Clause."). Should a judge issue any order after he has been disqualified by law, and if the party has been denied of any of his / her property, then the judge may have been engaged in the Federal Crime of "interference with interstate commerce". The judge has acted in the judge's personal capacity and not in the judge's judicial capacity. It has been said that this judge, acting in this manner, has no more lawful authority than someone's next-door neighbor (provided that he is not a judge).

"when a judge acts intentionally and knowingly to deprive a person of his constitutional rights he exercise no discretion or individual judgment, he acts no longer as judge but as a minister of her own prejudice "Pierson v. Ray 386 U.S .547.568(1967), "not every action by judge is in exercise of his judicial function ...it is not a judicial function for a judge to commit an intentional tort even though the tort occurs in the courthouse "Yates v. Village of Hoffman estates, Illinois ,209 F.supp.757 (N.D.III.1962), defendant judges refuse to disqualify and was delaying the case not to appeal and fake record to affect appeal , and was signing orders and never send them to prevent plaintiff from appeal ,and not to discover their fraud and crime and play on statute of limitation to interfere with plaintiff rights,

"neutrality requirement helps To guarantee that life, liberty, or property will not taken on the basis of an erroneous or distorted conception of the facts or the law"

Marchall V. Jarrico ,Inc 446 U.S 238,242,100 S .CT 1610,64L.Ed 2d 182(1980)

.extortion is defend in black law dictionary 6 edition as "the obtaining property from another induced by wrongful use of actual or threatened force or fear, or under color of law of official rights ,any one try to enforce void orders then he would have personally aided and abetted a scheme of extortion and other criminal activity then he would involve in the unlawful act of racketeering in violation of 18U.S.C SECTION 1951"

judges conspired acted to prevent plaintiff from appeal , and conspired to extort petitioner hard made money based on fraud they committed ,and aid and abet crimes to conceal cause of action ,and fake record to affect appeal , and keep plaintiff out of hearing not to discover their fraud , and signing lawless of orders based on fraud and crime and never send them to prevent plaintiff from appeal ,and not to discover their fraud and crime, "the presence of malice and the intention to deprive a person of his civil rights is wholly incompatible with judicial function, when a judge acts intentionally and knowingly to deprive a person rights, he exercise no discretion or person judgement, he acts no longer as judge, but as a minister of his her Owen prejudice" Pierson .v ray 386U.S 547,586 (1967)"A judge act may be viewed as judicial unless the conduct in question was purely ministerial .ministerial acts involve obedience to instruction or laws instead of discretion ,judgement ,or skill" fuller v. truncale ,50 so. 3d 110 (2010)

In our instant case judge acting like the judiciary in effect is wielding a judge-made rule of law to limit constitutional rights turning the idea of constitutional supremacy on its head , when a judge acted as trespasser of the law the logical result of any sweeping immunity doctrine is the destruction of due process rights and free of violence ,In obvious tension with objective is that well founded damages suits promotes the public interest in compensating victims and deterring unlawful conduct see Harlow v. Fitzgerald 457U.S .,at 814,819(1982), and Barr v. Matteo 360U.S at 576 (1959). The Supreme Court has made it clear that the doctrine of immunity should not be applied broadly and indiscriminately, but should be invoked only to the extent necessary to effect its purpose. See Doe v. McMillan, 412 U.S. 306, 319-325, 93 S. Ct. 2018, 36 L.Ed.2d 912 (1973).¹⁴¹ We also must look beyond the status of the party seeking immunity and consider the nature of the conduct for which immunity is sought. See C. M. Clark Insurance Agency, Inc. v. Maxwell, 156 U.S.App. D.C. 240, 479 F.2d 1223, 1227 (1973); McCray v. Maryland, 456 F.2d 1, 3-4 (4th Cir. 1972); Carter v. Carlson, 144 U.S.App.D.C. 388, 447 F.2d 358, 362 (1971). More importantly, one cannot believe that the purpose of the judicial immunity doctrine—to promote "principled and fearless decision-making"—will suffer in the slightest if it is held that judges who conspired to knock out person on his house at 12 am to duplicate DNA test have no automatic immunity. and error can be corrected in appeal but conspiracy to extortion and conspiracy aid and abet crime and crime aren't amenable to appellate review, and judges in our instant case involved in preventing plaintiff from appeal,

