

23-6967

No. _____

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED

FEB 20 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Victor Chen — PETITIONER
(Your Name)

Commissioner Ashwin Vasan, ^{vs} New York City Department of Health; Director Christopher Wray, Federal Bureau of Investigation — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Second Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Victor Chen
(Your Name)

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(City, State, Zip Code)

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QUESTION(S) PRESENTED

(next 2 pages)

Dec. 19, 2022, 12:55 a.m. & 7:30 a.m., retyped Oct. 30, 2023

(This was attached to a letter to
Prime Minister Rishi Sunak.)

Questions for a queen

Victor Chen
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1. Elizabeth II's "death" at age 96 was announced Sept. 8, 2022.
2. I did not suspect any crucial part she had played in my family's and my lives until some articles and stories referring to the British royal family in *The New Yorker* toward the end of the Bicentennial year, 1976.
3. By 1980, I saw my history as deriving from a U.S. Presidential-British royal union that began under Franklin Roosevelt. At Charles and Diana's wedding July 1981, Elizabeth appeared in one *New York Times* photo with Nancy Reagan, half-turning away in dark glasses as if in shame for the heavy sexual abuse of me at the Bicentennial.
4. When Britain began pumping North Sea oil, Elizabeth was shown on American TV pushing the button so that dark-oil began flowing through a spiral glass screw-like pipe.
5. By 2005, I was convinced that all I and my family had gone through, including the deliberate homicide of my mother in 1964, had ultimately been the responsibility of *The New Yorker*, Oxford University, and Elizabeth II. I named the three in *Chen v. NewYork-Presbyterian et al.* A lookalike for my brother Lincoln with hat off appeared on West 100 St. Perhaps Lincoln had accepted some royal death warrant for Mother in 1964. My neighbor Karen Wallman—my "Elizabeth"—crossed West End Avenue in a striped shirt hauling dry cleaning on her back: it has later been impressed on me that British Conservatives received special, financial responsibility for Mother's abuse and death—not just Democratic FDR or Presbyterian Republican Henry Luce.
6. Bruce Van Wyk introduced me to ~~Ex~~ in 1973: a city worker and Oxford graduate and one-time *London Times* person. In 1981 I began to see Elizabeth II as responsible for the sexual abuse of ~~Ex~~ and me.
7. 9/11/2001 events raised special questions of Elizabeth's possible responsibility. ~~So did Lincoln and Marty's and Greg's deaths.~~ I began to ask this aloud after Elizabeth's "death." Could she be brought back to life to answer for herself?

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LIST OF PARTIES

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

[x] 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:

- Charles R. Steinman, M.D., New York-Presbyterian Hospital, 622 W. 168 St., NY, NY 10032
- Messrs. Wallace and Allen Shawn
- The Carlyle, Madison Avenue and 76th St., Marlene Poynder, managing director, New York, NY 10028
- Yale University, Office of the Counsel, 2 Whitney Ave., 6th floor, New Haven, CT 06510
- Harvard University, Office of the Counsel, 1350 Massachusetts Ave., Cambridge, MA 02138
- Oxford University, Professor Irene Tracey, vice-chancellor, Clarendon Building, Broad St., Oxford OX1 3BG, UK
- United States of America, Merrick Garland, Attorney General, 950 Pennsylvania Ave., NW, Washington, DC 20530
- United Kingdom of Great Britain and Northern Ireland, Westminster SW1A 0AA, London, U.K.

RELATED CASES

- The historical absence of a constitutionally required Congressional declaration of War in either Korea or Vietnam.
- Warren Commission Report, with appendices, 1964
- United States v. William L. Calley, Jr.*, 1973
- The fragmentary findings ("probable conspiracy," and so on) of the House Select Committee on Assassinations, 1978, 1979
- "37 Who Saw Murder Didn't Call the Police; Apathy at Stabbing of Queens Woman Shocks Inspector," *New York Times*, Mar. 27 [?], 1964; also see Appendix D, "'Kitty Genovese,' Real Memories, Recent Realizations."

