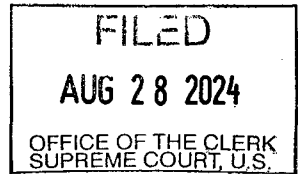


No. 24-6157



IN THE
SUPREME COURT OF THE UNITED STATES

Justin Michael Tyson — PETITIONER
(Your Name)

vs.

Lieutenant Gov, et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Fourth Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Justin Michael Tyson
(Your Name)

3100 Western Boulevard
(Address)

Raleigh, NC, 27606
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

1. Are the signatures on the orders entered at the U.S. District Court made with the intent to deprive the plaintiff of money or property by being signed by an individual that had the intent to pass off a false document as an authentic one issued by the courts of the United States in violation of 18 U.S.C.A. § 505?

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) Lieutenant Gay; (2) Officer McDaniel; (3) Officer Jordan;
(4) Officer Andrews; (5) Officer Taylor; (6) Officer Russell;
(7) Officer Singleton III; (8) Officer Woodard; (9) Officer Mobley;
(10) Sergeant Page

RELATED CASES

Tyson v. Gay, et al., No. 5:19-CT-3315-M, U.S. District Court for the Eastern District of North Carolina. Judgment entered Feb. 7, 2023.

Tyson v. Gay, et al., Nos. 22-6760; 22-7299; 23-6159, U.S. Court of Appeals for the Fourth Circuit. Judgment entered Apr. 16, 2024.

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	<i>Tyson v. Gay, et al., Nos 22-6760, 22-7299, 23-6159, U.S. Court of Appeals for the Fourth Circuit Judgment entered Apr. 16, 2024</i>
APPENDIX B	<i>U.S. District Court for the Eastern District of North Carolina Western Division Decision and Order entered Feb. 7, 2023 [D.E. 22]</i>
APPENDIX C	<i>U.S. Court of Appeals for the Fourth Circuit Petition for Rehearing submitted timely and denied on Jan. 6, 2024</i>
APPENDIX D	
APPENDIX E	
APPENDIX F	

TABLE OF AUTHORITIES CITED

CASES

- 1) *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 251-53 (1986).
- 2) *U.S. v. Jones*, NMCMB 1992, 34 M.J. 1229, review denied 38 M.J. 287, Military Justice 736.

PAGE NUMBER

5(h)

6

STATUTES AND RULES

- 1) N.C.R.C.P. Rule 2; N.C. Gen. Stat. § 1A-1, 2
- 2) 18 U.S.C. § 505

5

5

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 A to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

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

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

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

The date on which the United States Court of Appeals decided my case was April 16, 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: June 6, 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 _____.

[] 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) North Carolina Rules of Civil Procedure Rule 2. - There shall be in this State but one form of action for the enforcement or protection of private rights or the redress of private wrongs, which shall be denominated a civil action.
- 2) 18 U.S.C. § 505. - When an individual forges a judges signature in order to pass off a false document as an authentic one issued by the courts of the United States, such conduct implicates the interests protected by the criminal statute prohibiting knowingly forging the signature of a United States judge or the seal of a federal court, whether or not the actor intends to deprive another of money or property.
- 3) Supreme Court Rule 10. - Review on a writ of certiorari is not a matter of right, but of judicial discretion. A petition for a writ of certiorari will be granted only for compelling reasons. The following, although neither controlling nor fully measuring the Court's discretion, indicate the character of the reasons the Court considers:
- (a) a United States court of appeals has entered a decision in conflict with the decision of another United States court of appeals on the same important matter; has decided an important federal question in a way that conflicts with a decision by a state court of last resort; or has so far departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory power;
 - (c) a state court or a United States court of appeals has decided an important question of federal law that has not been, but should be, settled by this Court, or has decided an important federal question in a way that conflicts with relevant decisions of this Court.

