

23-6998

No. _____

FILED

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SUPREME COURT U.S.

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

OSSIE L. SLAUGHTER — PETITIONER
(Your Name)

vs.

DANIEL WHITE, et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

Ossie L. Slaughter
(Your Name)

CRCC-MSU/1301 N. Ephrata, P.O. Box 789
(Address)

Connell, WA. 99326
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

#1. Why Did the WDoc Staff (Super.-Jeri Boe); U.S. Western District Court; 9th Circuit Court deliberately excluded my witnesses (Rene Haydel) Sworn Affidavit during my Due process of Appeal; #2. Why did the above Staff and Courts omit my claims in my Audio statement during my DISC. Hearing, "I never admitted to physically striking/hitting anyone during the incident I was defending my self from surprise attacks..." when I was #3. was subjected to Due process violations prior to, during that biased DISC. Hearing that was turned into an interrogation by the DISC. Hearing Officer-Headward; #4. my Inmate Kite requesting "video footage be presented, of the alleged incident, at the DISC. Hearing with witness statements from (Rene Haydel)" they also refused to address; #5. I was subjected to "good time credits being unlawfully taken from my Future Early Release, that caused me and my family "A typical and significant hardship" leading to a longer sentence? Which is a stringent violation of a liberty interest's. Why, #6. did the DISC. hearing officer-the super.-J. Boe; WDoc Headquarters staff; the Court of Appeals (Div-1); U.S. District Court; nor the 9th circuit COA, addressed/failed to address the officer's (Co- Robbins; the booth officer) present the alleged incident deliberately watched the incident initially happen to me and did nothing to protect me, even after I was attacked and was forced to grapple the person attacking me to the ground trying to restrain him, and not until Co- Robbins sprang his mass into my nose/face while I was being choked did he "pull the person off me" after asking me "Have you had enough..." forcing me to defend my life/my self from assault, I expressed in my brief's they all ignored, inter alia?? See Appendix's CA-

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:

RELATED CASES

The Court of Appeals of the State of Washington (Div-1)
(PRR case # 79461-2-1); U.S. Western District
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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 B to the petition and is

☒ reported at 2:21-CV-01421-JLR-TLF/23-35202; 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 A to the petition and is

☒ reported at NO. 23-35202/2:21-CV-01421-JLR-TLF; 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 3-16-23.

☒ 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: 9-14-23, 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

The petitioner (Mr. Ossie L. Slaughter) brings this petition before the court to direct the court to the lower courts (U.S. Western District) erroneous decisions/abuse of discretion to the violations of Mr. Slaughter's Constitutional Rights under the 1st, 8th, 14th Amendment's to the U.S. Constitution, and Washington State Const. Art. 1 § 3, 9, 10, 12, 22. With respect to the Judges, they asserted Mr. Slaughter's claims of being "denied procedural Due process of rights at his Disciplinary Hearing, and Disc. Hearing Appeal process by the Disc. Hearing Hearing, the Disc. Hearing Clerk, and the Superintendent - Jeri Boe" when they "refused to provide him an uninterrupted statement of defense at his Disc. Hearing; witness statement/sworn Affidavit from (Inmate - Rene Haydel), and video Footage of the alleged incident (Unit - B Rotunda)" which the U.S. District Court claims "Mr. Slaughter rights were not violated at no time during this procedure and process of his Disc. hearing and Appeal." Appendix (A-B) and that his Due process rights were not violated at no time, and that he admitted to throwing punches and connecting those punches to Inmate - P. Drum. Appendix (A) which is incorrect analogy of the occurrences/procedure and process of the incident as well as the Disc. Hearing and Appeal that was biased and a interrogation hearing instead of a impartial unbiased Disc. Hearing as required. See Appendix's (A-B); Habeas corpus petition; Disc. Hearing Appeal. 1st, 8th, 14th Amend. Constitution; Wash. St. Const. Art. 1 § 3, 9, 10, 12. Appendix (A-B). The lower courts also abused their discretion and deprived Mr. Slaughter of an impartial adjudication that exemplifies ethical jurisprudence, causing a fundamental defect in the law. See Appendix's (A-B) and U.S. District Court Docket's (#1-#40); 9th Cir. Court Dkt's #1-#4).

(Contd) -

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Courts has a duty to give Mr. Slaughter his Fair chance to articulate a complete defense of argument at a Court of law, and a Disciplinary Hearing without being coerced, bullied, or interrogated, compelling him to incriminate himself. (1st, 5th, 8th, 14th Amend.) Forcing him to confess to a incomplete statement of defense effectational or/and being misconstrued by the Disc. Hearing officer (Heard) and the Courts who exacerbated the misunderstanding and embellishment's of this case (Appendix-A-B). RCW-9A.02.110; WDOC Policy-#800.010; #850.030; #460.000; WAC-137; Lambert v. Blodgett, 393 F.3d 943 (9th Cir. 2004); United States v. Fuentes, U.S. Dist. Lexis-#113789 (9th Cir. 10-16-09); Turner v. Sailey; Peggie v. Cotton; Casey v. Lewis; Sandin v. Conner; Schiro v. Landrign, 550 U.S. 465 (2007); Vasquez v. Hillery, 474 U.S. 254 (1986); Bell v. Wolfish, 441 U.S. 520 (1979); Sealey v. Gilner, 197 F.3d 578, 582-83 (2nd Cir. 1999).

