

No. 23-7680

ORIGINAL

In The
Supreme Court of the United States

Charles R Murse Jr - Petitioner

Vs.

Mary L Murse - Respondent

Supreme Court, U.S.
FILED

JUN 05 2024

OFFICE OF THE CLERK

US 3rd Circuit Court of Appeals

-Last Court to rule on merits of the case

Petition for Writ of Certiorari

-Charles R Murse Jr

-3513 Rothsville Rd
Ephrata Pa 17522
-ampoops@gmail.com
-717-669-7098

QUESTION(S) PRESENTED

Charles R Murse Jr has been severely violated in multiple ways since 2021. Throughout this time the Lancaster County Court of Common Pleas not only have ignored the documented evidence provided to the court but they have aided in the oppression and violation of rights of Charles R Murse Jr. This extent ranges from altering docket dates on documents, to attempted murder which was paid for by the opposing party, the assailant now being a Lancaster county court employee who's name is Richard Gromen Jr. Charles R Murse Jr has had multiple hearing extensions denied even when dealing with medical issues of which have been chronic for years.

The questions presented are the following:

1. At what point does a disabled defendant that has committed no crime have their civil rights and ada rights violated without repercussion; under what constitutional law does this take place?
2. In the law of "**42 U.S. Code § 407 - Assignment of benefits**" it states in section (a) the following "**The right of any person to any future payment under this subchapter shall not be transferable or assignable, at law or in equity, and none of the moneys paid or payable or rights existing under this subchapter shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law.**" What law holds supremacy to violate the law of "**42 U.S. Code § 407 - Assignment of benefits**"?
3. In a case such as this of which has no monies from remuneration for employment and no child support of which in return gives the state NO subject matter jurisdiction then is there or is there not full and total protection of monies and assets that the monies pay for through the law of "**42 U.S. Code § 407 - Assignment of benefits**"?
4. Under which constitutional law does it allow a state court to not prosecute proven crimes and criminal intent that openly violate the civil rights of a disabled person?

5. Under what civil rights law does it allow a disabled person to have the act of attempted murder to be committed against them to extort money from SSDI funds, and for the violating parties (hiring and actor) to be not prosecuted because one of them is a court employee?
6. Under which federal, constitutional, ada, or civil rights laws does it allow a court docket to be altered against a disabled person?
7. What law supersedes the protection of undue hardship against disabled property owners such as the SSA rule and law of "**SSA - POMS: SI 01130.130 - Real Property Whose Sale Would Cause Undue Hardship, Due to Loss of Housing, to a Co-Owner**"?

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

There are no associated cases currently active

TABLE OF CONTENTS

OPINIONS BELOW.....	vii
JURISDICTION.....	viii
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED.....	vi
STATEMENT OF THE CASE.....	1
REASONS FOR GRANTING THE WRIT.....	6
CONCLUSION.....	8

INDEX TO APPENDICES

APPENDIX A	10
APPENDIX B	11
APPENDIX C	12

TABLE OF AUTHORITIES CITED

BP P.L.C., ET AL., PETITIONERS v. MAYOR AND CITY COUNCIL OF BALTIMORE No. 19-1189.....	1
Doris Philpott and Wm. Wilkes v. Essex County Welfare Board, 409 U.S. ____ (U.S. Supreme Court, 1/10/73); 193 Sup. Ct. 590; 41 L. Wk. 41	5

STATUTES AND RULES

US Constitution Article III Section 2	2
US Constitution Article 6 Supreme Law Clause 2 Supremacy Clause	2
28 USC 1331: Federal question	2
28 U.S. Code § 1443 - Civil rights cases	3, 4
28 U.S.C. § 1443(1) - Civil rights cases	2, 3
28 U.S. Code § 1446 - Procedure for removal of civil actions (b)(3)	5
42 U.S. Code § 407 - Assignment of benefits	6
42 U.S. Code § 407 - Assignment of benefits (a)	5
42 U.S. Code § 407 - Assignment of benefits (b)	5
U.S. Constitution Supremacy Clause Article VI Paragraph 2	5
18 U.S.C. § 371 Conspiracy to Defraud the United States	5
18 U.S. Code § 641 - Public money, property or records	5

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully requests that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

[X] For cases from **federal courts:**

The opinion of the United States court of appeals appears at Appendix to the petition and is
[] reported at ; or,

[] has been designated for publication but is not yet reported; or,

[X] is unpublished.