STATEMENT OF THE CASE

On October 29, 2019 Petitioner filed a pro se complaint ~~attorney~~ in which he alleges violations of his Constitutional Rights under 42 U.S.C. § 1983. He also filed a Motion to Proceed Without Prepayment of Fees. On October 30, 2019 Magistrate Judge Robert B. Jones, Jr. Granted the Motion to Proceed Without Prepayment of Fees, and submitted the case to District Judge James C. Dever III for a complaint review. On January 05, 2020 the case was reassigned to United States District Judge Richard E. Myers II and submitted to him for a complaint review. On April 15, 2020 and again on April 29, 2020 Petitioner filed a motion to amend the complaint. On August 18, 2020 the Court granted the motions to amend the complaint and Allowed the complaint to proceed in part. On September 17, 2020 the defendant's filed a Motion for Extension of Time to File Answer and this motion was Granted on the same day. On October 08, 2020 Petitioner filed a Motion to Admit Facts Into Evidence and into Pleadings. On October 16, 2020 the defendant's filed a joint Motion To Dismiss For Failure To State A Claim in Lieu of an Answer. The defendant's also filed a memorandum in support of their joint motion. On October 16, 2020 the Court issued its Rule 12 Letter in which it gave the Petitioner a deadline of November 06, 2020 within which to respond to defendant's Motion To Dismiss for Failure to State A Claim. On October 14, 2020 the defendant's filed their response in opposition to Petitioner's Motion to Admit Facts into Evidence and into Pleadings. On November 06, 2020 Petitioner filed his response in opposition to defendant's Motion To Dismiss For Failure To State A Claim in Lieu of an Answer. Petitioner also filed a Reply to defendant's response in opposition to his Motion to Admit facts into Evidence and into Pleadings along with a Motion to Admit facts into Evidence in support of Petitioner's Opposition to Defendant's Motion to Dismiss. On November 06, 2020 defendant's Motion To Dismiss for Failure To State A Claim in Lieu of an Answer; Petitioner's Motions To Admit Facts into Evidence; and Petitioner's Motion for Permission to file Plaintiff's Opposition to Defendant's Motion to Dismiss was submitted to District Judge Richard E. Myers II. On September 22, 2021 the Court Denied Without Prejudice Petitioner's motions to "Admit Facts Into Evidence," and among other things Granted in part defendant's motion to dismiss the complaint as to plaintiff's claims against defendant's in their official capacities, but Denied the motion to dismiss as to all other grounds. The Court then Refered the action to United States Magistrate Judge Robert B. Jones, Jr. for entry of a scheduling order. After defendant's answered, the 21 amended complaint. On October 06, 2021 the court entered a Scheduling Order stating that Discovery was due by 1/4/2022 and all dispositive motions due by 2/3/2022. The court also entered a Order stating that On October 5, 2021, Defendants answered the complaint, and the court entered a scheduling order setting a period of discovery. On October 18, 2021 Petitioner filed a Motion Seeking Joinder of defendant's and a Request for Admissions and Production of Documents. On October 29, 2021 Defendant's filed their Memorandum in Opposition to Plaintiff's Motion for Joinder of Defendants. The Motion for Joinder was submitted to Chief Judge Richard E. Myers II. on October 29, 2021. On November 12, 2021 Petitioner filed a request to defendant's seeking to meet and confer regarding discovery along with his Reply to defendant's Response in Opposition to his Motion for Joinder of Defendants. On November 30, 2021 Petitioner filed another request seeking to meet and confer with defendant's regarding discovery. On December 06, 2021 Petitioner filed his third meet and confer request. On December 15, 2021 Petitioner filed a Motion for Extension of Time within which to Complete Discovery Period. On December 22, 2021 Defendant's filed their Response in Opposition to Petitioner's Motion for Extension of Time to Complete Discovery. On December 24, 2021 Magistrate Judge Robert B. Jones, Jr. entered an Order that Granted Petitioner's Motion for Extension of Time and set new deadlines by which the Discovery Period should be completed. On January 03, 2021 Petitioner filed a Motion to Compel Discovery and for sanctions, fees and costs. He also filed another Motion for Extension of Time to Complete Discovery.

On January 05, 2022 defendants filed their Response in Opposition to Petitioner's Motion to Compel Discovery and a Response in Opposition to Petitioner's Motion for Extension of time to Complete Discovery. These two motions was submitted to Chief Judge Richard E. Myers II on January 05, 2022.