Therefore, Due process and equity are rights that are supposed to be unequivocal at every hearing under the State and Federal law's, and Inmate's do not forfeit those constitutional rights, as well as evidence that is relevant to an Inmate's defense, or a evidentiary hearing to establish those specified violations of his/her rights. 1st, 5th, 8th, 14th Amendment's to the U.S. Constitution; Wash. Const. Art. 1 § 3. See Appendix's (A-B). Mr. Slaughter also had a right to procedural Due process of Appeal, and a certificate of Finality to be able to proceed with his appeal to the highest court in this land (9th circuit Court). 1st, 14th Amendment, U.S. Constitution.

STATEMENT OF THE CASE

Mr. Slaughter, submitted this case as a P.R.P. in Washington State Court of Appeals on 1-6-2019, and it was "dismissed" for reasons "The DOC DISC. Hearing's officer provided him his required due process at his DISC. Hearing..." which was fallacious, as to witness statements (Rene Haydel's sworn Affidavit) and video footage request via a Inmate Kite Mr. Slaughter submitted prior to that DISC. Hearing. Appendix (A-B). Then they also alleged "Slaughter admitted to punching ("throwing punches") the other participant (Inmate) even though he was defending him self..." when the DISC. Hearing off. Heaward was interrogating, bullying, and coerced Mr. Slaughter to accept his assertion of allegation of his abstract theory of what he believed happened instead accepting Mr. Slaughter's first statement, "He was not guilty and only defending him self to the surprise attack, when the officer's (Co-Roberts) present failed to protect Mr. Slaughter..." Appendix (A-B). Then when Mr. Slaughter filed a motion of Petition for Discretionary Review in the State Supreme Court, arguing the same substantial facts of overwhelming evidence and law supporting his exculpated defense. However, the State Supreme Court supported the lower (Div. 1) Court of Appeals decision "affirming guilty findings by the DISC. hearing officer, and the CBCC superintendent - Jeri Boe, because Slaughter was allowed to present a statement (incessantly) and received a fair impartial DISC. Hearing, and Appeal..." which, again was incorrect and fallacious or/and embellished, and they all omitted certain facts of Mr. Slaughter's rights to procedural due process and 30-day's of good time being taken from him, and the sworn Affidavit by Rene Haydel (Appendix (A-B)) and violated Mr. Slaughter's 1st, 5th, 8th, 14th Amendment constitutional rights; Wash. Const. Art. 1 § 3, 9, 10, 12, 22;

(Contd) - STATEMENT OF THE CASE

and an impartial Disc. Hearing and Appeal at the COA, State Supreme Court too. Then when Mr. Slaughter Filed a request for 'Certificate of Finality' after he submitted a Writ of Habeas corpus, and it was "denied" in the U.S. Western District Court, for the same reasons alleged in the lower courts decisions (Appendix-A-B) and that "Mr. Slaughter does not show any reference's to the applicable criteria-? that this Court's review is warranted, and his habeas corpus petition is "Dismissed with prejudice" Appendix-A-B). Within chronological order. Mr. Slaughter's "Request of Certificate of Finality?" was also "Denied", by the U.S. Western District Court, preventing his ability to further pursue his Due-process of Appeal's rights in the Ninth Circuit Court of Appeal, which was abuse of Discretion, and a fundamental defect in the law, as well as a manifestation of injustice, because Mr. Slaughter had a right to litigate a complete Due process of Appeal to the highest court in this land, and the country (U.S. Supreme Court). Cullen v. Pinholster, 563 U.S. 170, 182 (2011); Lockyer v. Andrade, 538 U.S. 63, 71-72 (2003); Malek v. Frieel, 279 Fed. Appx. 659, 2008 U.S. App. Lexis 10889 (10th Cir.); United States v. Grieswein, 495 Fed. Appx. 944, 2012 U.S. App. (10th Cir.); Hertz Corp. v. Friend, 559 U.S. 77, 130 S.Ct. 1181 (2010), U.S. Lexis 1897 (U.S. 2010) granted writ of certiorari; Miller-El v. Cockrell, 537 U.S. 322 (U.S. S.Ct. 2-25-03).

REASONS FOR GRANTING THE PETITION

The reasons Mr. Slaughter believes this writ of certiorari petition should be granted is for the above stated reasons 1. He was deprived of a impartial clear uninterrupted Disc. Hearing and statement of exculpatory defense; 2. He was denied procedural Due process (witness statements, e.g., René Haydel; Video Footage of the alleged incident scene); 3. Denied an impartial Due process of Appeal procedure by CBCC Super.-Jeri Boe; Div.-1 COA; Wash. State Supreme Court; and the U.S. Western District Court omitting and failing to address René Haydel's sworn Affidavit that stated Mr. Slaughter was not guilty of Fighting (WAC #505); the Video Footage he requested be reviewed by DHO-Heard at his Disc. Hearing; and his 30-days of good the Disc. Hearing off-Heard took from Mr. Slaughter as a punishment (sanction) for being found unlawfully guilty of that (WAC #505) infraction. which did violate Mr. Slaughter's State and Federal Constitutional rights (1st, 5th, 8th, 14th Amend.; Wash.-Const. Art.-1 §3, 9, 10, 12. See Appendix-(A-B). More importantly the U.S. Supreme Court is a stupendous Court that stringently exhibits due diligent Ethical Jurisprudence; and General Jurisprudence unequivocally with parity, adhering to the legislature's intent of the laws, without misconstrueding and inappropriate application's of the laws, rules, and policies (Construe & Construct)!

CONCLUSION

This writ should be granted for the above stated reasons, and because the lower courts did not adhere to the laws unequivocally, or without abuse of discretion...*

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Cassie L. Slaughter
Pro Se Litigant - #872869

Date: 12-21-23