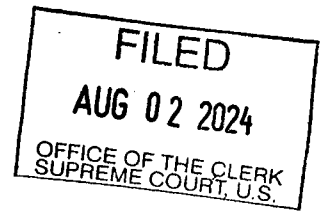


No. 24 - 5660



IN THE
SUPREME COURT OF THE UNITED STATES

In Re Pakuja Vang — PETITIONER
(Your Name)

ON PETITION FOR A WRIT OF MANDAMUS

PETITION FOR WRIT OF MANDAMUS

Pakuja Vang
(Your Name)

615 34th street ne
(Address)

CONOVER, NC 28613
(City, State, Zip Code)

8288101104
(Phone Number)

QUESTION(S) PRESENTED

.Petitioner's fourth amendment was violated "protect citizens' privacy and prevent government abuse of power". Shall this court enforce these procedures on lower courts violated mandates practice under the constitutions of 4th, 9th & 14th amendment under federal law?

The court appeal of fourth circuit have determine judges abuses on social security and have mandated many order for the lower court to followed about each government entities who were involved. The lower court have dismissed Miss Vang injunction in superior court and transferred to federal court where the defendant of Valdese Weaver would get away with liability. The case should have been in state court jury trial so the defendants shall place reliability. It should be transferred to supreme state court due to unconstitutional misconduct and ongoing delay proceedings. Shall this case be finally settled for m

Due to difficult circumstance the petitioner has constantly been delay health and legal litigation. Multiple court dismissal, appeals and misconduct. Under the 7th amendment in this case for serious personal injury that led intentional harm and discrimination of America disability Act 5 U.S. Code § 2302 . Petitioner should have the right for legal representation and protection for jury trial in a fair court hearing . The state of NC to ongoing violation of the human civil rights act and (Ada) that may lead to fatality if not solved. The fourth circuit should be able to enforce the misconduct on the lower court. Due to the lower court federal court is Asheville has dismissed this case and the reparable harm misconduct on has falsely dismiss Miss Vang claim and hearing: ? 5 U.S. Code § 2302

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:

States of North Carolina, South Carolina, District of Columbia, Tennessee, Virginia and multiple government agency and public agency..

RELATED CASES

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APPENDIX B Pakuja Vang v Valdese Weaver No. 23-2063 Court of Appeal for Fourth Circuit. Judgement

APPENDIX C Pakuja Vang vs Melissa Mitchell No. 23-1070 & 23-1067 Court of Appeal for Fourth Circuit. Court's mandate was issued prematurely on 04/07/2023.

APPENDIX D. Vang vs Commissioner of Social Security No. 23-1412 Court of Appeals for Fourth Circuit.

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STATUTES AND RULES

18 U.S.C. § 241 Conspiracy against rights- makes it unlawful for two or more persons to agree to injure, threaten, or intimidate a person in the United States in the free exercise or enjoyment of any right or privilege secured by the Constitution or laws of the United States or because of his or her having exercised such a right.

42 CFR § 482.13 - Condition of participation: Patient's rights. All patients have the right to be free from physical or mental abuse, and corporal punishment. All patients have the right to be free from restraint or seclusion, of any form, imposed as a means of coercion, discipline, convenience, or retaliation by staff.

15 U.S. Code § 1116 - Injunctive relief is a remedy which restrains a party from doing certain acts or requires a party to act in a certain way.

42 U.S.C. § 12101- America Disability Act- physical or mental disabilities in no way diminish a person's right to fully participate in all aspects of society, yet many people with physical or mental disabilities have been precluded from doing so because of discrimination.

38 U.S. Code § 7316 - Malpractice and negligence the remedy- against the United States provided by sections 1346(b) and 2672 of title 28, or through proceedings for compensation or other benefits from OTHER the United States as provided by any other law, where the availability of such benefits precludes a remedy under section 1346(b) or 2672 of title 28.

18 U.S. Code § 1035 - False statements relating to health care matters, makes any materially false, fictitious, or fraudulent statements or representations, or makes or uses any materially false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry.

The Privacy Act of 1974, as amended, 5 U.S.C. § 552a- Protects records about individuals retrieved by personal identifiers such as a name, social security number, or other identifying number or symbol.

40 CFR § 164.121 - Expedited hearing An expedited hearing shall be held whenever the Administrator has received from the registrant a timely request for such hearing in response to the Administrator's notice of intention to suspend.

Title I of the Americans with Disabilities Act of 1990 (ADA)

This law makes it illegal to discriminate against a qualified person with a disability in the private sector and in state and local governments.

