

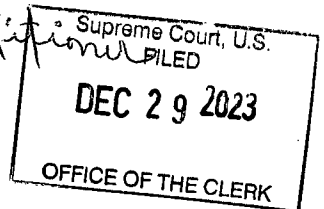
23-6882
In The

United States Supreme
Court

ORIGINAL

Mr. Steven Brown
N84576

Appellee, Petitioner



V.s

Kim Larson et al

Defendant, Appellant

Petition for A
Writ of Certiorari.

In The
United States Supreme
Court

Mr. Steven Brown
N84576

Appellee, Petitioner

v.

Kim Larson et al.

Defendant, Appellant

Appeal From the United States
Court of Appeals Seventh
Circuit NO: 22-2672

219 S. Dearborn Street
Chicago, Illinois. 60604-1674

Mr. Steven Brown N84576
Pro-Se Petitioner
Danville, C.C.
3820 East Main St
Danville, IL 61834

Question(s) Presented

1. Defendants Fail to get Plaintiff Medical Treatment
2. Defendants Denial of the Minimal civilized Measure of life Necessities, in the medical context.
3. Defendants Ignoring Serial Request Slips for medical Treatment
4. Defendants Delayed and Denie - Carpes Hospital Schedule Appointments - also Surgery was Denie.
5. Plaintiff was Denie Assistance of Counsel to properly "Investigate" Witness, get Sworn affidavit from Doctors, Nurses
6. Plaintiff was Denie Sunglasses - For Protection of ~~this~~ Eye.
7. Plaintiff was Denie Leniency by the District Court's - under Pro-Se Litigant...
8. District Court "error" in Not addressing motion For Assistance of Counsel - because the Complexity of this case.

In The
United States Supreme Court
Washington D.C. 20543

Mr. Steven Brown

Appellee, Petitioner

Kim Larson et.al ^{v.} Defendant, Appellant

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Point of Authorities 42 U.S.C. § 1983 Feb R.P. 8(a)(2)

Scheuer v. Rhoads 416 US 232, 236, 94 S Ct 11683

Gomez v. Illinois State Board of Education 811 F 2d 1030

Corcoran v. Chicago Park District 875 F 2d 609, 611

Farmer V. Brennan 511 US 825-832. 114 Sct 1970
Edward V. Snyder 478 F 3d 827
Estelle V. Gamble 429, US 97-97 Sct 285.
Thomas V. Nothnagel 888 F 2d 1202 (7th, 1989)
Flemmer 107 F 3d at 461..
Gatz 64 F 3d at 114
Antonette V. Sheahan 81 F 3d 1422, 1427 (7th 1996)
Hughes V. Rowe 449 U.S. 5.9.
Gore 517 US at 575- 116 S. Ct 1589
James V. Pennewell Vs - James Parish 923 F 3d
484 (7th 2019).
Eli 889 F 3d 320, 328
Henderson V. Ghosh 755 F 3d 559, 566 (7th 2014)
Bruno V. Daley 414 F 3d 645, 658 (7th 2005)
Jackson V. City of McLean 953 F 2d 1070, 1073
(7th Cir 1992).
Dewitt V. Corizon inc 760 F 3d 654, 658 (7th 2014)

Jurisdiction

Plaintiff S. Brown contends that his Eighth and Fourteenth Amendment of the United States Constitution was Violated, by the Defendants under Deliberate Indifference, 8th, 14th Amend U.S.C.A

also under Fed Rule 28 USC 42, USC 1983 Civil Complaint. 28 USCA § 1915 (e) (1).

also Petitioner Pray that this United States Supreme Court accept this Writ of Certiorari under Rule 10-14, Rule 29, Rule 39.

Plaintiff Contests the Eighth and Fourteenth Amendment of the United States Constitution requires that a Prisoner be "housed" under Humane Conditions and provided with "Adeq" Adequate Food, Clothing Shelter, and medical care, ... Farmer V. Brennan 511 US 825-832. 114 S Ct 1970...

