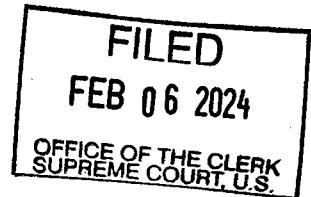


23-6821  
No. \_\_\_\_\_

IN THE

SUPREME COURT OF THE UNITED STATES

Enrique Diaz - PETITIONER  
(Your Name)



vs.

Oregon Department of Corrections - RESPONDENT(S)  
S. Washburn, et al

ON PETITION FOR A WRIT OF CERTIORARI TO

O. S 9th Circuit Court of Appeals

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

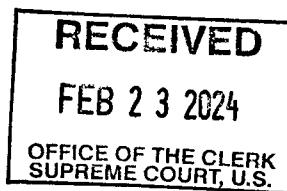
Enrique Diaz  
(Your Name)

111 Stanton Blvd  
(Address)

Ontario, OR 97914

(City, State, Zip Code)

\_\_\_\_\_  
(Phone Number)



QUESTION(S) PRESENTED

Was Plaintiff Enique Siaz transferred  
from O.S.C.I. to S.A.C.I. on  
July 19, 2023?

Did Plaintiff send the S.A.C.I.  
legal law library numerous property  
bills request to receive his legal  
property which he did not receive  
his legal property until three  
weeks after his transfer?

Did S.A.C.I. intentionally or  
unintentionally thwart Plaintiff's  
access to the court and keep  
his appeal from being successful?

In Plaintiff Enique Siaz's  
original case case number  
2:22-cv-00796-AT was a medical  
disciplinary fine ordered by H. West  
and signed off on by S. Washburn  
without evidence of an out-of-pocket medical  
expenses statement in the addendum Form 42.010  
that is part of information available  
regarding the cost of care for inmate.

## 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:

S. washburn  
H. Neill

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## TABLE OF AUTHORITIES CITED

### CASES

People v. Ramirez (Cal. 1979), 306 Pisoner  
 251 Cal. 3d 260, 158 Cal. App. 3d 118  
 310, 599 P.2d 622, 627 (Cal. 1979) (Mann 1)  
 Cruz-Bravo v. Rivera-Montanez,  
 212 F.3d 611, 622 (1st Cir. 2000)  
 Maldonado Santiago v. Velasquez Garcia  
 821 F.2d 822, 827 (1st Cir. 1987)

### STATUTES AND RULES

Warren v. City of Athens, Ohio  
 411 F.3d 697, 710 (6th Cir. 2005)  
 5th and 14th Amendment of the U.S.  
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 Process of Law.

2nd Amendment of the U.S. Constitution  
 For Protection Against Impeding Access  
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### OTHER

Foster v. Hughes,  
 979 F.2d 130, 132 (8th Cir. 1992)  
 Sacramento v. Lewis,  
 523 U.S. at 846  
 Fogle v. Pisoner, 435 F.3d 1252, 1254-59  
 (10th Cir. 2006) Bent. Brief, 549 U.S.  
 1059 (2007)  
 Akins v. U.S., 204 F.3d 1086, 1089-90  
 (11th Cir. 2000) Akins, 204 F.3d at 1090.

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 Appendix A; 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 Appendix B; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

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

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

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

The opinion of the \_\_\_\_\_ court appears at  
Appendix \_\_\_\_\_ to the petition and is

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

## JURISPICTION

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

the date on which the United State Court of Appeals decided my case was  
12/19/23.

No petition for rehearing was timely filed in my case.

[ ] A timely petition for rehearing was denied by the United Stat s Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

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

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

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

The date on which the highest state court decided my case was \_\_\_\_\_, A copy of that decision appears at Appendix \_\_\_\_\_.

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

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

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

5th And 14th Amendment Right  
of The U.S Constitution For  
Protection Against Due Process of  
Law.

2nd Amendment Right of The U.S  
Constitution For Protection Against  
Impeding Access To The Court.

### STATEMENT OF THE CASE

My money was taken off my books in the amount of \$ 542.19 which I was never allowed a fair hearing as the Oregon Department of Corrections postponed my disciplinary hearing for this medical disciplinary fine which caused confusion and lack of understanding in which this case was dismissed which I was trying to appeal this case timely in which the Oregon Department of Corrections thwarted my access to the court in which I was transferred institutions and when I finally reached my institution it took the Oregon Department of Corrections three weeks to bring my legal property to file my appeal for this case.

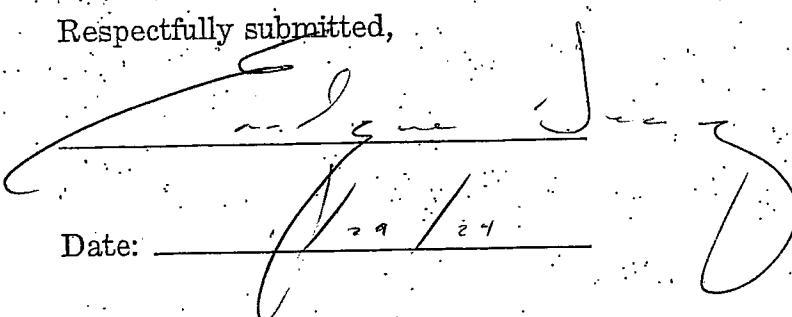
#### REASONS FOR GRANTING THE PETITION

That this was a matter outside of my own actions and control and I ask that this late appeal be excused or postponed as it would otherwise been timely filed as I was transferred to another facility and was unable to get my legal materials from correctional staff for three weeks after my transfer in which I only had 30 days to file which the other weeks delay was contributed to awaiting a mail out and that being delayed by the legal library at that institution by taking the law library staff a whole week to show up for a mail out.

## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Doe".

Date: 1/29/24