29 U.S. Code § 662 - Injunction proceedings

The United States district courts shall have jurisdiction, upon petition of the Secretary, to restrain any conditions or practices in any place of employment which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated through the enforcement procedures. A temporary injunction is a court order prohibiting an action by a party to a lawsuit until there has been a trial or other court action. Sometimes, a party will file a request for a temporary injunction on an emergency, or "ex parte," basis.

Sections 102 and 103 of the Civil Rights Act of 1991-

This law amends Title VII and the ADA to permit jury trials and compensatory and punitive damage awards in intentional discrimination cases.

42 U.S. Code § 12133. Enforcement

The remedies, procedures, and rights set forth in section 794a of title 29 shall be the remedies, procedures, and rights this sub-chapter provides to any person alleging discrimination on the basis of disability in violation of section 12132 of this title.

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based on disability in any program or activity operated by recipients of federal funds. Title II of the Americans with Disabilities Act of 1990 (ADA) prohibits discrimination based on disability by public entities, regardless of whether they receive federal financial assistance.

5 U.S. Code § 2302 - Prohibited personnel practices. employment-related activities that are banned in the federal workforce because they violate the merit system through some form of employment discrimination, retaliation, improper hiring practices, or failure to adhere to laws, rules, or regulations that directly concern the merit system principles.

Title II of the ADA -prohibits discrimination against qualified individuals with disabilities in all programs, activities, and services of public entities. It applies to all state and local governments, their departments and agencies, and any other instrumentality or special purpose districts of state or local governments. It clarifies the requirements of section 504 of the Rehabilitation Act of 1973, as amended, for public transportation systems that receive federal financial assistance, and extends coverage to all public entities that provide public transportation, whether or not they receive federal financial assistance.

Judiciary Act of 1789: Gave the Supreme Court the original authority to issue writs of mandamus.

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF MANDAMUS

Petitioner respectfully prays that a writ of mandamus issue.

OPINIONS BELOW

☒ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

reported at 6/26/2023 4/23/2024

☐ has been designated for publication but is not yet reported; or, ☐ 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, ☐ 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 _____ to the petition and is Appendix

☐ 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 _____

☐ 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

United States Constitution, Amendment I:

Guarantees the freedom of religion, freedom of speech, freedom of the press, freedom of assembly, and the right to petition the government. The right to petition the government means that citizens have the right to ask the government to take action on a particular issue or concern. This can be done through various forms such as written letters, emails, or public demonstrations.

United States Constitution, Amendment IV:

Protects citizens from unreasonable searches and seizures by the government. It requires that any search or seizure be conducted with a warrant that is supported by probable cause and specifically describes the place to be searched and the persons or things to be seized. The Fourth Amendment is intended to protect citizens' privacy and prevent government abuse of power.

United States Constitution, Amendment VI:

Under Supreme Court case law, the Sixth Amendment right to counsel specifically requires that each and every adult who cannot afford to hire a lawyer at prevailing compensation rates in his jurisdiction must be given a qualified and trained lawyer.

United States Constitution, Amendment VII:

Guarantees the right to a trial by jury in civil cases, including cases involving intentional harm. This means that if an individual brings a civil lawsuit against someone for intentional harm, such as assault or battery, they have the right to have their case heard by a jury of their peers. The jury will determine whether the defendant is liable for the harm caused and, if so, what damages should be awarded to the plaintiff. The Seventh Amendment does not apply to criminal cases, which are tried by a judge or a jury depending on the circumstances and the jurisdiction.

United States Constitution, Amendment IX:

The ninth amendment is part of the Bill of Rights and was ratified on December 15, 1791. The amendment states that the enumeration of certain rights in the Constitution shall not be construed to deny or disparage other rights retained by the people. In other words, the amendment recognizes that individuals have rights beyond those explicitly listed in the Constitution, and that these rights should be protected as well. The Ninth Amendment has been used to support a wide range of legal arguments, including the right to privacy, reproductive rights, and the right to refuse medical treatment.

United States Constitution, Amendment XI:

The eleventh limits the power of federal courts to hear lawsuits filed against a state by citizens of another state or foreign country. This means that private citizens cannot sue a state in federal court unless the state has waived its immunity or Congress has expressly abrogated that immunity. The Eleventh Amendment doesn't prohibit lawsuits against state officials for violations of federal law.

