

23-7216  
No. \_\_\_\_\_

ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES

FILED  
APR 04 2024  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

Enrique Zacarias Siaz PETITIONER  
(Your Name)

vs.  
Oregon Department of Corrections, et al. RESPONDENT(S)  
ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. 9th Circuit Court of Appeals  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Enrique Siaz  
(Your Name)

111 Stanton St. S.  
(Address)

Ontario, OR 97914  
(City, State, Zip Code)

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

QUESTION(S) PRESENTED

Was Plaintiff Enrique Diaz  
assaulted after requesting  
Administrative Segregation at  
D.S.C.I.?

Was Plaintiff Enrique Diaz  
only afforded one strike when  
supposed to be afforded three  
in the United States District  
Court for dismissal of a lawsuit  
for being frivolous, malicious or  
failure to state a claim upon  
which relief may be granted?

Did the state of Oregon violate  
Plaintiff Enrique Diaz's 5th and 14th  
amendment right when not providing  
the proper protection for inmates that  
request Administrative Segregation  
as a due process?

## 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:

J. H. L. B. -

# TABLE OF AUTHORITIES CITED

## CASES

## PAGE NUMBER

County of Sacramento v. Lewis, 306  
523 U.S. 533, 548-49, 115 S. (Prisoners' Self-  
Help Litigation  
Manual)

Sacramento v. Lewis,  
523 U.S. at 552-53. 306-307

Cruz-Uribe v. Rivera-Montanez,  
212 F.3d 617, 622 (1st Cir. 2000)

## STATUTES AND RULES

Ryan v. California Interscholastic  
Federation - San Diego

Section,  
114 Cal. Rptr. 2d 798,  
94 Cal. App. 4th 1048, 1071  
(2001).

## OTHER

Leamer v. Fauer,  
288 F.3d 532, 546-47 (3d Cir.  
2002)

## 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	The Opinion of The U.S. District Court
APPENDIX B	The Opinion of The U.S. 9th Circuit Court of Appeals
APPENDIX C	
APPENDIX D	
APPENDIX E	
APPENDIX F	

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 \_\_\_\_\_; 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 \_\_\_\_\_; 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 2/13/27

☒ 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: \_\_\_\_\_, 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

violation of my 5<sup>th</sup> and 14<sup>th</sup>  
amendment right of the U.S  
Constitution for protection against  
violation of due process.



## STATEMENT OF THE CASE

I was unable to pay the filing fee of \$505.00 for this case as I had three cases dismissed as frivolous, malicious or failing to state a claim upon which relief may be granted which I had two strikes left to file other suits which prevented me from proceeding with this case.

## REASONS FOR GRANTING THE PETITION

I was not provided an opportunity  
for my case to be heard as  
I could not pay the filing  
fee for this case in which  
I was assaulted while on  
transport by another inmate  
after requesting administration  
segregation in which was  
violated my 5th Amendment  
Right for protections against  
Due Process.

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Date: 3/2/27