Judges and defendants in our instant case conspired and faked DNA test to conceal cause of action , and they changed the title of annulment proceeding in Hudson county ,they had Noura as plaintiff and petitioner as defendant (plaintiff who filed divorce not respondent Noura), and they keep plaintiff in court to torture him financially and emotionally and more crime and involved in knocking out petitioner in February 26,2022 in Brooklyn to duplicate DNA test after found no first DNA test in LabCorp stored information , and involved in assaulting petitioner and his girlfriend to cover previous crime and previous fraud , and conspired to prevent plaintiff from appeal , 4 years of war zone crime of 20 days of marriage , because petitioner found fraud and crime and they conspired to torture plaintiff for exercising his rights to defend his interest and rights and liberties ,

Defendants judges conspired involved in prior private agreement in 2019 to change the outcome of annulment proceeding and conspired with police and LabCorp to fake DNA test , and keep petitioner in the court for more then 4 years to extort his money and torture him physically and mentally and emotionally and involved in preventing petitioner from appeal , 42USC 1983 protect every citizen from any violation of all rights, privileges , immunities secured by the constitution , and judge secret agreement to rule against a party ,prior to a judicial proceeding , violate the rights to a fair and impartial tribunal guaranteed by the due process clause of the 14 amendment , “proof of prior agreement between a judge and prosecutor would preclude claim of immunity because the agreement is not judicial act” Beard v. Udall ,648 F2d 1264,1270(9th Cir 1981). “ we conclude that a judge’s private , prior

agreement to decide in favor of one party is not a judicial act)Rankin V . Howard ,633F.2d 844,847(9th Cir 1980), and above all this they conspired to prevent plaintiff from appeal by delays , and extortion and fake records and sign lawless violence of orders and not sending them to play on statute of limitation ,“A party expects judicial impartiality in dealing with a judge , thus if a judge connives with one of the party to predetermine the outcome of judicial proceeding , the other party expectations are frustrated ,the underlaying purposes of the judicial immunity doctrine -principals and fearless decision making -is a factor that should be considered in determining whether a particular act is judicial .Rankin 633.F.2d at 847 (citing Gregory v. Thompson 500F.2d 59,63(9th circuit 1974), “when a state officer acts under a state law in a manner violative of the federal constitution he comes into conflict with the superior authority of that constitution , and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct , the state has no power to impart to him any immunity” Scheuer V. Rhodes ,416 U.S.232,94 S.Ct.1683,1687(1974) , NJ article 2C:30-2 official misconduct a public servant is guilty of official misconduct when, with purpose to obtain a benefit for himself or another or to injure or to deprive another of a benefit: A) He commits an act relating to his office but constituting an unauthorized exercise of his official functions, knowing that such act is unauthorized, or he is committing such act in an unauthorized manner or (b) he knowingly refrains from performing a duty which is imposed upon him by law or is clearly inherent in the nature of his office. Respondents judges conspired involved in extorting petitioner money and

sized his accounts and put levy on his account based on fraud and crime fraud they committed , and conspired to torture petitioner for discovering their outrage and exposing their violation and crime and fraud , and conspired to prevent petitioner from appeal , 4 years of war zone crime , every nights and everyday crimes and fraud and any conspirator petitioner discovered the new conspirator has to commit crime and fraud to cover previous crime and previous and similar to ISIS organization ,knocking out at nights and taking videos and photoshop day time to fake evidences and destroy evidences , judge Mantinoe signed order of paternity on April 30 2021 on none existing DNA test and she signed warrant arrest based on lawless violence of order and on fraud and crime fraud she committed , and she knows respondent Noura and baby didn't took DNA test ,and she knows Micheal Colomabs is the father of the baby , and she involved in preventing plaintiff from appeal and transcript and because of this lawless violence of orders petitioner sustained injuries .