United States Constitution, Amendment XIV:

All persons born as a natural citizens of the United States and reside in the States shall be protective by the fourteenth amendment. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

STATEMENT OF THE CASE

Pakuja "Crystal" Vang was born in California on October 10, 1996 as a US citizen. She spend most of her life living in North Carolina. She was only 18 year old when she was a certified nursing assistant accepted as a nursing student at Western Piedmont Community College in 2016. Due to stressors and burnout of healthcare, she dropout due to seek other career path. September 2017, Pakuja was a tempt to hired at Valdese Weaver Circa plant at 1 Jacquard Drive, Connelly Spring, NC as a Winding Machine Operator. Valdese Weaver is a textile manufacturer company and has over 700 employees and over 4 plants across Burke County, North Carolina and have remain in business for over 100 year and is called "Employee own". The company created yarn that are dye in different material and finalize into long fabric of designer rugs and have production requirement and hard laboring jobs. November 2017 Pakuja has quit due to harassment of 3rd shift forklift driver Joe who eventually lead to self suicide in 2018. October 28 2018 rehired by Pakuja's Aunt Chia Yang, the Human Resources for Circa Plant as the same "HR" who hired her the year before. January 2020 before March "COVID", Valdese Weaver terminate many employees and including Human Resources Chia Yang due to business being slow.

September 11 2020, Around the second shift around 10:35 pm; Pakuja injured her arm by twisting her arm and trying to carry a box of cardboard paper cone weighing 25-35 Lb onto a gray buggy with wheels that caused sudden fall onto her wrist causing her to hear a snap and pop and make her wrist turn numb. Pakuja proceeded to push the box back onto buggy toward third shift worker Dia Lee who work on onto another winding machine around 10:53 pm. Pakuja told Dia Lee that her arm has hurt and that she did it to help her because she was struggling to make production due to previous worker on her machine not picking up cones. Without paper cones, or cardboard cones onto the winding machine, the yarn won't be able to spin and delay time for production. Pakuja feel a bit better after the incident but couldn't sleep through out the night through her arm having a thumping pain.

September 12 2020, Pakuja live in her 2019 dodge grand caravan due to stressors of Scarlett Properties Management who cause negligence about her apartment housing issues without notice. She give up on the housing market before COVID because there was too much competition with other buyer. She had excellent credit score of 780 in which she could buy a house by herself without a partner. Pakuja babysit her florist who have 3 kids, while her friend Dray go make flower delivery. As soon as Pakuja carry something light like a container of egg roll it fell down without her not gripping it tight enough. Due to her medical knowledge from nursing school she proceeded to wrap her arm with bandages which didn't help. Her nursing teacher told the class if something abnormal of some body part feel weird and off make sure to wrap it tight or you could lose it. Pakuja proceed to go to Walmart and bought brace that has the metal barrier in it. Pakuja notice how painful it was when Dray touch her pinky side of her wrist for trying to wrapped her arm. Pakuja proceeded to go to work around 3:00 pm on mandatory overtime. She notice how painful it was on both side to work on the machine or use scissor to cut yarn. Even with working one hand it cause so much pain on the other side which wasn't injury. Pakuja report her incident to her 2nd shift warehouse lead Jim. He report to Supervisor Deborah Hardwood about the work injury that happened last night. September 14 2020 File a Worker Comp Injury to Safety Manager Melissa Mitchell.

September 14 2020 file worker comp with supervisor Deborah Hardwood, Safety manager Melissa Mitchell and Brittany Herman in the human resource office. Melissa Mitchell mention nerves issues or if it was pre condition. Pakuja didn't understand what she meant agitated the nerves who be if she consistently put sticker onto the cones. Pakuja had never had any health problems beside medication for anxiety and depression. Her mental health was better due to Valdese Weaver who helped her make a living to move out of the situation she was faced with family and opportunity to get therapy session to overcome vile people. On that day she just proceeded to just collect cones as light duty. Melissa Mitchell seem very angry about everything about her injury even ask angrily about her brace. Pakuja bought it at Walmart due to her medical school. Did light duty, as to sweep and put pick up cones with her good arm,

September 16 2020 Seek Worker comp medical treatment at Catawba Occupational Health with Occupational Doctor Fabrienne Ransom. She physical examine Pakuja grip test and saw how physically painful it was to grip with her injury arm. One side was weak than the other and no fracture in her x ray. Pakuja was placed on restriction with no use of injury area and 10lb restriction for light duty. She had an option to stay home or to do duty like duty which is to push with a broom. Following day, Safety Manager Melissa was trying to make Pakuja to do things outside her restriction due to gossip of everyone know Chia Yang was her niece (18 U.S.C. § 241). Later did light duty due to good intention of Supervisor Deborah Hardwood knowing Pakuja is a reliable worker.