Statements of Facts

Plaintiff Steven Brown Pro-Se States he became Blind in his right eye around December 10 or 12 2019, And Immediately alerted the Defendants several times in this month and years of December 2019 also January 1, 2020 to January 7, 2020. They fail to respond to a Emergency Request. But on Dec 18, 2019 a Nurse call - Plaintiff S. Brown to the Health care and ask what was the problem. I (SB) Explain that my Right Eye had become Blind, and because of it i was having Panic attacks in Fear of the left Eye going Blind.

This Nurse told Brown that she will tell the Eye Doctor "Personally" (Dr. E. Moore) that i was having Eye Blindness (the Nurse used the word "Personally" This Nurse Did Not administer any medication, Nor did she Look at Plaintiff Eye. She did not advise Plaintiff to do anything, there were No medical Treatment at all. ... of any kind... On that day, and every Day after becoming Blind (that I) Brown sent Requests slips to the Eye Doctor (E. Moore) also to the Then Assist Warden K. Larson, Requesting Emergency medical Treatment for a Blind Eye.

But it was around the Holidays and the Assistance Warden K. Larson and the Eye Doctor E. Moore was too busy doing "Christmas Shopping", and the New Year was right around the corner - along with the Assistance Warden K. Larson Promotion Too: Warden:

No Time for Brown and his Blind Eye, Brown can wait until the Holidays are over, I'm being Promoted (Edward V. Snyder 478 F 3d 827).

Plaintiff S. Brown Finally Did go to Carle Hospital on January 13, 2020, After the Holidays, and was Diagnosed with Cataract in the Right Eye.

Plaintiff was Schedule for Surgery's an Appointments from February 2020 to Sept 30, 2020 - But was Denied these Schedule Surgery's - an or Appointments by the Defendants, They Blame it on Covid-19. - Covid Did Not reach Illinois until "Mid March of 2020. So For, the more Twenty Eight days (28) of Denial - too Medical Treatment was a Deliberate Indifference (Estelle V. Gamble 429 US-97 - 97 S Ct 285).

The Defendants Fail to get Plaintiff Brown to Schedule Surgery's and/or Appointment Did cause Pain & Suffering along with a "Permanent Blindness to Plaintiff right Eye." according to Carle Hospital.

The Denial - Delays - Miss Surgery & Appointments

1. February 24, 2020 - The Defendants Fail to get Plaintiff to Carle Hospital
2. April, 2020 The ~~Def~~ Defendants Fail to get Plaintiff to Surgery or Schedule Appointment
3. June 2020 " " " " "
4. Sept 20 20 " " " " "
5. Sept 20 20 "Twice" " " "
6. Sept 30, 2020 Plaintiff was given Surgery

The Defendant claim these Delays and miss Appointment was cause, by Covid-19, Security. But the True Facts is that the Defendants Fail to Administer "Eye Medication" Several times, there were No Covid-19 in Illinois in February 2020. This was a Dereliction of Duty and was a Disaster that Equal a Deliberate Indifference to Medical Treatment.

Plaintiff Brown Did mention Earlier that he was falling up and Down Stair's, walking into Door's Difficulties in measuring the Distance, also having Panic Attack's, Difficult in Concentration.

Arguments For Relief

The Defendants "Did" refuse to supply medication to Plaintiff Brown's "Eye" also they shift the blame to Carles Hospital, Carles Hospital is NOT responsible to protect Plaintiff Brown Eye. Once Plaintiff Brown was determined to have Cataract in the Right Eye, Danville was obligated to protect Prisoner Eye from further harm. (See motion on - Furtherance of Denial - Filed April 27, 2020).

Plaintiff Did request for a second opinion of his Eye, after being told that he may be permanently blind in his right Eye. Because the Defendants fail to get Plaintiff to Carles Hospital for surgery and appointments (quote Dr Cham at Carles Hospital) Plaintiff was denied this second opinion, even after filing a Grievance.

Plaintiff Did file a motion for Discovery and a motion to compel the Defendants. But this motion "wasn't" answer by the District, until Summary Judgment order - this was error. This was a clear Violation of Plaintiff Fourth (4th) and Eighth (8th) Amendment of the United States Constitution.