state prosecutor will be absolutely immune from a § 1983 suit for conduct that is intimately tied to the initiation or presentation of a criminal prosecution, see, e.g., *Imbler v. Pachtman*, 424 U.S. 409, 430–31 (1976), but not for administrative or investigatory actions that are not taken as an advocate in a prosecutorial capacity. For these other sorts of actions, a prosecutor is entitled to only qualified immunity. See *Buckley v. Fitzsimmons*, 509 U.S. 259, 276–78 (1993) (qualified immunity for statements at press conferences); *Burns v. Reed*, 500 U.S. 478, 496 (1991) (qualified immunity for advice to police). Respondent Jane Weiner was acting as investigator, and she told to petitioner you didn't submit any evidences about sexual assault and

plaintiff had provide police report and surgery , and sexual assault in new jersey must be investigated , and the conspiracy of Jane Weiner was the cause of crime against petitioner and the interstate crimes against petitioner for more than 4 years

The lack of uniformity and clarity on this issue is intolerable. Federal pleading rules are supposed to be the same in every federal district court. But, as things stand, the fate of plaintiffs with identical meritorious claims may turn on where they live and whether they have complied with a requirement that the Federal Rules sought to abolish—a problem that is likely to disproportionately affect pro se and inadequately represented litigants. This Court should step in to grant plenary review, resolve the split, and provide much-needed authoritative guidance on this issue.

This case is an ideal vehicle to do so. There are no relevant disputed facts, and the dispute turns on a pure question of law. The defendant was fully on notice of the nature of the plaintiff's grievance because facts pled in the complaint were overwhelmingly about the adequacy of lactation breaks ("The complaint in this case appears to plead all of the facts necessary to support a claim that the [defendant] violated Bouazza's rights to a reasonable break time for civil rights as required ,

CONCLUSION

Petitioner asking this honorable court to accept this petition for writ certiorari.

respectfully submitted

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Dated :December 19,2023

Appendix 01

Appendix constitutional Provision and statuaries involved

42usc 1985(2)Obstructing justice; intimidating party, witness, or juror

If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;

(3)Depriving persons of rights or privileges; If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators.

42USC1986 Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented: and such damages may be recovered in an action on the case; and any number of persons guilty of such wrongful

neglect or refusal may be joined as defendants in the action; and if the death of any party be caused by any such wrongful act and neglect, the legal representatives of the deceased shall have such action therefor, and may recover not exceeding \$5,000 damages therein, for the benefit of the widow of the deceased, if there be one, and if there be no widow, then for the benefit of the next of kin of the deceased. But no action under the provisions of this section shall be sustained which is not commenced within one year after the cause of action has accrued.

18USC1961(1)“racketeering activity” means (A) any act or threat involving murder, kidnapping, gambling, arson, robbery, bribery, extortion, dealing in obscene matter, or dealing in a controlled substance or listed chemical (as defined in section 102 of the Controlled Substances Act), which is chargeable under State law and punishable by imprisonment for more than one year: (B) any act which is indictable under any of the following provisions of title 18, United States Code: Section 201 (relating to bribery), section 224 (relating to sports bribery), sections 471, 472, and 473 (relating to counterfeiting), section 659 (relating to theft from interstate shipment) if the act indictable under section 659 is felonious, section 664 (relating to embezzlement from pension and welfare funds), sections 891–894 (relating to extortionate credit transactions), section 932 (relating to straw purchasing), section 933 (relating to trafficking in firearms), section 1028 (relating to fraud and related activity in connection with identification documents), section 1029 (relating to fraud and related activity in connection with access devices), section 1084 (relating to the transmission of gambling information), section 1341 (relating to mail fraud), section 1343 (relating to wire fraud), section 1344 (relating to financial institution fraud), section 1351 (relating to fraud in foreign labor contracting), section 1425 (relating to the procurement of citizenship or nationalization unlawfully), section 1426 (relating to the reproduction of naturalization or citizenship papers), section 1427 (relating to the sale of naturalization or citizenship papers), sections 1461–1465 (relating to obscene matter), section 1503 (relating to obstruction of justice), section 1510 (relating to obstruction of criminal investigations), section 1511 (relating to the obstruction of State or local law enforcement), section 1512 (relating to tampering with a witness, victim, or an informant), section 1513 (relating to retaliating against a witness, victim, or an informant), section 1542 (relating to false statement in application and use of passport), section 1543 (relating to forgery or false use of passport), section 1544 (relating to misuse of passport), section 1546 (relating to fraud and misuse of visas, permits, and other documents), sections 1581–1592 (relating to peonage, slavery, and trafficking in persons), [1] sections 1831 and 1832 (relating to economic espionage and theft of trade secrets), section 1951 (relating to interference with commerce, robbery, or extortion), section 1952 (relating to racketeering), section 1953 (relating to interstate transportation of wagering paraphernalia), section 1954 (relating to unlawful welfare fund payments), section 1955 (relating to the prohibition of illegal gambling businesses), section 1956 (relating to the laundering of monetary instruments), section 1957 (relating to engaging in monetary transactions in property