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

(See the Related Cases under the List of Parties, and:)
the Plaintiff's books, especially
The Age of Illusion: Some Writings and a Memoir (1999)
In the Temple of the Philistines (2018)
Lines in the Dirt: Some Works of 1978-2004

STATUTES AND RULES

2/17/24, 10:47 AM

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(c) a state court or a United States court of appeals has decided an important question of federal law that has not been, but should be, settled by this Court, or has decided an important federal question in a way that conflicts with relevant decisions of this Court.

A petition for a writ of certiorari is rarely granted when the asserted error consists of erroneous factual findings or the misapplication of a properly stated rule of law.

(Rules of the Supreme Ct. Why the court might grant certiorari.)

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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 22-1453, CA-2; 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 22 cv 2938, SDNY; 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.

JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was Nov-29, 2024.

☒ No petition for rehearing was ^{permitted} ~~timely filed~~ in my case.

☐ A timely petition for rehearing was denied by the United States 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 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 _____.
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

- Sixth Amendment of the U.S. Constitution - word for word
- Fourteenth Amendment of the U.S. Constitution, protecting the rights of all persons to due process of the laws.
- The law forbidding postal workers, including their Chief Executive, from snooping in mail without a court warrant
- The particular Public Health Law, Penal Law, Criminal Procedure Law, and law against "Conspiracy against rights," as quoted in Plaintiff's Memorandum of Law, May 23, 2005 (Appendix G)

STATEMENT OF THE CASE

This case grows out of my attempts to have the death on April 29, 1964, of my mother, Mrs. Winifred Wan Chen, correctly reclassified as a homicide, a first-degree murder, rather than a "natural" case of cancer, as we her family and friends were told at the time. I did not come to new ideas about her death until 1980, and I am pursuing it now to the Supreme Court because the truth is important not merely personally to me but because her supposed "cancer" is entangled with national tragedies—particularly the 1963 assassination of John F. Kennedy (which also entrains the 1968 death of Robert F. Kennedy) and the death of Martin Luther King, Jr., weeks before Robert Kennedy was shot in a kitchen of the Ambassador Hotel in Los Angeles.

The JFK matter, as everyone knows, was not settled for good by the Warren Commission Report in 1964. In 1976 the House of Representatives appointed a Select Committee to address continuing doubts and extravagant statements about the Kennedy and King assassinations. The committee made a show of collecting pieces of testimony and evidence, but never produced a complete report, only fragmentary statements in 1978 and 1979 that both deaths "probably" involved "conspiracies." Most Americans today say "conspiracy" in public opinion surveys. This is unsatisfactory. The idea that other persons may have stood behind the solitary Lee Harvey Oswald, and behind solitary James Earl Ray, is a fear that has generated paranoia about, in Mr. Kennedy's case, an enormous number of possible enemy actors, from Cuban emigres to CIA operatives to members of organized crime. Dr. King was martyred without leading his people to the "promised land" of a more racially equal America. I believe that so many American illusions, particularly Democratic ideas, became invested in John and Robert Kennedy that Robert actually went knowingly to his being shot in that hotel kitchen out of patriotism, to preserve the story up to then of John Kennedy's life and his ideals, which were privately undermined by a few sordid facts. JFK's reputation was challenged by Palestinian refugees' complaints against Israeli Jews, which also meant against their American Jewish friends, and were being corroded by my own continuing existence; under some regimen set up when I was very young, my existence was embarrassing, or simply tiresome, to many Jewish people. The name of "Sirhan Sirhan"—RFK's killer now in a California prison—has echoes suggesting people's weariness with listening to the traces of my private school speech and my membership in the Han Chinese race.

