

No.

23-7098

In The
Supreme Court of the United States

FILED
MAR 25 2024
OFFICE OF THE CLERK
SUPREME COURT U.S.

ORIGINAL

Jeffrey Rivard-Petitioner

VS.

Town of Brattleboro-Respondent

On Petition For A Writ of Certiorari To
Vermont Supreme Court

Petition for a Writ of Certiorari

Jeffrey Rivard

85 South St.

West Brattleboro, VT, 05301

(802) 302-6070

Questions Presented

The first question is toward a Rules of Civil Procedure of Vermonts own 8(a)(1), petitioner was prompted by the Newfane-Windham Court Civil Division to provide a short plain statement to accompany claim, placed in the docket entry as a Request for Amendment with the Claim which led to detraction of the entire case despite placement for clarification, correction of Statute cited in complaint, and a direct statement upon Motion to Reconsider to the Vermont Supreme Court.

I believe the matter was improperly denied joinder or consolidation upon request with other cases to include matter 23-CV-02764 appealed from Windham-Newfane Civil Unit to the Vermont Supreme Court as 23-AP-392 citing common law Negligence particularly to each matter in policing by Brattleboro Town Police Department and for efficiency.

The final question here is whether the complaint made to the Brattleboro Police Communication Committee actually did investigate the complaint. No handwritten response, or much else is verified.

List of Parties

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

Related Cases

Newfane-Windham Superior Court, Civil Division

Jeffrey Rivard v Town of Brattleboro 22-CV-03222

Jeffrey Rivard v. Town of Brattleboro 23-CV-02764

Pele Rivard, et al v Town of Brattleboro 23-CV-00255

Vermont Supreme Court

Jeffrey Rivard v Town of Brattleboro 23-AP-388

Jeffrey Rivard v Town of Brattleboro 23-AP-392

Table of Contents

Opinions Below.....	1
Jurisdiction.....	2
Constitutional and Statutory Provisions Involved.....	3
Statement of the Case.....	4
Reasons for Granting the Writ.....	5
Conclusion.....	6

Index to Appendices

Appendix A

Appendix B

Table of Authorities Cited

Cases	Page Number
Jeffrey Rivard v Town of Brattleboro 07-26-2021 (Windham Superior Court 21-CV-01373)	
Notice of Possible Dismissal & Letter Sent.....	5
Statutes and Rules:	
Vermont Civil Rules of Procedure-Rule 8	
General Rules of Pleading 8. (a) Claims for Relief (1).....	5
Vermont Rules of Civil Procedure-Rule 18 Joinder of Claims 18 (a) (b)	
.....	i
Municipal and County Government-Boards of Commissions; Orders	
24 V.S.A. § 1141.....	4
Other:	
Rule 52. Plain error.....	5
Vermont Statute Annotated 12 V.S.A. § 1036 Negligence-Duty of Care-Due Dilligence.....	4

Jurisdiction

From the Vermont Supreme Court

The date on which the Vermont Supreme Court decided my case was March 08th, 2024. A copy of that decision appears at Appendix A

A timely petition for rehearing was thereafter denied on the following date: March 19th, 2024, and a copy of the order denying rehearing appears at Appendix B

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

Constitutional and Statutory Authority

US 14th Amendment

Equal Protection Clause

Procedural-Due Process

Chapman v. California (1967)

Necessary and Proper Clause

Vermont Rules of Civil Procedure

Rule 8 (a) (1)

Rule 18

Vermont Statutes Annotated

24 V.S.A. § 1141

12 V.S.A. § 1036

Rule 52 Plain error

Statement of the Case

How am I suppose to know what's going on without clarification? If I read these laws, written, how am I suppose to know if they don't conflict with other decisions to inconsistency? If I have no private right, where are the civil actors on my behalf? Further, exactly how does that pertain to the law on commissions in Vermont that decisions are written? Shouldn't this written decision from a complaint to the board have been disclosed before the Vermont Court arbitrarily simply claimed it was done by 24 VSA 1411? How could such a routine and fundamental rule of civil procedure have been overlooked by the highest Court and disregarded so readily? Further, what standard does a pro se litigant require beyond common law language, is negligence that hard to understand 12 VSA 1036? I believe the decision here is a matter of willful ignorance.

Reasons for Granting the Petition

To the substance of the matter here, to keep this State Court honest. This Court seems to have violated due process and failed to uphold federal law and fairness in legal petitions by individual citizens. The 14th Amendment is so written that, within Vermont, the laws written here are so casually disregarded when it was convenient for the State to protect bad actors within a municipality and by the technical procedure, a plain error, in the decision to view the statement request by Rule 8 as an entirely amended complaint as this was the case in 21-CV-01373.

Conclusion

The Vermont Supreme Court failed to consider the error from the request for statement of claim, likely a docket insert by the clerk, despite the record entry request, arbitrarily claimed an investigation had in fact occurred and with no written response or evidence or exhibit in the record for such, and created a burden on petitioner to meet a criteria for request joinder which likely required the common law terminology and a clear and concise statement describing the matter for request.

The petition for a writ of certiorari should be granted.

Respectfully submitted,

/S./ Jeffrey M. Rivard



Date: March 23rd, 2024