September 17 2020 Petitioner show up to work and Valdese Weaver wouldn't obey work restrictions. Forced to operate a winding machine and was increasing pain due to not being able to lift a yarn up onto the machine. Plant Manager Scott Coe and Brittany Herman was busy talking about the incident in excitement (18 U.S.C. § 241). The whole company knew Pakuja was the niece of Chia Yang who helped workers with precondition to get Family medical leave and the worker would call out and take advantage of the 400 hours for their condition that may cause business to be slow. Was send to new human resource Brittany's office with Scott to talk about what upper management gonna do with me 5 U.S. Code § 2302). Police officer show up and give advice on the incident. Pakuja have recorded the incident due to employer retaliation and mistreatment of being the past HR niece. Scott Coe admit not caring about Pakuja's injuries and just the manufacturing production. Pakuja record the incident and was sent to Er to get out of work compensation doctor appointment until September 23 2020. Pakuja Vang recorded the incident of how plant manager Coe admit to causing intentional injury despite being on restrictions and was send to er to be send out of work at Valdese atrium. Violated the American Disability Acts 1990, requires Employers reasonably accommodate the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee. Reread records of overwritten false statements of Pakuja being physiology ill without having any physiological illness.

September 23 2020 Sustained more injuries and was placed on 2 lbs restriction. Showed up to the following shift and was sent home due to not following Doctor orders. September 23 2020 Denied Worker Comp. Worker comp adjuster Lauren Malich denied claim despite statement of Pakuja was overwork and twisted her left arm cause it to be injured. It was denied before Pakuja would be able to receive MRI being schedule on the following weeks. Denied it in bad faith and harassed her medical records as well with false claim that she can't use her health insurance (N.C. Gen. Stat. § 58-63-15-) September 24 2020 was approved 12 week family medical leave and extend it on purpose with no income for 6 month. Delay and excuses of not receiving short term disability from Lincoln Financial Group .September 24 2020 Approval 12 week FMLA. The 12 week Fmla was extended to 6 months due to having a work note unable to come back to work due to injuries (N.C. Gen. Stat. § 58-63-15). All cause Pakuja financial distress and to used up 4 credit cards and credit score to be from 780 to 400. Terminated on March 24 2021 due to medical leave exhaustion.

October 6 2020 sustain family doctor at Catawba Valley Family Medicine- Claremont, NC with Nurse Practitioner Lynne law who added pressure on injuries and put Pakuja out of work for another week and high doses of prednisone that cause inflammatory Oct 13 2020 follow up. Sustain inflammation due to high doses of prednisone being off too early. Written false statement of screaming "My baby" yet recording statement was her vein (actually her blood vessel being damage of blood cuff) and plaintiff never have a boyfriend since 2014 (18 U.S. Code § 1035) . Ambulance took Pakuja to Catawba Medical Center and cause American ADA discrimination and more injury by Nurse practitioner Brittany England shuffler who claim it not medical emergency and put false record of "Abuse". Proceed to say you won't need MRI and you're faking it and want to stay at the hospital for hours 18 U.S. Code § 1035. She wasn't getting abuse because she live in her van. Proceeded to touch her while she was in pain with inflammation due to Lynne law lying about not giving her high doses of prednisone. Nurse Brittany England Shuffler referred her to asthma when she didn't have asthma. Forced her to wear a sling when the sling add more injury damage (42 CFR § 482.13) .

October 14 2020 have MRI reveal sustain injuries elbow tendon torn, partial left wrist, carpal tunnel, elbow tennis, torn bicep tendon. The duties were constantly bending elbow to take machine off the yarn. Thread the 1-5lb of 700 yarn per 8 hour shift out of large metal crate that weight about 300-400 lbs depending. Using a knoter that connect the yarn or hand tying the yarn to make a knot into relative Circle motion. Which caused her to have carpal tunnel's syndrome and elbow tennis ulnar issue. October 17 2020 Emerge Ortho Morganton NC, many worker harassed and made fun of petitioner who was in pain and refused to give her the surgical procedure. Was force back to see them. Emerge Ortho physical therapy who refused to help me and delay medical treatment. Neurologist Dale Maynard has cause medical malpractices and so has his assistant who discriminate her disability. Sustain further delay and false records. And four time repeat with violation of neurologist who all fail to help her until March 1st EMG about her having neurological issues due to pinch nerve. Morganton Social Service Refused to give her food stamp and cause false pretense about it until Hickory Social Service give her food benefit base on her income (18 U.S.C. § 241).

