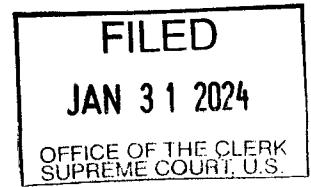


23 - 6667  
No. \_\_\_\_\_



IN THE  
SUPREME COURT OF THE UNITED STATES

Michael Townsend — PETITIONER  
(Your Name)

vs.

Deondre Esters, et. al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Sixth Circuit Courts of Appeals  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Michael Townsend  
(Your Name)

15752 Saint Marys Street  
(Address)

Detroit, MI 48227  
(City, State, Zip Code)

(586) 770-3309  
(Phone Number)

**QUESTION(S) PRESENTED**

1.) Did the tribunal court follow the constitutions, statues and/or common law upon request given by the Plaintiff to a jury trial (Due Process)?

Plaintiff: No

Defendants: Yes

2.) Did the tribunal court have Horace Mann pay all medical bills relating to auto accident prior to August 31,2021?

Plaintiff: Partially Yes

Defendants: Yes

3.) Did the tribunal court enforce DMCare Express, INC. A Michigan Corporation to provide the Plaintiff a copy of their liability insurance upon request?

Plaintiff: No

Defendants: No response

4.) Did the tribunal court try to coerce the Plaintiff to settle the lawsuit with Katherine Kuttkofsky on a three-way call on March 3, 2021?

Plaintiff: Yes

Defendants: Would say I settled.

5.) Did the tribunal court tried to mislead and enforce the Plaintiff with Elizabeth Rumery by falsify his rights to continuous treatment and surgeries?

Plaintiff: Yes

Judge: Yes, that's normal practice and he settled.

Elizabeth Rumery: Yes, that's normal practice and he settled.

6.) Did the tribunal force the Plaintiff to obtain an attorney for this case?

Plaintiff: Yes, on a Zoom call with many other attorneys.

Judge: Yes, on a Zoom call with many other attorneys.

7.) Did the tribunal court allow the Plaintiff to be heard whenever we spoke?

Plaintiff: No, whenever opportunities were there the judge would say she needed to say then hang-up really quick or intervene (Zoom Call).

Judge: Yes, she gave me opportunity to speak.

8.) Did the tribunal court judge act as an defense attorney (tresspasser)?

Plaintiff: Yes

Judge: No

## LIST OF PARTIES

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

All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

Stephen D. Campau  
DMCare Express A Michigan Corp.  
Horace Mann Property and Causalty  
Kathrine Ruttofsky  
Judge Patricia P. Fresard/State Of Michigan  
Seva Law Firm  
Elizabetha Rumery

## RELATED CASES

Shavers v. Kelley, No. 57916, 57935, 57931, 57934, 57916, Michigan Supreme Court. Judgement June 8, 1978

Zichichi v. Mull, No. 337043, Michigan Courts of Appeal. Judgement Apr. 12, 2018

Coleman v. Metro. Grp. Prop. & Ins. Co., No. 2:2018cv12030, U.S. Eastern District Court of Michigan. Judgement June 28, 2018

Sanders v. Allstate Ins. Co., No. 331946, Michigan Court of Appeals. Judgement July 30, 2017

McCormick v. Carrier, No. 136738, Michigan Court of Appeals. Judgement July 31, 2010

Kittle v. United States of America, No. 1:2019cv00172, U.S. District Court for the Northern District of Indiana. Judgement Apr. 19, 2019

Cooper v. Carmona, No. 342298, Michigan Court of Appeals. Judgement Feb. 14, 2019

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## TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
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Davis v. Wechsler, 263 U.S. 22, 24	
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Marbury v. Madison, 5 U.S. 137, 180 (1803)	
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NAACP v. Alabama, 375 U.S. 449	
Haines v. Kerner, 404 U.S. 519 (1972)	
Picking v. Pennsylvania Railway, 151 F.2d. 240	
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Cruden v. Neale, 2 N.C. 338 2 S.E. 70	
Hale v. Henkel, 201 U.S. 43 at 89 (1906)	
Redfield v. Fisher, 292 P 813, at 819 (1930)	
U.S. v. Throckmorton, 98 U.S. 61	

## STATUTES AND RULES

28 U.S.C. 2674 "Liability of the United States"
18 U.S.C. 241 "Conspiracy Against Rights"
5 U.S.C. 556 "Hearings; presiding employees; powers & duties; burden of proof; evidence; record as basis of decision"
5 U.S.C. 557 (c) "Initial decisions; conclusiveness; review by agency; submissions by parties; contents of decisions; record"
5 U.S.C. 557 (d)(c) (i-iii)"Initial decisions; conclusiveness; review by agency; submissions by parties; contents of decisions; record"
42 U.S.C. 1983 "Civil Rights Violations"
28 U.S.C. 2672 "Administrative adjustment of claims"
28 U.S.C. 1333 "Admiralty Jurisdiction"
28 U.S.C. 1332 "Diversity-Auto Negligence"
18 U.S.C. 2381 "Treason"
28 U.S.C. "Oath of Office"
28 U.S.C. 1346 (b)(1) "United States as defendant"

## OTHER

The Justices v. Murray, 76 U.S. (9 Wall.) 274, 278 (1870)
Chi., B. & Q. R.R. v. Chicago, 166 U.S. 226, 242-46 (1897)
See Time, Inc. v. Pape, 401 U.S. 279, 284-92 (1971)

IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

**OPINIONS BELOW**

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

The opinion of the United States court of appeals appears at Appendix A to the petition and is

reported at No cost from defendants; or,  
[ ] has been designated for publication but is not yet reported; or,  
 is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

reported at Denied for reconsideration; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

[ ] For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix C to the petition and is

reported at Denied for reconsideration; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

The opinion of the Lowest court appears at Appendix D to the petition and is

reported at Enforcement of \$30,000 with Horace Mann and othe defendants; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

## JURISDICTION

For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was Nov. 20, 2023.

