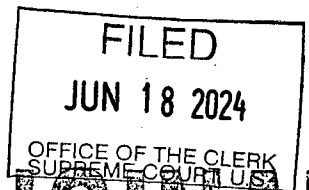


No. 23-7815



ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Jesus M. Romero Sr., individually  
and on behalf of J.R. — PETITIONER  
a minor (Your Name)

vs.

Bronx Care Hospital, et — RESPONDENT(S)  
al.

ON PETITION FOR A WRIT OF CERTIORARI TO

US appellate Court 2nd circuit of NY  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

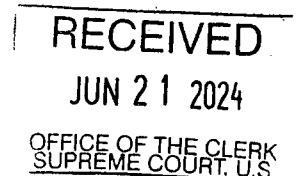
PETITION FOR WRIT OF CERTIORARI

Jesus M. Romero Sr.  
(Your Name)

10 Richman Plaza Apt. 37c  
(Address)

Bronx, NY 10453  
(City, State, Zip Code)

(646) 571-7216  
(Phone Number)



### QUESTION(S) PRESENTED

- ① Has the lower federal trial court known as, US District Court Southern District of New York, & the US Federal Appellate 2nd Circuit Court in New York failed to recognize that all covid-19 products, such as, masks, or face coverings, PCR tests, & covid-19 shots, are all under EUA statute/~~AREP~~ Act & therefore, cannot be mandated, coerced, or forced on anyone, according to Title 21 USC subsection 360bbb-3?
- ② Does this honorable US Supreme Court fully acknowledge that the CDC is an unelected, non-government, unlawful agency, that voted to add these EUA covid-19 products, attempting to fraudulently extort parents/children that if our injunction is not granted, me & my minor son will be denied services, or hospital visits, by BronxCare Hospital in the Bronx, NY?
- ③ What promulgated evidence, or authority, does BronxCare Hospital has to coerce individuals to put on a mask that we have a right to refuse according to 19 CFR 210.29?

## 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:

- ① Security Officer Perez, 1650 Grand Concourse, Bronx, NY 10457
- ② Mildred Oliveras-Rivera, 1650 Selwyn Ave - # 7G, Bronx, NY 10457
- ③ Patricia Snipes, 1650 Selwyn Ave - 7G, Bronx, NY 10457

## RELATED CASES

"A mask requirement is repugnant to the Constitution. Therefore it is void. The Constitution Supersedes all other laws & the individual's rights shall be liberally enforced in favor of his minor son & myself, the clearly intended & expressly designated beneficiary." — Marbury v. Madison, 5 U.S. 137 (1803).

## 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	Decision from US District Court Southern District of NY for 11/06/2023
APPENDIX B	Decision from US Court of Appeals for 2nd Circuit for 03/20/2024
APPENDIX C	Decision from US Court of Appeals for 2nd Circuit for 04/10/2024
APPENDIX D	
APPENDIX E	
APPENDIX F	

## TABLE OF AUTHORITIES CITED

### CASES

### PAGE NUMBER

Although mask requirements violates the EVA statute, or PREP Act, + Title 21 section 360bbb-3, the US District Court Southern District of NY claims that it does not grant me the right to bring any legal actions. See Appendix A of all of what I had circled.

2, 3

### STATUTES AND RULES

EVA statute, PREP Act  
+ Title 21 section 360bbb-3.  
See Appendix B

1

### OTHER

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 03/20/2024; 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 11/06/2023; 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 04/10/2024.

☒ 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

- ① US Constitution, Bill of Rights, Article I (1st Amendment)  
"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and to petition the Government for a redress of grievances."
- ② New York State Constitution Article I section 11 - "No person shall be denied the equal protection of the laws of this state or any subdivision thereof. No person shall, because of race, color, creed or religion, be subjected to any discrimination in his or her civil rights by any other person or by any firm, corporation, or institution, or by the state or any agency or subdivision of the state."
- ③ 18 U.S. code subsection 241 conspiracy against rights:  
Restrict the people's unalienable rights
- ④ 18 US code subsection 242 - Conspiracy against rights -  
Deprivation of rights under color of law: Restrict the people's unalienable rights.
- ⑤ Title 21 US code subsection 360bbb-3 - Cosmetic Act, EVA/EVI statute, or PREP Act.
- ⑥ See Appendix A pages 2+3 of everything I had circled for your review.



### STATEMENT OF THE CASE

① At approximately 9:28am, 12/19/2022, I, Jesus M. Romero Sr, was physically escorted by Security Officer Perez + another unknown security officer from BronxCare emergency room located at 1650 Grand Concourse, Bronx, NY 10457, because I refused to put on a mask, + also refused to have my minor son wear a mask. After this took place I reported the incident to manager at Patient Relations by the name of Mildred Oliveras-Rivera, as well as, Patricia Snipes, Patient Rep. Both did nothing but instead to continue following CDC guidelines who are nothing but unelected + a non-government agency. So from here on-end I decided to file an affidavit against BronxCare Hospital Emergency room with US District Court Southern District of NY on 05/01/2023.

② Even though a refusal for an EUA covid-19 product is a right, such as, masks, or face coverings, according to Title 21 USC subsection 360bbb-3, the lower courts in New York City, such as, US District Court Southern District of NY claims that it does not give me a right to bring legal action against BronxCare Hospital. The US Court of Appeals in the 2nd Circuit claims that even though masks, or face coverings, violates Title 21 USC subsection 360bbb-3, they claim that my appeal was DISMISSED because it "lacks an arguable basis either in law or in fact." See Appendix A of all of what I circled pgs. 2+3. See Appendix B 1st pg.

## REASONS FOR GRANTING THE PETITION

As we are a Republic, rule of law, our U. S. Constitution is Supreme rule of law in America, & this honorable Supreme Court is the only Constitutional Article III court, all other Federal courts are Article I, legislative courts.

This natural born living man, as well as, his minor son, Americans invokes this only Article III constitutional rule of law only.

How my ~~son~~ Constitutional rights, as well as, my minor son's rights have been violated by Respondent BronxCare Hospital Emergency room, by color of law, & not substantiated by factual medical science! Color of law, should constitutionally, not one instant further, to "mandate masks" which hurts & harms, myself, minor son, & other humans to ever exist again. As well as, no more allowing an EUA Covid-19 product which alters Human DNA; be used to extort, under threat, duress & coercion, violating my Constitutional, my minor son, & others rights to livelihood, & right to Travel. This living man petitioner, minor son, & millions of living Americans have been damaged, harmed by these blatant Constitutional Violations! In the debt of unconstitutional rights violations, Article I Federal judges, plainly adjudicating under major & prejudice political parties loyalties & bias; no adjudication of true Constitutional rule of law.

The US Supreme Court noted: "even in a pandemic, the Constitution cannot be put away & forgotten." see Roman Catholic Diocese of Brooklyn v. Cuomo, -141 S. Ct. 63 208 L. Ed. 2d 206(2020).

This living man petitioner, prays this honorable U.S. Supreme Court Justices, ignore political party affiliations, & only properly, adjudicate Constitutional rule of law, in your hearts & souls.

#### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Jesus M. Romero Sr.

Date: 6/10/2024