On January 20, 2022 Petitioner filed his Reply to defendant's Joint Response in Opposition to Plaintiff's motion to compel discovery.

On February 08, 2022 Magistrate Judge Robert B. Jones, Jr. entered an Order that Denied Plaintiff's Motion to Compel Discovery without prejudice to allow Plaintiff to submit supplemental discovery requests. Magistrate Judge Robert B. Jones Jr. also deemed Petitioner's Motion for Extension of time withdrawn.

On February 09, 2022 an alleged Chief Judge Richard E. Myers II entered an Order that Denied Petitioner's Motion for Joinder of Defendants.

On February 18, 2022 Petitioner filed a Motion to Overturn this Court's Decision as to the Denial of Plaintiff's Motion Seeking Joinder of Defendants.

On February 22, 2022 Petitioner filed a Motion for Extension of time within which to submit a

supplemental request to RFA No. 11 and RFA No. 26,
a Motion to Overturn this Court's Decision to Deny Plaintiff's
motion to compel discovery and to grant the motion to compel as to
Plaintiff's R.F.P. No. 1. Petitioner also filed his Supplemental
Request to Defendant's for RFA No. 11 and RFA No.
26.

On February 28, 2022 Defendant's filed their
Response in Opposition to Petitioner's Motion for Reconsideration
as to the Order regarding his Motion to Compel and they filed a
Response in Opposition to Petitioner's Motion for Extension of Time
to Complete Discovery.

On March 02, 2022 Defendants filed a Motion for
Extension of Time to File Dispositive Motions.

On March 03, 2022 Petitioner filed a Motion for
Extension of Time within which to file all motions except those
relating to the admissibility of evidence at trial.

On March 04, 2022 Magistrate Judge Robert B.
Jones, Jr. entered an Order stating that, for good cause shown,
both Plaintiff's and Defendant's requests to extend the motions
deadline are allowed, and all motions, except those relating to the
admissibility of evidence at trial, shall be filed no later than April
11, 2022.

On M

4(b)

On March 07, 2022 James Harold Ferguson entered a Notice of Appearance on behalf of defendants and the defendants filed a Response in Opposition to Petitioner's Motion for Reconsideration regarding the court's Order on Petitioner's Motion for Joinder of Defendants. The following day Petitioner's Motions to Compel and to Querturn this court's decision as to the Denial of Plaintiff's Motion Seeking Joinder of Defendants.

On March 14, 2022 Petitioner filed a Motion for Spoliation and Imposition of Sanctions.

On March 18, 2022 Petitioner filed his Motion for Summary Judgment and a Motion to Submit Documents into Evidence with a supporting Affidavit.

On March 25, 2022 Petitioner filed an Affidavit Statement of Truth with the Court.

On March 28, 2022 Defendants filed a Response in Opposition to Petitioner's Motion for Sanctions.

On March 31, 2022 Petitioner filed another Affidavit with a total of eight (8) supporting exhibits.

On ~~Mar~~ April 01, 2022 Petitioner filed a Motion for a Reasonable Attorney's Fee for Prevailing on a Significant Issue in the Litigation.

On April 05, 2022 Defendants filed a Motion for Extension of time to file Response as to Petitioner's Motion for Summary Judgment. The court Granted this motion on April 05, 2022.

On April 07, 2022 an Order Denying Petitioner's Motion for Spoliation and Imposition of Sanctions was entered by Magistrate Judge Robert B. Jones, Jr. and Defendants filed a Response in Opposition to Petitioner's Motion for a Reasonable Attorney's Fee for Prevailing on a Significant Issue in the Litigation.

On April 08, 2022 Petitioner filed a Reply to Defendants Response in Opposition to Petitioner's Motion for Spoliation and Imposition of Sanctions. This Motion was also submitted to Chief Judge Richard E. Myers II.

On April 11, 2022 Defendants filed a Joint Motion for Summary Judgment with a supporting Memorandum along with a Statement of Material Facts and Appendix thereto.

On April 11, 2022 the court issued its Roach Letter to Plaintiff about his Right to Respond to the defendants Joint Motion for Summary Judgment.

On April 21, 2022 Petitioner filed his Reply to Defendants Response in Opposition to Petitioner's Motion for

a. Reasonable Attorney's Fee.