The opinion of the United States district court appears at Appendix to the petition and is
[] reported at ; or,

[] has been designated for publication but is not yet reported; or,

[X] 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 3-8-2024.

[] No petition for rehearing was timely filed in my case.

[X] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: 2-14-2024, 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 .

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:

-US Constitution Article III Section 2

The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;--to all cases affecting ambassadors, other public ministers and consuls;--to all cases of admiralty and maritime jurisdiction;--to controversies to which the United States shall be a party;--to controversies between two or more states;--between a state and citizens of another state;--between citizens of different states;--between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

-US Constitution Article 6 Supreme Law Clause 2 Supremacy Clause

Article VI, Paragraph 2 of the U.S. Constitution is commonly referred to as the Supremacy Clause. It establishes that the federal constitution, and federal law generally, take precedence over state laws, and even state constitutions. It prohibits states from interfering with the federal government's exercise of its constitutional powers, and from assuming any functions that are exclusively entrusted to the federal government. It does not, however, allow the federal government to review or veto state laws before they take effect.

-28 USC 1331: Federal question

The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.

-28 U.S. Code § 1443 - Civil rights cases

Any of the following civil actions or criminal prosecutions, commenced in a State court may be removed by the defendant to the district court of the United States for the district and division embracing the place wherein it is pending:

(1) Against any person who is denied or cannot enforce in the courts of such State a right under any law providing for the equal civil rights of citizens of the United States, or of all persons within the jurisdiction thereof;

(2) For any act under color of authority derived from any law providing for equal rights, or for refusing to do any act on the ground that it would be inconsistent with such law.

-28 U.S.C. § 1443(1) - Civil rights cases

Any of the following civil actions or criminal prosecutions, commenced in a State court may be removed by the defendant to the district court of the United States for the district and division embracing the place wherein it is pending:

(1) Against any person who is denied or cannot enforce in the courts of such State a right under any law providing for the equal civil rights of citizens of the United States, or of all persons within the jurisdiction thereof;

(2) For any act under color of authority derived from any law providing for equal rights, or for refusing to do any act on the ground that it would be inconsistent with such law.

-28 U.S. Code § 1446 - Procedure for removal of civil actions (b)(3)

(a) Generally.—

A defendant or defendants desiring to remove any civil action from a State court shall file in the district court of the United States for the district and division within which such action is pending a notice of removal signed pursuant to Rule 11 of the Federal Rules of Civil Procedure and containing a short and plain statement of the grounds for removal, together with a copy of all process, pleadings, and orders served upon such defendant or defendants in such action.

(b) Requirements; Generally.—

(1) The notice of removal of a civil action or proceeding shall be filed within 30 days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based, or within 30 days after the service of summons upon the defendant if such initial pleading has then been filed in court and is not required to be served on the defendant, whichever period is shorter.

(2)

(A) When a civil action is removed solely under section 1441(a), all defendants who have been properly joined and served must join in or consent to the removal of the action.

(B) Each defendant shall have 30 days after receipt by or service on that defendant of the initial pleading or summons described in paragraph (1) to file the notice of removal.

(C) If defendants are served at different times, and a later-served defendant files a notice of removal, any earlier-served defendant may consent to the removal even though that earlier-served defendant did not previously initiate or consent to removal.

(3) Except as provided in subsection (c), if the case stated by the initial pleading is not removable, a notice of removal may be filed within thirty days after receipt by the defendant, through service or otherwise, of a copy of an amended pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable.

(c) Requirements; Removal Based on Diversity of Citizenship.—

(1) A case may not be removed under subsection (b)(3) on the basis of jurisdiction conferred by section 1332 more than 1 year after commencement of the action, unless the district court finds that the plaintiff has acted in bad faith in order to prevent a defendant from removing the action.

(2) If removal of a civil action is sought on the basis of the jurisdiction conferred by section 1332(a), the sum demanded in good faith in the initial pleading shall be deemed to be the amount in controversy, except that—

(A) the notice of removal may assert the amount in controversy if the initial pleading seeks—

(i) nonmonetary relief; or

(ii) a money judgment, but the State practice either does not permit demand for a specific sum or permits recovery of damages in excess of the amount demanded; and
(B) removal of the action is proper on the basis of an amount in controversy asserted under subparagraph (A) if the district court finds, by the preponderance of the evidence, that the amount in controversy exceeds the amount specified in section 1332(a).