derived from specified unlawful activity), section 1958 (relating to use of interstate commerce facilities in the commission of murder-for-hire), section 1960 (relating to illegal money transmitters), sections 2251, 2251A, 2252, and 2260 (relating to sexual exploitation of children), sections 2312 and 2313 (relating to interstate transportation of stolen motor vehicles), sections 2314 and 2315 (relating to interstate transportation of stolen property), section 2318 (relating to trafficking in counterfeit labels for phonorecords, computer programs or computer program documentation or packaging and copies of motion pictures or other audiovisual works), section 2319 (relating to criminal infringement of a copyright), section 2319A (relating to unauthorized fixation of and trafficking in sound recordings and music videos of live musical performances), section 2320 (relating to trafficking in goods or services bearing counterfeit marks), section 2321 (relating to trafficking in certain motor vehicles or motor vehicle parts), sections 2341-2346 (relating to trafficking in contraband cigarettes), sections 2421-24 (relating to white slave traffic), [2] sections 175-178 (relating to biological weapons), sections 229-229F (relating to chemical weapons), section 831 (relating to nuclear materials), (C) any act which is indictable under title 29, United States Code, section 186 (dealing with restrictions on payments and loans to labor organizations) or section 501(c) (relating to embezzlement from union funds), (D) any offense involving fraud connected with a case under title 11 (except a case under section 157 of this title), fraud in the sale of securities, or the felonious manufacture, importation, receiving, concealment, buying, selling, or otherwise dealing in a controlled substance or listed chemical (as defined in section 102 of the Controlled Substances Act), punishable under any law of the United States. (E) any act which is indictable under the Currency and Foreign Transactions Reporting Act. (F) any act which is indictable under the Immigration and Nationality Act, section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose) if the act indictable under such section of such Act was committed for the purpose of financial gain, or (G) any act that is indictable under any provision listed in section 2332b(g)(5)(B);

(2) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, any political subdivision, or any department, agency, or instrumentality thereof;

(3) "person" includes any individual or entity capable of holding a legal or beneficial interest in property;

(4) "enterprise" includes any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity;

(5) "pattern of racketeering activity" requires at least two acts of racketeering activity, one of which occurred after the effective date of this chapter and the last of which occurred within ten years (excluding any period of imprisonment) after the commission of a prior act of racketeering activity;

(6) "unlawful debt" means a debt (A) incurred or contracted in gambling activity which was in violation of the law of the United States, a State or political subdivision

thereof, or which is unenforceable under State or Federal law in whole or in part as to principal or interest because of the laws relating to usury, and (B) which was incurred in connection with the business of gambling in violation of the law of the United States, a State or political subdivision thereof, or the business of lending money or a thing of value at a rate usurious under State or Federal law, where the usurious rate is at least twice the enforceable rate;

(7) "racketeering investigator" means any attorney or investigator so designated by the Attorney General and charged with the duty of enforcing or carrying into effect this chapter;