On April 26, 2022 Petitioner filed a Motion for Extension of Time to file his Response to Defendants Joint Motion for Summary Judgment.

On April 29, 2022 an Order Granting Petitioner's Motion for Extension time was entered and signed by an alleged Chief Judge Richard E. Myers II.

On May 11, 2022 Defendants filed their Response in Opposition to Petitioner's Motion for Summary Judgment and a Statement of Material Facts.

On May 12, 2022 Petitioner filed his Reply to Defendants Response in Opposition to Petitioner's Motion for Spoliation and Imposition of Sanctions. This motion was referred to U.S. Magistrate Judge Robert B. Jones, Jr. on May 12, 2022, and then submitted to Chief Judge Richard E. Myers II.

On May 16, 2022 an alleged Richard E. Myers II signed and entered an Order that Granted Petitioner's February 18, 2022 motion for reconsideration and ALLOWED

the excessive force and deliberate indifference claims to proceed against Mobley and Page. The Order Directed counsel for defendants to file a response, not later than June 3, 2022

indicating whether service as to Mobley and Page can be waived and if not, providing the full names and best known addresses for service on these defendants, under seal if necessary, and **STAYED** all deadlines until those issues were resolved. This Order also Denied Petitioner's February 22, 2022 motion for reconsideration, Granted in Part Petitioner's March 18, 2022 motion to submit documents into evidence, Denied Petitioner's April 1, 2022 motion seeking attorney's fees, and Denied without prejudice Petitioner's April 21, 2022 and April 26, 2022 motions seeking sanctions for spoliation of evidence.

On May 20, 2022 Petitioner filed a Response in Opposition to Defendant's Motion for Summary Judgment supported by a Statement of Material Facts, an Affidavit, and an Appendix.

On May 31, 2022 Petitioner filed a Second Motion for Extension of Time to file a Response as to Defendant's Joint Motion for Summary Judgment along with a Motion for Reconsideration as to this court's May 16, 2022 Order.

On June 02, 2022 Defendants filed their Response in Opposition to Petitioner's Motion for Reconsideration as to this court's May 16, 2022 Order.

On June 06, 2022 Patrick H. Flanagan filed a Notice of Appearance on behalf of Sergeant Page and a Waiver of

Service Returned Executed was filed by Officer Mobley.

On June 10, 2022 a Waiver of Service Returned Executed was filed by Sergeant Page.

On June 15, 2022 Petitioner filed his Reply to Defendant's Response in Opposition to Petitioner's motion for Reconsideration.

On June 16, 2022 the court Granted In Part Petitioner's Motion for Extension of Time and Denied Petitioner's Motion for Reconsideration. This Order was signed by an alleged Richard E. Myers II.

On June 30, 2022 Petitioner filed a Notice of Interlocutory Appeal and a Transmittal of Notice of Appeal and Docket Sheet was sent to the U.S. Court of Appeals along with an Assembled Electronic Record on Appeal.

On July 06, 2022 the U.S. Court of Appeals entered Case Number 22-6760.

On July 28, 2022 Officer Mobley filed a Motion to Dismiss For Failure to State A Claim and a Memorandum In Support.

On August 05, 2022 Sergeant Page filed an Answer to the Complaint. A Rule 12 Letter was also issued to Plaintiff as to Officer Mobley's Motion to Dismiss For Failure

To State A Claim.

On August 08, 2022 Petitioner filed his Response in Opposition to Officer Mobley's Motion to Dismiss.

On August 11, 2022 Officer Mobley filed a Reply to Petitioner's Response in Opposition to Officer Mobley's Motion to Dismiss For Failure to State A Claim.

On August 16, 2022 the court entered an Order Denying Officer Mobley's Motion to Dismiss.

On August 17, 2022 the court entered an Amended Scheduling Order setting deadlines for discovery and to answer the complaint.

On October 21, 2022 Petitioner filed his Motion For Summary Judgment.

On October 27, 2022 an alleged Chief Judge Richard E. Meigs II signed an Order that Denied both of Petitioner's pending Motions for Summary Judgment, Granted In Part the moving Defendants' motion for summary judgment and Allowed the remaining Defendants until December 05, 2022 to file a response to the court's notice under Fed. R. Civ. P. 56(f).