(3)

(A) If the case stated by the initial pleading is not removable solely because the amount in controversy does not exceed the amount specified in section 1332(a), information relating to the amount in controversy in the record of the State proceeding, or in responses to discovery, shall be treated as an "other paper" under subsection (b)(3).

(B) If the notice of removal is filed more than 1 year after commencement of the action and the district court finds that the plaintiff deliberately failed to disclose the actual amount in controversy to prevent removal, that finding shall be deemed bad faith under paragraph (1).

(d) Notice to Adverse Parties and State Court.—

Promptly after the filing of such notice of removal of a civil action the defendant or defendants shall give written notice thereof to all adverse parties and shall file a copy of the notice with the clerk of such State court, which shall effect the removal and the State court shall proceed no further unless and until the case is remanded.

(e) Counterclaim in 337 Proceeding.—

With respect to any counterclaim removed to a district court pursuant to section 337(c) of the Tariff Act of 1930, the district court shall resolve such counterclaim in the same manner as an original complaint under the Federal Rules of Civil Procedure, except that the payment of a filing fee shall not be required in such cases and the counterclaim shall relate back to the date of the original complaint in the proceeding before the International Trade Commission under section 337 of that Act.

(g) [1] Where the civil action or criminal prosecution that is removable under section 1442(a) is a proceeding in which a judicial order for testimony or documents is sought or issued or sought to be enforced, the 30-day requirement of subsection (b) of this section and paragraph (1) of section 1455(b) is satisfied if the person or entity desiring to remove the proceeding files the notice of removal not later than 30 days after receiving, through service, notice of any such proceeding.

-42 U.S. Code § 407 - Assignment of benefits (a)

(a) In general

The right of any person to any future payment under this subchapter shall not be transferable or assignable, at law or in equity, and none of the moneys paid or payable or rights existing under this subchapter shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law.

(b) Amendment of section

No other provision of law, enacted before, on, or after April 20, 1983, may be construed to limit, supersede, or otherwise modify the provisions of this section except to the extent that it does so by express reference to this section.

(c) Withholding of taxes

Nothing in this section shall be construed to prohibit withholding taxes from any benefit under this subchapter, if such withholding is done pursuant to a request made in accordance with

section 3402(p)(1) of the Internal Revenue Code of 1986 by the person entitled to such benefit or such person's representative payee.

-42 U.S. Code § 407 - Assignment of benefits (b)

(a) In general

The right of any person to any future payment under this subchapter shall not be transferable or assignable, at law or in equity, and none of the moneys paid or payable or rights existing under this subchapter shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law.

(b) Amendment of section

No other provision of law, enacted before, on, or after April 20, 1983, may be construed to limit, supersede, or otherwise modify the provisions of this section except to the extent that it does so by express reference to this section.

(c) Withholding of taxes

Nothing in this section shall be construed to prohibit withholding taxes from any benefit under this subchapter, if such withholding is done pursuant to a request made in accordance with section 3402(p)(1) of the Internal Revenue Code of 1986 by the person entitled to such benefit or such person's representative payee.

-U.S. Constitution Supremacy Clause Article VI Paragraph 2

Article VI, Paragraph 2 of the U.S. Constitution is commonly referred to as the Supremacy Clause. It establishes that the federal constitution, and federal law generally, take precedence over state laws, and even state constitutions. It prohibits states from interfering with the federal government's exercise of its constitutional powers, and from assuming any functions that are exclusively entrusted to the federal government. It does not, however, allow the federal government to review or veto state laws before they take effect.

-18 U.S.C. § 371 Conspiracy to Defraud the United States

If two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined under this title or imprisoned not more than five years, or both.

If, however, the offense, the commission of which is the object of the conspiracy, is a misdemeanor only, the punishment for such conspiracy shall not exceed the maximum punishment provided for such misdemeanor.

-18 U.S. Code § 641 - Public money, property or records

Whoever embezzles, steals, purloins, or knowingly converts to his use or the use of another, or without authority, sells, conveys or disposes of any record, voucher, money, or thing of value of the United States or of any department or agency thereof, or any property made or being made under contract for the United States or any department or agency thereof; or

Whoever receives, conceals, or retains the same with intent to convert it to his use or gain, knowing it to have been embezzled, stolen, purloined or converted—

Shall be fined under this title or imprisoned not more than ten years, or both; but if the value of such property in the aggregate, combining amounts from all the counts for which the defendant is convicted in a single case, does not exceed the sum of \$1,000, he shall be fined under this title or imprisoned not more than one year, or both.