(8) "racketeering investigation" means any inquiry conducted by any racketeering investigator for the purpose of ascertaining whether any person has been involved in any violation of this chapter or of any final order, judgment, or decree of any court of the United States, duly entered in any case or proceeding arising under this chapter;

(9) "documentary material" includes any book, paper, document, record, recording, or other material; and

(10) "Attorney General" includes the Attorney General of the United States, the Deputy Attorney General of the United States, the Associate Attorney General of the United States, any Assistant Attorney General of the United States, or any employee of the Department of Justice or any employee of any department or agency of the United States so designated by the Attorney General to carry out the powers conferred on the Attorney General by this chapter. Any department or agency so designated may use in investigations authorized by this chapter either the investigative provisions of this chapter or the investigative power of such department or agency otherwise conferred by law.

18USC1964(a) The district courts of the United States shall have jurisdiction to prevent and restrain violations of section 1962 of this chapter by issuing appropriate orders, including, but not limited to: ordering anyperson to divest himself of any interest, direct or indirect, in any enterprise; imposing reasonable restrictions on the future activities or investments of any person, including, but not limited to, prohibiting any person from engaging in the same type of endeavor as the enterprise engaged in, the activities of which affect interstate or foreign commerce; or ordering dissolution or reorganization of any enterprise, making due provision for the rights of innocent persons.

(b) The Attorney General may institute proceedings under this section. Pending final determination thereof, the court may at any time enter such restraining orders or prohibitions, or take such other actions, including the acceptance of satisfactory performance bonds, as it shall deem proper.

(c) Any person injured in his business or property by reason of a violation of section 1962 of this chapter may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee, except that no person may rely upon any conduct that would have been actionable as fraud in the purchase or sale of securities to establish a violation of section 1962. The exception contained in the preceding sentence does

not apply to an action against any person that is criminally convicted in connection with the fraud, in which case the statute of limitations shall start to run on the date on which the conviction becomes final.

(d) A final judgment or decree rendered in favor of the United States in any criminal proceeding brought by the United States under this chapter shall estop the defendant from denying the essential allegations of the criminal offense in any subsequent civil proceeding brought by the United States.

NEW JERSEY SEXUAL ASSAULT AND STATUTE OF LIMITATION

N.J. Stat. § 2A:14-2a **b.(1)** Every action at law for an injury resulting from the commission of sexual assault or any other crime of a sexual nature against a person 18 years of age or older that occurred prior to, on or after the effective date of P.L. 2019, c. 120(C.2A:14-2a et al.) shall be commenced within seven years from the date of reasonable discovery of the injury and its causal relationship to the act. **(2)** To the extent applicable, any action for an injury that occurred prior to the effective date of P.L. 2019, c. 120(C.2A:14-2a et al.) shall be subject to the provisions of subsection c. of section 1 of P.L. 1959, c.90 (C.2A:53A-7), as amended by P.L. 2019, c. 120(C.2A:14-2a et al.).

Nothing in this section is intended to preclude the court from finding that the statute of limitations was tolled in an action because of the plaintiff's mental state, physical or mental disability, duress by the defendant, or any other equitable grounds. Such a finding shall be made after a plenary hearing. The court may order an independent psychiatric evaluation of the plaintiff in order to assist in the determination as to whether the statute of limitations was tolled.

c.(1) Every action at law for an injury that is commenced pursuant to this section shall proceed on an individual basis, and not proceed on behalf of a class in a class action, due to the particular circumstances, source of injury and its discovery, and damages relating to each occurrence or occurrences of sexual assault, any other crime of a sexual nature, a prohibited sexual act as defined in section 2 of P.L. 1992, c.7 (C.2A:30B-2), or sexual abuse as defined in section 1 of P.L. 1992, c.109 (C.2A:61B-1) against either a minor under the age of 18 or a person 18 years of age or older. **(2)** Any private, contractual arrangement intending to settle claims for occurrences described in paragraph (1) of this subsection on a class basis is against public policy and shall be void and unenforceable.