April 2021 Lynne Law put work restriction claiming individual may work with left hand but claim in October 13 2020 Pakuja needed to fix both hand and didn't know she recovered. Employer Valdese Weaver demand a return work status but couldn't and purposefully discriminate her 12 week family leave to 6 month. Had their short term disability insurance Lincoln Financial Group harassed and refuse to give her disability because it became a work injury to them. Never was able to receive medical record or documentation on purpose due to the staff being ill harm towards her health.

May 26 2021, Lawyer Aunt Blia Vang let Pakuja suffer without income and Blia Vang reopen a denied worker compensation without her knowing. Lawyer Blia Vang has been harassed due to Scarlett's properties malpractice and releasing private information about their unethical negligence and business practice to use advantage with Valdese weaver to conspire more injuries and abuse toward Pakuja. Breaching the privacy of tenants. Privacy is the right of everyone, and if you are a landlord, you shouldn't enter the house without prior notice to your tenants. (18 U.S. Code § 24) Conspiracy against rights). Public Disclosure of Private Facts: This tort protects against the unauthorized disclosure of details about a person's private life, and particularly when those details are not generally known. Usually, disclosure to one or two people does not constitute a public disclosure unless there is an implication that the information could be spread around. Pakuja isn't mentally ill, and isn't getting abuse and live in van ideology life due to not being able to find houses she would acquire due the advantage of buyer market. She had excellent of 780 that slipped to 400 now due to concurrently pain.

Pakuja applied application to NC fair labor, EOCC and OSHA around July 2021 which retaliate on her plan for justice. Americans with Disabilities Act of 1990 (ADA) makes it illegal to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. June 2021- currently, Pakuja Vang seek medical treatment outside of Catawba and Burke County of North Carolina. August 1 2021, Doctor Brian Atkinson can't help Pakuja with medical treatment on the diagnose of my spine and claim someone was following me with the plan of care with me. The recording of August 1 2021, Pakuja thought the NC government would help her because she send them all her evidence and everything. Dr. Atkinson can't diagnosis her cervical disc but hint in her medical records that there was a conspiracy theory of the opposite things she say. (Section 504 of the Rehabilitation Act of 1973) a civil rights statute which prohibits discrimination against individuals with disabilities. Those agency have fail her and Pakuja realized all the traumatic event that no one was on her side in North Carolina and she has to leave for medial treatment. Also Cone Internal medicine Dr. Chen signed medical release but didn't listen to Pakuja about what going on and delay surgical procedure for her carpal tunnel but put her on medication. 42 CFR § 482.13. August 8 2021 Frye Care Hospital in Hickory, NC have discriminate her disability by trying to report her to psychiatric hospital when she was increasing ill due to infection where another Hospital have put her on IV Fluid. Medical provider was angry about which medical doctor provide the medication for nerve pain.

Around the end of September 2021, Pakuja Vang applied disability due to not being able to come back to work due to work accommodation that happen at her previous employer Valdese weaver. She was unable to perform her duties or able to get surgical procedure due by her employer Valdese weaver who knew she was injured and causing more damage to her physically and psychologically. Hickory social security had discriminated by not uploading her medical records or refusal to update her address and delay her any emergency payment due to her crisis. The Privacy Act of 1974: prevents the federal government from making unauthorized disclosures of personal information under its control. Held onto her medical information on purpose of conspiracy harmful act 18 U.S.C. § 241. Also title II of the ADA apply to state and local government emergency preparedness and response programs. The Department of Justice has issued an ADA guide for local governments, noting that "one of the most important roles of local government is to protect their citizen from harm, including helping people prepare for and respond to emergencies. Making local government emergency preparedness and response programs accessible to people with disabilities is critical part of this responsibility. Making these programs accessible required by the ADA. Title II of the ADA provides that no qualified individual with a disability shall be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity or be subjected to discrimination by any such entity.

January 2022, Social Security Commissioner claim Petitioner is able to find a job with one hand. Yet her symptoms is getting worse day by day. Using her other hand a lot will cause numbness and tingling cause she has carpal tunnel in both hands still despite the medical malpractice. Her pain started becoming more strong with her left arm radiating all the way to the neck now to her buttock and to her lower left fit. August 2 2022 Dr. Adaku Nwachuku Pain Specialist, medical examiner had help Pakuja received her original work note to get out of work due to both upper extremities. Pakuja was on steroid injection and it didn't help her with the spine pain and Pakuja needed a Spine Surgeon to help her relief the pain on her spine that been delay since September 11 2020. Multiple Surgeon and medical insurance have delay her medication or to have surgery. Vang vs Commissioner She file it herself in November 2022 because her SSI Lawyer and secretary neglect her even if she has a result of spinal root issue. She wasn't aware of her phone call of her SSI case. Everyone delay and deprived her rights and she wasn't able to have a civil right attorney anymore. Tyler Brook was sorry he can't help her when she finally received her work note or Worker comp attorney Blia Vang. The Asheville federal court judge delay the proceedings and should face consequences for her health issues that can't be obtain with any remedies because the same ongoing thing has been continuing in purpose without any reason into why Miss Vang deserve those unfair dismissal of her cases.