The word "value" means face, par, or market value, or cost price, either wholesale or retail, whichever is greater.

STATEMENT OF THE CASE:

On the date of 2-12-2024 the United States Third Circuit Court of Appeals filed an order stating that they are in agreeance with Judge Joseph F. Leeson Jr's decision "**Appendix A**" to remand the case back to state courts "**Appendix B**". However the defendant disagrees with said order. In the US Supreme Court of the United States case that had a 7-1 decision of "**BP P.L.C., ET AL., PETITIONERS v. MAYOR AND CITY COUNCIL OF BALTIMORE No. 19-1189**" Supreme Court Justice Gorsuch made multiple statements that are in itself counter to lower courts actions to remands. The following are 5 separate statements that are made within the syllabus opinion document for "**case no. 19-1189**".

"[W]hen a district court's removal order rejects all of the defendants' grounds for removal, §1447(d) authorizes a court of appeals to review each and every one of them."

"Instead and again, §1447(d) permits appellate review of the district court's remand order—without any further qualification."

"Our duty is to follow the law as we find it, not to follow rotely whatever lower courts once might have said about it."

"The fact that the law as written allows appellate courts to examine all (and not just some) removal grounds in these cases perhaps just demonstrates, as Judge Easterbrook has suggested, a congressional judgment that the "marginal delay from adding . . . extra issue[s] to a case where the time for briefing, argument, and decision has already been accepted is likely to be small." See Lu Junhong, 792 F. 3d, at 813."

"The Fourth Circuit erred in holding that it was powerless to consider all of the defendants' grounds for removal under §1447(d)."

On the date of 10-18-2023 Judge Joseph F. Leeson Jr. filed an order remanding the Notice of Removal and Case back to Lancaster Court of Common Pleas, stating that "**this Court**

lacks subject matter jurisdiction". Charles R Murse Jr then filed the appeal in the Eastern District Court of Pennsylvania to the 3rd Circuit Court of the United States on 10-23-2023. On the date of 10-24-2023 the appeal was docketed on the 3rd Circuit Court of the United States. Federal courts hold the primary jurisdiction for federal laws and constitutional laws that have been violated or in dispute "**US Constitution Article III Section 2, 28 U.S.C. § 1443(1)**". The US Supreme Court of the United States also holds jurisdiction under the doctrine of "**pendent jurisdiction**". Federal courts hold sole jurisdiction under any matter regarding "**US Treasury Moneys**" as all moneys regarding the treasury are controlled by congress. The US Supreme Court of the United States also holds jurisdiction under "**US Constitution Article 6 Supreme Law Clause 2 Supremacy Clause**".

Subject matter jurisdiction is only held in federal courts for any and all lawsuits that involve social security funds. Social security funds come from a treasury account, NOT a state account, only federal courts hold the subject matter jurisdiction for any case that has to do with SSA monies. SSA monies that are held by the treasury are also protected under the sovereign immunity clause. The US Treasury and the S.S.A. Department are both protected by the sovereign immunity clause. The US Treasury holds the accounts for the SSA for monthly distribution.

On September 1st 2023 a notice of removal was filed removing the case from Lancaster county Court of common pleas Court to the Eastern district Court of Pennsylvania federal court. This was done so under the following "**Federal Question**" "**28 USC 1331: Federal question**". The court in Lancaster County was made aware of federal violations including an ongoing and continual attempt to steal social security disability funds. This is only one of many violations. There was an order filed August 2nd 2023 in the Lancaster County Court of Common Pleas denying all requests and ignoring all violations that were brought to light in court documents

filed “**6 total documents including a brief**” by Charles R Murse Jr. This gave Charles R Murse Jr the ability to file a notice of removal not based on subject jurisdiction of the original filing but of the Lancaster County Court of Common Pleas ignoring each and every one of the federal laws that have been violated against Charles R Murse Jr which has violated his civil rights. This intentionally violated a disabled elderly man who is in need of constant care.