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A few selections from my autobiographical writings that led to these conclusions are included in this Petition for a Writ of Certiorari. I believe that my immigration to New York with my family in 1949 was not simply my parents' private effort to escape China's Communist revolution but a migration that became ensnared in the predicament of Palestinians who had lost their homes, and who never attained statehood, after the foundation of Israel in 1948. A kind of battleground for the Arab-Israeli dispute was in New York City, with its United Nations, the city where my family settled. In 1950 the Cold War divided the Korean peninsula, and I became doubly burdened, without knowing it, as an embodiment of North Korea's Communist threat and challenge to America and the West. Although I grew up uneventfully enough, and was granted citizenship on July 13, 1964, I have really been as stateless as any Palestinian refugee, as frozen out as any North Korean. Barely any of my civil letters and lawsuits now receive even the slightest acknowledgment from the government.

My mother, who held a chemistry degree from the University of North Carolina, and from that a job at Sloan-Kettering Cancer Center, inherited a burden as the parent of a child vessel holding certain secrets of Franklin Roosevelt's medical fictions. She began showing possible cancer symptoms after returning from a year of renewed studies at Chapel Hill in 1958, and then might have continued living quietly except for some extrusion of the old Presidential-medical illusions in 1963. John F. Kennedy went through what I describe as a staged assassination in Dallas on November 22 that year (told in my 2018 book *In the Temple of the Philistines*). That book says that local and national persons decided to conceal, shift the scene, and disguise what had happened in New York. One result for our family is that my mother was put to a slow, tortured death—see my letter to the Manhattan District Attorney, part of the original *Chen v. Vasan et al* complaint (Appendix C).

Of the many other products to have been developed out of our private lives, like pulp squeezed out of fresh fruit, three, I think, deserve the Court's special attention at this time:

--the Kitty Genovese case, which became the basis of an international rubric for thinking and study in bystander psychology and law, was not based on an Italian-American named Kitty Genovese but on my mother, Winifred Wan Chen. Please read Appendix E, "'Kitty Genovese,' Real Memories and Recent Realizations."

--Truman Capote's well-known "true-crime" "non-fiction novel," *In Cold Blood*, is in need of reinterpretation as a work of literature and of pretended fact. I think it was based on the

burglarizing and surreptitious surgery of our family home by some New York society, particularly as organized around colleges like Harvard and Yale. Just what went through the heads of the medical personnel who carried out the butchering (a word used by W. H. Auden as well as by many of New York's Hispanics) of my mother is something I am suing to uncover.

--The anti-Asian hatred that seems to have made possible a continuing lack of remorse among many New Yorkers toward my mother and her children, and which found horrible expression in the Vietnam War, should be looked at by American jurists such as the Court. Does the United States want to make travesties like these three products an American norm? Do Americans think Chinese and other Asians will not find ways to avenge?

Note: A basic question raised by this case is whether an "assassination" or other such event in one place may legally stand for a formal proceeding in "the State and district wherein the crime shall have been committed," as the Sixth Amendment plainly says. In my *The Age of Illusion* (1999) I quote some words by President Kennedy's speechwriter Theodore Sorensen ("He did not purchase, load or fire the gun, but he gave his consent to its being fired, and under his own deeply held principles of executive responsibility only a plea of guilty was possible" [page 380]) that to me suggested that Mr. Kennedy had secretly pleaded guilty to the murder of a woman. This murder and plea may have happened in New York City, where Mr. Kennedy owned an apartment at the Carlyle for his private escapades that under the media's practices in those times went publicly unmentioned (Appendix F, "The Carlyle"). The streets outside the Carlyle have been milled and repaved, but whether what happened there will be discreetly left private forever is one question for the Court to decide. Has this ever happened before? Is it legal?

#

REASONS FOR GRANTING THE PETITION

1. Falsehood should be corrected.
2. Cruelty should be exposed and, if possible, punished (while editing out the most painful details).
3. The nation should enable a more realistic view of its heroes than exists with the long, long records of John Kennedy's funeral, the resolute phrases engraved in stone at his gravesite, and the Eternal Flame that was set going within a day of his interment and requires high mental maintenance to keep burning brightly or at all.
4. Victims should be honored for their suffering and rewarded for their sacrifices, not ridiculed as "losers."
5. Steps have to be taken toward ending the anti-Asian hatred of the unconstitutional and un-American Korean and Vietnam Wars.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Victor Chan

Date: Feb. 19, 2024