Pakuja Vang suffered greatly from the past 2 ongoing year over a work injury cause by Valdese Weaver and more sustain abuse and harassment from medical care providers. Government agency and federal court in Asheville have retaliated her under the first amendment petition to redress of grievances. She have file her cases and it in the fourth circuit of appeal and Vang vs Valdese is approve. Then Vang vs Mitchell et enties is on mandate. Pakuja appeal that her case with many health care provider, bad faith insurance United heartland, and personal health insurance and short term disability shouldn't be dismiss because they have cause great discrimination of the ADA. November 2023 Social Security administration admit in doing illegal misconduct in context towards Miss. Vang and in the December judgment Miss Vang has to appeal to the fourth circuit.

January 2023- January 2024 Social Security administration have given Miss Vang difficult times and misconduct into receiving her benefits and continuously battle her issue in the Western district court of Asheville. She have to continuously write brief and spend over \$100 of money that she doesn't have much to have to spend on mailing back and forth to the defendant and usb evidences of improper procedure from Social Security office. Who refused to change her social security information or want more evidence of her court issues. She spoke multiple representee on phone and in real life about her situation and her medical condition.

January 2024 Court of appeal have agreed on medical error caused by the judge who decided on Miss Vang case in Richmond Virginia. Yet was mandated on the document yet online was disclosed as no error due to illegal misconduct cause by multiple entities. Multiplies defendant that was involve have probably look at Miss Vang public lawsuit that been file on to try to sabotage each cases. February 2024 Social Security administration have purposefully request Miss Vang a Medical releases so she can have disability benefit right away in the 3 month duration of the letter or a video call hearing at the charlotte office. Social Security have purposefully schedule it phone hearing in June 2024 leading to more delay and denied of receiving benefits. Due to having multiple misconduct and deprivation of right and discrimination of disability by multiplies social security administration employees. The excuses is no administration exhaustion but main rules on the SSA. gov are adult injured workers (at least 18 years old), may be eligible for SSI benefits if you have a physical or mental impairment that results in an inability to perform "substantial gainful activity" that: Can be expected to result in death, or Has lasted or can be expected to continuously last for 12 months (1 year) or longer. Difficulty having home or any financial way of income that affect your ability to work mentally and physically. Difficulty getting food, transportation and medical accessibility.

March 2024 the court of appeal upload no error in Miss Vang social security issues when she received documentation from one of her former family house about the private legal decision. Attorney General defendant for NC Tort claim acts from Nc industrial commission used online evidence from Miss Vang cases from social security online stating that Miss Vang didn't exhaust her administrative claim and that her fourth appeal claim there was nothing wrong with it. When Miss Vang have obtain paper form stating that there was error in it and it seem odd that the attorney defendant have used online search on my cases and why my cases supposed to fired Miss Vang at 12 week. Miss Vang couldn't go anywhere outside of North Carolina and Melissa was mishandle by multiple entities and delay. Deprivation of 14th amendment and justice was delay constantly by public court records of trying to pursue a sense of justice and not able to have proper attorney and violations of social security number, health insurance, medical insurer, medical treatment, denied of work injury to received any proper medical procedure for my c5-c7 without those procedure it will lead to irreparable harm.

Federal courthouse, Asheville North Carolina wouldn't allowed Miss Vang to file injunction relief against Valdese weaver or multiple entities. The Valdese weaver have many attorney. While Miss Vang doesn't. The state of both carolina have violated multiple ruling and decision against Miss Vang on purpose from the defendant as well. The fourth circuit appeal should be able to give the consequences of the Supreme Court the consequences against the judges for unfair practices and upruling. No money remedies will be help against these judges who let Miss Vang suffered ongoing without any legal protection or funds. This mandamus will help enforce these procedures against the government who have refused to follow them and make excuses or unnecessary decisions in the legal process.