No petition for rehearing was timely filed in my case.

A timely petition for rehearing was denied by the United States Court of Appeals on the following date: Nov. 20, 2023, and a copy of the order denying rehearing appears at Appendix A.

An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

For cases from **state courts**:

The date on which the highest state court decided my case was May 30, 2023. A copy of that decision appears at Appendix B.

A timely petition for rehearing was thereafter denied on the following date: May 30, 2023, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

The Fifth Amendment - "Right to Due Process"

The Sixth Amendment - "Right to Trial by yhat speedy and jury"

The Sixth Amendment - "Deficient Representation Under Strickland"

The Sixth Amendment - "Prejudice Resulting from Deficient Representation Under Strickland"

The Seventh Amendment - "Appeals from State Courts to the Supreme Court"

The 14th Amendment - "Equal Protection and Other Rights"

## STATEMENT OF THE CASE

Prior to the car accident I had filed for bankruptcy a few months before, but never had a court hearing and my bankruptcy attorney dropped the ball on my case until February of 2019. Then on May 21, 2018 I was rear-ended by Stephen D. Campau and Deondre Esters that were driving to DMCare Express office in their work vehicle as on their way to work were the state police were called and a report created. I went through physical therapy, had EMG done which was positive, MRI's that were found to have bulging discs in the cervical and lumbar spine. However, no MRI was done on my left shoulder or left knee. A lawsuit was filed against Horace Mann, Deondre Esters, Stephen Campau and DMCare Express.

There were depositions done, discovery and I signed documentation for them to get my medical records and whether I was on Social Security Disability for Diabetes, IBS without dirreha, Intestinal Bacteria Overgrowth, Hypertenion (Blood Pressure) and Diabetic Nerupathy. So, Joseph Falzon withdrew from my case because I had forgot to informed of the filing of bankruptcy and felt I was trying to hide something but I wasn't but just forgot to inform him that I had paid a bankruptcy attorney help me better my credit report after a divorce.

During that time I informed Joseph Falzon to take my case to trial after the evalauation was not appriate settlement for my substained injuries which is Constitutional Right. After the withdrawal of Joseph Falzon I had a Zoom call with Judge Patricia Fresard, and defendants attorneys on October 9, 2020. During that call I tried to express that I wanted to take it to trial but was not give the opportunity to do so but was told that I needed to find an attorney so I got Seva Law Firm, on February 4, 2021. But through emails I informed the court attorney Frances Yturri and defendants attorneys that I wanted to take it to trial. However, Judge Patricia Fresard and Elizabeta Rumery continue to try telling me that I was not entitled to future procedure and surgeries but was having many medical bills piling up damaging my credit.

So, all the emails of discussions with defendants attorneys were forward to Seva Law Firm on where I stood far as my case taking it to trial but Judge Patricia Fresard and Kathrine Ruttovsky called me on March 3, 2021 tried to corce me to settle but I was awaken out of an deep sleep after taking all my medications including pain medication. I told Kathrine to work with my case manager and learned that I had learned a dislocated left shoulder with damage rotator cuff, damage ligments in left knee, and tremors in my hands. After not given the opportunity to be heard on that phone and Zoom calls. Judge Patricia Fresard tried to enforce those settlements and disregard my Constitutional Rights to Due Process, Right to be Heard, and Right to a Jury Trial. I requested the federal courts to take over my case so I could invoked my Constitutional Rights to a jury trial but was denied by all the other courts and penalized by the Sixth Circuit Courts of Appeals to \$0 settlement.

## **REASONS FOR GRANTING THE PETITION**

I should be grant this petition because my Constitutional Rights were violated, not given the opportunity be heard verbally, I substained injuries by an ambalance employees when there were no emergency sitution but them not pay attention.

Nicole Davis and I paid Horace Mann for full coverage auto insurance in the State of Michigan by which is a binding contract to cover all medical expenses related to the auto accident. For Judge Patricia Fresard to try enforcing a judgement limiting my medical treatment by Horace Mann which it well over \$20 is not her right. However, she should have assigned date for the trial and then enforce what the jury would have granted.

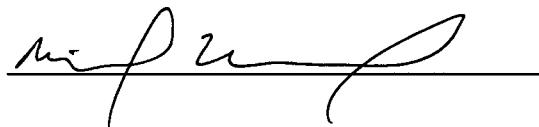
For Judge Patricia Fresard to represent the defendants and work with Horace Mann attorney (Elizabeta Rumery) in misleading, consiparcy and violated my Constitutional Rights then try to enforce it is unethical, unprofessional, very bias with my case and may have done this before to Negros, Afro-Americans and/or Black people in general.

This conclusion is based on many similar cases as indicated and unlisted or unpublished. However, Horace Mann should have paid me a minimum of \$300,000 for less injuries I sustained in many other cases. DMCare Express should have paid out the tort insurance policy once asked for this documentation since their employees caused the accident in their vehicle whether their tort insurance policy is \$1,000,000 or \$10,000,000. Deondre Esters and Stephen Campau should pay a minimum of \$800,000 each. I feel that the Statute of Limitation to file a lawsuit against Katherine Ruttofsky, Seva Law Firm and the State of Michigan on the behalf of Judge Patricia Fresard in an unnamed or combine amounts listed above.

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Murphy". The signature is fluid and cursive, with a horizontal line underneath it.

Date: January 31, 2024