Charles R Murse Jr filed an IFP with the notice of removal that was filed on September 1st 2023. On the date of October 18th 2023 an order was filed in the United States District Court of Eastern District of Pennsylvania denying the IFP and remanding the case back to Lancaster County Court of Common Pleas. The District Court’s decision was based off of the fact that federal courts do not have jurisdiction over a divorce. However the case was never removed due to the filing type, it is removed due to the federal violations being ignored, as Charles R Murse Jr did not remove the case for a case decision as shown in detail within the notice of removal.

Another statement that Judge Joseph F Leeson Jr stated is the following “**(removal pursuant to 28 U.S.C. § 1443(1))**”. He then also stated the following “**requires a showing that equal rights are being denied in terms of racial equity)**”. This however is not in the law as there's no mention of racial equity within this law. As the law itself actually states the following “**28 U.S. Code § 1443 - Civil rights cases**”

“**Any of the following civil actions or criminal prosecutions, commenced in a State court may be removed by the defendant to the district court of the United States for the district and division embracing the place wherein it is pending:**

- (1) Against any person who is denied or cannot enforce in the courts of such State a right under any law providing for the equal civil rights of citizens of the United States, or of all persons within the jurisdiction thereof;**
- (2) For any act under color of authority derived from any law providing for equal rights, or for refusing to do any act on the ground that it would be inconsistent with such law.”.**

Judge Joseph F Leeson Jr is solely focusing on the case type and not the details of the notice of removal as did the 3 judge panel that has handled the appeal. However it states in the notice of removal that the divorce itself is not federal jurisdiction however when Federal and constitutional laws are ignored when proven that they are being violated it then brings into

question Federal jurisdiction. The federal courts have always maintained jurisdiction over any federal law and constitutional law and or violations of either. Therefore when a federal or constitutional law or any statute within is violated in a state court at any level and they ignore such violation the federal courts have the subject matter jurisdiction to handle such violations regardless of case type as it states above in the law “**28 U.S. Code § 1443 - Civil rights cases**”, it states, “**(1) Against any person who is denied or cannot enforce in the courts of such State a right under any law providing for the equal civil rights of citizens of the United States, or of all persons within the jurisdiction thereof**”.

Under article 3 section 2 of The Constitution it states the following “**The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States**”. Therefore the federal courts have jurisdiction over all matters in any case by technicality and by the Constitution.

However as stated the case was never removed based off of a decision of a divorce it was removed solely on the state courts ignoring the federal and constitutional violations of which were documented extensively through the documents in the exhibit that were filed with the notice of removal which contains the entire docket record from the Lancaster County Court of Common Pleas of which total around 1,000 pages.

The case of which has been filed in Pennsylvania state courts is in the form of a divorce. The divorce itself is not subject to Federal jurisdiction however when there are crimes and laws broken with proven documentation, video, and photo evidence and submitted to the record “**video is not on record until a jury trial takes place**” yet is still ignored while the defendant is being violated from such broken laws it can then bring into question Federal jurisdiction as it is a direct violation of civil rights. When laws are federal in nature and constitutional it then therefore brings in federal jurisdiction for subject matter jurisdiction.

Any and all of the following laws “**42 U.S. Code § 407 - Assignment of benefits (a), 42 U.S. Code § 407 - Assignment of benefits (b), U.S. Constitution Supremacy Clause Article**

VI Paragraph 2, 18 U.S.C. § 371 Conspiracy to Defraud the United States, 18 U.S. Code § 641 - Public money, property or records” are reinforced by the supreme court ruling in “**Doris Philpott and Wm. Wilkes v. Essex County Welfare Board, 409 U.S. ____ (U.S. Supreme Court, 1/10/73); 193 Sup. Ct. 590; 41 L. Wk. 41**”. Within said case the “**U.S. Supreme Court**” stated in the opinion “**By reason of the Supremacy Clause the judgment below is reversed.**”, this reversed and prevented New Jersey from being able to garnish in anyway SSDI Money’s.