On October 28, 2022 Officer Mobley filed a Motion for Summary Judgment with a Supporting Memorandum and a Statement of Material Facts, with a Statement of Facts Appendix.

On November 04, 2022 Sergeant Page filed his Motion for Summary Judgment and Memorandum in Support.

On November 07, 2022 Petitioner filed his Response to Opposition to the court's October 27, 2022 Order. Petitioner also filed a Notice of Interlocutory Appeal, and a Declaration regarding the Notice.

On November 08, 2022 the U.S. Court of Appeal issued the Case Number 22-1299 as to Petitioner's Notice of Appeal.

On November 16, 2022 Petitioner filed his Response in Opposition to Officer Mobley's Motion for Summary Judgment, and Officer Mobley filed his Reply on November 21, 2022.

On November 22, 2022 the U.S. Court of Appeals Granted Appellant leave to proceed without full prepayment of fees.

On December 21, 2022 an alleged Richard E. Myers II signed an Order that Denied Petitioner's Motion for Attorney's fees. His signature was missing letters and numbers off of it.

On February 07, 2023 the court entered an Order that Granted Officer Mobley's and Sergeant Page's motion for summary judgment and Dismissed the complaint without prejudice.

On July 26, 2023 Appellant filed a letter regarding the signatures on the district court Orders with the U.S. Court of

Appeals.

On September 07, 2023 the U.S. Court of Appeals entered an Order that consolidated case 22-1299, 23-6159 with 22-6160.

On April 16, 2024 the U.S. Court of Appeals entered a Judgment Order that Dismissed No. 22-6160 and Affirmed the lower courts decision as to No's 22-1299 and 23-6159.

On May 02, 2024 Appellant filed a Motion for Extension of Time to file his Petition for Rehearing.

On May 08, 2024 the U.S. Court of Appeals granted the motion for an extension of time to file appellants petition for rehearing.

On May 09, 2024 Petitioner's Petition for Rehearing and Rehearing en banc was filed with the U.S. Court of Appeals.

On June 06, 2024 the U.S. Court of Appeals Denied the Petition for Rehearing and Rehearing En Banc.

On June 14, 2024 the mandate was issued referencing the unpublished per curiam opinion and judgment order.

Petitioner now timely files his Petition for Certiorari, or, in more proper legal terms, his Petition for Writ Of Certiorari.

REASONS FOR GRANTING THE PETITION

The petitioner in this case shows this court that the sole reason for granting the at hand Petition for Writ of Certiorari is because the U.S. Court of Appeals for the Fourth Circuit has decided an important Question of Federal law that has not been, but should be, settled by this Court. This question being did an individual forge a judge's signature in order to pass off a false document as an authentic one issued by the courts of the United States. This question of federal law is important because if an individual is passing off false documents as if those documents were authentic and issued by the Courts of the United States, then not only mine, but every person involved with legal matters justice could be at stake, and that would mean there is never any true enforcement or protection of private rights or the redress of private wrongs in the State of North Carolina. If this issue was present nationwide then that would mean the same for all United States Citizens. See N.C.R.Civ.P. Rule 2 stating: "There shall be in this State but one form of action for the enforcement or protection of private rights or the redress of private wrongs, which shall be denominated a civil action. N.C. Rules of Civil Procedure Rule 2. If everyone's justice was at stake then the United States would have no liberty for its citizens. It wouldn't be a land of equal opportunity and the laws and constitutions as we know it would be void. Therefore this Court should exercise its supervisory power and cease any and all individuals that has forged a judge's signature in order to pass off a false document as an authentic one issued by the Courts of the United States and has the intent to deprive a violated individual of money or property. If this court exercises its supervisory power in this case first, it could be the start of contemptuous demolition in the U.S. District Court for the Eastern District of North Carolina and it would end the continual criminal violation of false documents being passed off as an authentic documents issued by the courts of the United States. Pursuant to 18 U.S.C. § 505, When an individual forges a judge's signature in order to pass off a false document as an authentic one issued by the courts of the United States, such conduct implicates the interests protected by the criminal statute prohibiting knowingly forging the signature of a United States judge or the seal of a federal court, whether or not the actor intends to deprive another of money or property. See 18 U.S.C. § 505. In any situation where an inmate prevails over an opposing party and the inmates compensation is de-railed by an individual forging a judge's signature and having false documents entered into the history of the courts, this court should exercise its supervisory power and judicial discretion in order to decide and determine the controversy as to the important question of federal law and whether or not all orders entered at the lower courts were authentic and signed by the same individual certified by the FBI and elected to be the judge. This would ensure all inmates that they would have that one form of action for the enforcement or protection of private rights or the redress of private wrongs as the General Statutes of North Carolina guarantees guarantees. See N.C.R.Civ.P. R. 2; See also N.C.Gen. Stat. § 1A-1, 2.