Plaintiff Brown contends that the Defendants motion For Summary Judgment should not have Granted. Brown states that could ~~pro~~ prove all sets of facts that would support his claim for relief. (Thomas V. Nochttrieb 888 F 2d 1202 (7th 1999) Flenner, 107 F 3d at 416) Gatz 64 F 3d at 114 - all well Plead facts are assumed to be True..

Denial Leniency

Well Established in the Seventh Circuit is a Pro-Se Litigant plead must be Liberally Construed and is Entitled to Less Stringent Scrutiny than those prepared by Counsel (Donald V. Cook County Sheriff Dept 95 F 3d 548, 555 (7th 1996) - But once this United States Supreme Court Read - the District orders - it will ascertain, that these Courts, kept Telling Brown what he did not do, as For Filing Motion, and Exception ~~the~~ to the Rule, making Objection, Arguments in the Appeal - in the 7th Circuit of Appeals

IT is by Now Axiomatic the District Courts have a Special Responsibility to Construe Pro-Se Complaint Liberally (See Antonelli V. Sheahan 81 F 3d 1422, 1427 (7th 1996) A Complaint Drafted by a Pro-Se Litigant However Inartfully Plead is Held to Less Stringent Standard than Formal Pleading Drafted

by Lawyers; Quoting Hughes V. Rowe 449 U.S. 5.9.
101 S Ct 173

Notification to Defendants

Plaintiff Brown contends in (Gutierrez V. Peter III
F 3d 1214 - This Plaintiff submitted ~~a~~ Nine request slips, To
get seen, then later he submitted thirteen, all these request
slips was at Danville C.C. Again Danville has a propensity
of Ignoring your request slips.

Plaintiff S.B. Do have Exhibit from Danville C.C. Health
Care Unit stating that they will not supply sunglasses to
protect this Plaintiff Brown Cataract Eye. Plaintiff contends
that you can call "any Optometrist" to testify that Once
you have Cataract you should protect the Eye with
some type of Sun Blockers.

Danville Choose to Blame Carle Hospital for not
giving me there sunglasses before my Surgery. Danville
Did not safe sunglasses on Commissary, so Plaintiff Brown
Could Not buy any Protection or get protection From the
Sun each time he went outside - that means No yard,
Sometime No Chow or Food - because of the Sun

Sworn to: Penalty of Perjury

Plaintiff Brown Did Swear under the penalty of Perjury Two Both District Court that his Civil Complaint, Petition motions, Grievance, Statement, Exhibits are true and Factual Proof, That these Things Did happen to him (SB) while in the Defendants Custody - and Swear to this Court of the United Supreme Court the Same?

Plaintiff (SB) will bring to bear witness that will testify the Defendants Denial and Delay's has cause Plaintiff Harmful Damage to the Right Eye, and possible cause permanent Blindness to Brown's Eye, because of there Failure to protect Brown's Eye from the Sun UVA and UVB Rays for not supplying Sunglasses once Brown was Diagnosed of having Cataract in the Eye.

Plaintiff contends that there is a Doctor Cham who is a Eye Doctor at Carle Hospital who will attest to the Defendants Failure to keep his "Schedule Appointments ~~for~~ Schedule Surgery's because the Defendants fail to supply Eye medication. And ^{NOT} because of Covid 19 Delays or Security Reasons - "Mask was issue" For Covid, and Brown was not a Escape Risk" Brown had a Low Security Clearance

Dr Chan stated too Brown - that is "Quoting Dr Chan) Brown would have receive Surgery Back in Feb, or March, April, April, June, 2020 he would probably, Be Seeing out of his Right Eye Today (Quoting Dr. Chan) But the District Court's Said this is Hear Say and Brown Should have Said that this is Exception to the Rule, But Brown do not know of any Exception to what Rule's He know that a Lawyer Should have been Appointed to Combat with the ~~Coffex~~ Complexity of his case, and allowed this Lawyer to Investigate ~~Witness~~ get affidavits at Court

Dr Chan also went on to say because of the long Delay this may have cause a Dimple in the Eye... Too: Deteriorate from possible UVA and UV, B of the Sun Ray (This is How Dr Chan Drew it up for Brown

The Dimple in your Eye.