On August 2nd 2023 there was an order entered on the docket for case number **CI-21-02321**. Order’s are consider “**Other papers**” under law “**28 U.S. Code § 1446 - Procedure for removal of civil actions (b)(3)**” and the law states “**(3) Except as provided in subsection (c), if the case stated by the initial pleading is not removable, a notice of removal may be filed within thirty days after receipt by the defendant, through service or otherwise, of a copy of an amended pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable.**”. This clearly states that even if the initial case is not removable it can be at a later date as it is stated here “**order or other paper from which it may first be ascertained that the case is one which is or has become removable.**”. The case type is not in question, it is the violations that the Lancaster County Court of Common Pleas has not only ignored but has also covered up in the attempt to suppress the individual and civil rights of the petitioner, Charles R Murse Jr. Including attempted murder against the defendant in a school zone, of which was murder for higher, and said violator is now working for the Lancaster County Court of Common Pleas, there name is Richard Gromen Jr. This is laid out in detail in the court records which are in the exhibit in the notice of removal including photos from the surveillance video that captured the act.

See “**Appendix C**” for the denial of the rehearing in 3rd Circuit Court of Appeals of the United States.

REASONS FOR GRANTING THE PETITION:

This case was removed from State Court under a notice of removal. Throughout the docket record of which is listed in the notice of removal is ample and undeniable evidence of civil rights violations and also of an ongoing attempt to take money from SSDI funds. Of which the petitioner receives. These funds have been protected for almost a hundred years under the following law “**42 U.S. Code § 407 - Assignment of benefits**”. People that are disabled and that go through Court processes and are receiving SSDI funds should have these protections reinforced not trampled on. Many people have heart issues and vascular issues that are on SSDI, therefore these county courts which appear to be ample throughout the US seem to put disabled parties in an extremely volatile and potentially deadly situation. For not protecting these funds as they should they create an intense an ongoing stress point for the disabled people; putting them at risk for heart attacks, strokes, aneurysms, blood pressure spikes, and other similar medical issues that would be a result of intense stress and anxiety and potential death. If someone is mentally or physically or both incapable functioning on their own and then you have multiple people and low end courts going after they're only source of money you can imagine the stress and anxiety this puts on them. As not only are they already helpless from their disability they are unable to afford or get help in most cases to defend their rights of which most don't know they have.

This is a substantial incredible issue that is not only just in this case but an issue that blankets the United States. As it is not hard to find ample appeals courts in both federal and state courts that uphold the protection of these funds; which means if these cases end up in appeals in order to get the protection for the funds the lower courts are trampling on, including the rights of disabled parties. And this is an intentional and direct move by these lower courts. The petitioner seeks the highest court in the country to reinforce these rights.

The trampling of civil rights in county courts seems to be an abundant problem. And it is even more so a problem when you are dealing with pro se disabled parties. These people tend to

be ruled against, illegitimate claims stated against them, civil rights violated, processes skirted, and a constant and ongoing violation of ADA rights. These Ada violations can be in many forms but are typically in regards to hearings. At least this seems to be the common violation of the petitioner. The civil rights of the petitioner has had an ongoing violation since 2021. Even to the extent of claiming that the petitioner was served when a service process was never completed. Also as another example after the court was made aware that the petitioner was disabled and receiving disability money a judge still attempted to aid the respondent in receiving money from the petitioner.

The protection of these monies is critical to the well-being of disabled parties. The petitioner is asking for a writ of certiorari as this is not only a precedent and major issue for the petitioner but it is also a critical and major issue across the country for the protection of these monies that disabled people rely on. As everyone knows SSDI funds and social security funds are only enough to cover your bare minimum expenses and sometimes not even that. They are not enough to have any form of reserve by the end of the month. Most disability people would be lucky to have a few hundred dollars left in their account. With a chronic and exploding price rise in many expenses such as insurance the protection of these funds is critical and also a national issue. People cannot simply attempt to steal disability funds. Whether it be through a lawsuit, extortion, racketeering, or any other form of coercive or deception or force. Attempting to take disability funds is essentially kicking someone when they're down; not only is that the case but you are doing it to someone who is vulnerable and cannot defend themselves. The majority of disabled parties across the country do not have the mental capacity to handle legal battles on their own; this could be due to injuries, mental illnesses, mental troubles such as PTSD or anxiety, or severe illness in general.

CONCLUSION:

The petitioner Charles R Murse Jr respectfully requests this petition to be granted for write of Certiorari. The protection of SSDI/SSA funds is critical to the well being of older adults, also the enforcement of civil rights of this vulnerable population.

Respectfully submitted,

Date: 6-5-2024

Charles Murse
Signature

Verification Declaration:

I swear under 28 U.S. Code § 1746 - Unsworn declarations under penalty of per-jury, that all statements are true to the best of my knowledge.

Charles Murse
Signature