May 21 2024 Miss Vang received a letter with social security administration office of hearing with appointment but no change of her phone number on purpose for June 10 2024. She had fax social security to the KY mailing center to change her number and have sent a new letter in postage mail changing her number to 828 810 1104 and to request in person hearing instead. Before that week she filed injunction relief but wasn't able to in federal Asheville Court against Social Security administration. Due to the judge misconduct about Miss Vang hearing. Her hearing getting dismissed on purpose but she filing injunction relief against social security administration for all the illegal un ethic practices but federal court Asheville, North Carolina is giving Miss Vang hard time to file evidence. It's supposed to be on mandated. Other remedies won't helped because this judge have consistently delay proceedings or remedies to have her lawyers to do everything for her. Unnecessary stressor since the other judges retired and was transferred to her trying to fix her closed case against Micheal Waters.

Miss Vang travel outside of North Carolina to get second opinions due to misconduct from the medical care provider and companies and social security who refused to value her as a victim who was injury harshly by production bases and deprive her life and constitutional amendment continuously. She need a surgeon for her c5-c7 because her pain doctor Adaku suggestive it. Without those procedure it will lead her to paralysis or death if this continue. She fell hard on cement due to a heavy weight shoes and ever since then medication, force therapy, unprofessional surgeons who refused to help and write false notes and change that they recommend upper extremity but never didn't is having weakness on her left side mostly and isn't getting better for sleep, rest or anything. Also multiplies Emg testing which each profession have alter the result and put down normal due to not wanting to diagnose the ongoing issues for over 3 year over a work injury.

Miss Vang should received an ex parte hearing due to ongoing corruptions from Social Security, North Carolina, Health insurances, doctors, NC industrial Commission, Federal court systems and mailing issues that been open. When mailing defendants the served they would do unethical stuff still. Miss Vang did filed the SSA petition to review timely in the 60 days mark by the letter. Should have the ability to put mandamus on them for still ongoing not letting Miss Vang have a in person hearing or benefit right away. Miss Vang filed this without notified the other parties because they have cause irreparable harm for ongoing 4 years. She request an ex parte hearing in Supreme State Court that has jurisdiction in her case. Request a jury trial hearing in the Supreme Court that is fair and won't have anymore corruption cause by many entities. The ability to have her Social Security number change. A place confidently to stay after surgeon is done due to long recovery and hassle of living in a car for 4 years. Economic cap on what had happen through her medical journey and legal remedies to have lawyers to represent her in her ex parte hearing before surgery due to long recovery.

Pakuja Vang need great relief to file the mandamus due to illegal misconduct from the lower court that been cause by many of illegal ethic sense of justice. Request the right for emergency injunction due to the increasing Mandamus & ex parte abnormal heart rate and pain in her spine and neck that hasn't improve despite medication, therapy, epidural injection, steroid injection and so forth (29 U.S. Code § 662). All due to North Carolina medical provider who let her injuries sustained and multiplies state and entities who have violated her constitutional 14 amendment- deprive life and equal protection of the law. 38 U.S. Code § 7316 Due to multiple malpractice and negligence, the remedy against the United States provided by sections 1346(b) and 2672 of title 28. For the damages for personal injury, including death, allegedly arising from malpractice or negligence of a health care employee of the Administration in furnishing health care or treatment while in the exercise of that employee's duties in or for the Administration shall be exclusive of any other civil action or proceeding by reason of the same subject matter against the health care employee. Protection for her ongoing medical doctors and the right to counsel due to constantly violation of the 14th amendment. Sections 102 and 103 of the Civil Rights Act of 1991- Title VII and the ADA to permit jury trials and compensatory and punitive damage awards in intentional discrimination cases (42 U.S. Code § 12133). Supreme Court is original Jurisdiction involving Multiples States, constitution rights, amendments being violated all over the east coast of USA. This Supreme Court has power to discipline the lower court or federal court actions with the fourth circuit court. She tired of not having a lawyer and is in chronic pain and distress with this. Her case is purposefully remand and appeal and she believes to finally have this settle and done against the state of North Carolina who also didn't believe it was an injury.

REASONS FOR GRANTING THE PETITION

In Great relief to due to constant deprivation of her 14th amendment; All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. The violation of her first amendment to petition the Government for a redress of grievances which retaliate her and leaving to sustain injuries and emotional damages. Under the title II of the America Disability Act No state, government, or anyone can discriminate her disability shall this court help help fulfill these remedies?