1. —V— This is a Dimple = Good in January 2020
2. —v— This is a Dimple = Not So Good in Sept 2020

Plaintiff Brown contends the Reprehensibility by the Defendants Misconduct and the Lack to Responed is a Serious Risk of Harm Causing a Deliberate Indifference. v
Gore 517 U.S at 575 - 114 Sct 1589

In James V. Pennewell Vs James Parish
923 F 3d 486 (7th Cir 2019) The Plaintiff became Legally
Blind while Incarcerated, Brought a Pro-Se 1983 action
against Prisoner officials, alleging that they were
Deliberately Indifferent, in Violation of Eighth
Amend. The Court Grant Summary Judgment, Plaintiff Appeal
(Reversed and Remanded)

1. District Court abused its Discretion by
failing to give prisoner request for Counsel
Particularized Consideration
2. Prisoner was prejudiced by District Court
error's.

Plaintiff Brown Also States that he was prejudice
by District Court Not Consideration of Counsel (See
motion on Reconsider attached to this Appeal,) 28 U.S.C.A
1915 (e) (1)

Plaintiff Brown will respectfully request this
Honorable Court of the United States Supreme Court to
grant this Petition, because Brown has suffer a
Egregious Ruling. and his Constitution has been
Violated By the Defendants, That Plaintiff Brown
be allow to proceed too: Trial too present his case
To a Jury.

Conclusion

The Defendants Owed a duty to this Plaintiff (SB) That the Defendants Breached that Duty and that breach was "Proximate" Cause of the Plaintiff Injuries

Prison officials Violated the Eighth Amendment Under the United States Constitution Proscription against Cruel and Unusual Punishment, when their conduct Demonstrates "Deliberate Indifference" To serious medical needs of Prisoner's "Estelle V. Gamble 429 U.S. 97, 104. 97 Sct at 285.

Considering all of the above Brown find that the district courts abused its discretion by Failing to give Brown request for counsel particularized Consideration

The District courts failed to address the Difficulty presented by Brown's Claims, which involved proving a culpable State mind of several medical professionals Security personnel, and prison policymakers. Brown Complaint indicates that he received "NO" treatment until Sept 30, 2020. Putting him in a untenable Evidence and abstruse ~~and~~ position of Unearthing Evidence that a Substantial Departure from accepted medical Standards (Eli 889 F 3d 320, 328

citing Henderson V. Ghosh 755 F 3d 559, 566 - 7th cir
2014); Greeno V. Dufey 414 F 3d 645, 656 - 7th cir 2005
Jackson V. City of McLean 953 F 2d 1070, 1073) 7th cir 1992

Plaintiff Brown Complaint also involve complex medical issues including Possible retinal Detachment Macular tears, Vitrectomy, Artificial Lens implants Cataract Surgery, Stent Surgery, Brown informed the District Courts that Discovery would be Especially Difficult because the Defendants had already engaged in uncooperative behaviors (Dewitt V. Coryon inc 760 F 3d 454, 458) 7th 2014

The District ~~court~~ Courts abused its discretion by failing to address Brown's Challenges "as a Blind" and indigent prisoner with only a High School Education and No Legal Experience, Faced in being able to Investigate crucial facts and Depose witness, Doctors, and other allegedly "resistant" prison personnel

A appointment of Counsel would have Remedied these Deficiencies, and a Counsel would have made a difference in the Outcome of the litigation. Not to mention Brown's Allegation is "True"

Plaintiff Brown states he went to school to become a "Electrician", Plaintiff Know's about wire's and Voltage, Amps, Resistance Field's, Pipe Binding, and what gage of wire is Measure inn:

Plaintiff also Served in The United States Marine Corp - he Joint the Military in 1975 and was Discharge with a Honorable Discharge a Few years Later...

Plaintiff Brown is "NO" match for the Defendants Lawyer's - The United State Attorney General, and A Law Firm - Brown Hay + Stephens - Est 1828.

Plaintiff Brown still does not know if the Arguments in this Appeal are fitiganted properly or enough, and still will respectfully Request a Counsel for Assistance that Refry may be Granted

Respectfully Submitted

Dec 29, 2023

P.S.

Please See
attached Exhibits

Mr. Steven Brown N84576

Danville. C.C.

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