The 9th amendment is enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people. Its for the people and not for the government that the ninth amendment encourage those rights. All her personal life privacy that been violated and have false defamation on medical records about her life. Due to many medical malpractice and negligence and privacy invasion and defamation of her personal life. In bad faith with United Heartland and multiple insurance companies who have delay Pakuja's MRI, medication and appointment, Petitioner fears that due to the ongoing suffering and injustice cause by many criminal intent that her injuries will finally lead to fatalities. It will fail her belief for change and justice system. For the many Americans who have suffered with occupational work injuries that led to disabilities and to fatalities. She request emergency injunction due to different high heart rate and pain over her cervical disc that worse due to fail treatment and delay and medical malpractice. Bad faith insurance and ongoing illegal misconduct to have a civil jury trial protective by the 7th amendment. The 7th Amendment protects trial by jury for the third time in the constitution, but this time for civil cases and also limits the judge's power to overturn a jury's factual decision, otherwise the jury would essentially be nullified.. The 9th Amendment states that the rights not specified in the Constitution belong to the people, not the federal government.

Petitioner Miss Vang didn't give up and kept going for medical treatment due to realization many other victim in America has dealt unconstitutional violation of their human rights without proper justice or disability benefit. Others has suffered Occupational illness and disablement from employers and public entities who refused to help seek assistance, benefit & medical treatment for their life or fair legal rights. 14th amendment shall not deprive anyone right including doctors, lawyer who should be able to take care of their client and patient protectively from anyone who shall abused power and cause fatalities. The health insurance and worker compensation insurance who have denied in bad faith and shall held liable for unfortunate events that took place for the following ongoing 2 year.

Fact is Pakuja saw rainbows every month for the ongoing year and kept her from fatality even though she has no one to fight for her. Petitioner struggled without any financial assistance or constant medical malpractice, defamation of her personal life and neglectful lawyer, delay judgment or dismissal, refusal of getting medication, health insurance denied. She believe in good faith that it will make a good change and difference for everyone else who has their human right violated from occupational injuries, medical malpractice and retaliation and discrimination of America disability acts. She respectfully request the right to have legal counsel and fair legal jury trial for the ongoing misconduct under the seventh amendment and abuse she face over her Valdese Weaver retaliation. Due to increasing pain and constant second opinions, repeating medical procedures with different result. 9th amendment state Place in and the fourteen and seventh and for all the misconduct. Emergency Injunction to failure of treatment and misrepresentation of able to receive medical records. The Court of Appeals and Federal Agencies reinforcement Title VII and the Statues that cover discrimination under the A.D.A. and Workers compensation Law (Act). The purpose of these laws is for the federal courts and agencies are to protect employees from discrimination in public and private employment.

Due to delay of medical treatment, financial support, false statement, fraud, corruptions, medical care providers and Valdese Weaver with work relative involved in this case. Miss Vang will be in irreparable harm due to her pinch nerve pinching onto her spine for the ongoing 3 year and a half. Pain Management Dr. Adaku

from Privum Spine from Washington Dc have done the epidural injection on her c7 spine which didn't help. The next following step is to get a surgeon who willing to perform surgery for Miss Vang so she can able to live and sustain some sense of justice for pain and suffering that multiplies business, family member, strangers and government officials have cause for a work injury that was purposefully denied by her company and the state of North Carolina. It's illegal for all these people to harm Miss Vang and have her illness to be decease because apparently big business have done this to many Americans from medical malpractice or waiting till the injury person is unable to show up to court because their injuries hasn't healed due to unethical business procedure for not wanting to pay compensation for the injuries that they have received from. She hope this mandamus help enforce the government officials the consequences and acts into finally letting her case be heard and not dismissed with prejudice. Without the Mandamus the whole courts, judges system won't let Miss Vang be able to survive much longer and they should face the consequences for each choice they did in federal court or disability hearing in Virginia and North Carolina. The unfairness in Industrial Commission court which should be in state Supreme Court about Miss Vang cases and allegation that beeb delay on purposes. A mandamus enforce these rules against the government official who have abuse their power in the 3 court of appeal ruling.

She would like to automatically transfer her case to the North Carolina Supreme Court due to not able to have much knowledge of filing it in there as indigent. If the case won't fairly be solve there to the Supreme Court where it's fair in that state. As an Ex parte to the other parties and demand that the government official will be fair because there is still ongoing corruptions. The ability to have a Jury trial and to have injuncion relief ex parte to be filed against Valdese Weaver for the ongoing conduct. Supreme Court has the original Jurisdiction to her case and she need this to end. Properly request Writ of mandamus within her Supreme Trial and notification of her case through her email address due to the lack of trying to find medical treatment out of North Carolina. These judgement of fourth circuit of appeal has been violated considerably. Should enforce the government to finally carried these procedures.

CONCLUSION

The petition for a writ of mandamus should be granted.

Respectfully submitted,

Pakuja Crystal Vang

Date: 9/16/2024