The important question of federal law presented in this Petition for Writ of Certiorari should be settled by this Court in order to stop false documents from being passed off as authentic documents in the Courts of the United States. This would end the violation of a federal code and cause any individual contemplating about forging a judge's signature in order to deprive someone of money and property using unauthentic documents in the Courts of the United States to be more hesitant to further their criminal activity using their signature to pass off a false document as an authentic one issued by the courts of the United States. See 18 U.S.C. § 505. This court should exercise its judicial Discretion in order to stop the deception to the U.S. Citizens as to the outcome of the litigation, and to cease the current violation of the criminal statute prohibiting knowingly forging the signature of a United States judge or the seal of a federal court. Here, the signature of a United States judge has been forged and false documents has been passed off as authentic documents issued by the courts of the United States. This issue is a question of federal law and is important to the outcome of civil litigation in the Civil Courts of the United States. Therefore this court should

exercise its supervisory power in settling the question of whether or not it agrees with the Petitioner as to the passing off of false documents as authentic ones by an individual forging a judge's signature in the courts of the United States.

The Orders and documents that was forged in order to pass off a false document as an authentic document issued by the United States District Court for the Eastern District of North Carolina are Documents 55, 70, 92, 128, 132, 155, 167, 174, 180, 208, 221, and Document 237. These documents does not bear the same signature as Document 11. D.E. is the abbreviation for docket entry or document. Petitioner now explains and shows why, upon visual observance of the orders entered at the U.S. District Court for the Eastern District of N.C. and upon visual observance of the orders appealed from it is clear and obvious that the signatures on those orders was not made by the same individual.

1st - The signature in D.E. 11 is made in one fluent steady motion as if the pen was never lifted off the page when compared to the signatures on D.E. 55, D.E. 70, D.E. 128, D.E. 132, D.E. 155, D.E. 167, D.E. 180, D.E. 208, and D.E. 221.

2nd - The sharpness at the top of the letter "M" in the name "Myers" is more round in DE 11, DE 208 and DE 221 when compared to DE 55, DE 10, DE 92, DE 128, DE 132, DE 155, DE 167, DE 174, and DE 180 and the sharpness at the top of the letter "M" in the name "Myers" appearing on those Documents.

3rd - The middle initial "E" in the signature "Richard E Myers II" looks upside down in Document 10 when compared to the middle initial "E" in the signature "Richard E Myers II" in DE 11, DE 55, DE 128, DE 132, DE 174, DE 208, and DE 221.

4th - The middle initial "E" in the signature "Richard E Myers II" looks like a letter "C" in DE 174 when compared to the middle initial "E" in the signature "Richard E Myers II" in DE 11, DE 55, DE 10, DE 92, DE 128, DE 132, DE 155, DE 167, DE 180, DE 208, and DE 221.

5th- In the name "Richard" in the signature "Richard E. Myers II" starts diagonally upward from left to right in DE. 11, DE. 10, and DE. 128, and the "Richard" in the signature "Richard E. Myers II" starts diagonally downward from left to right in DE. 55, DE. 132, DE. 155, DE. 167, and DE. 180.

6th- In the name "Richard" that's part of the signature "Richard E. Myers II" there is an elevation in the letter "c" and a decrease in elevation in the letter "h" in DE. 55, DE. 10, DE. 128, DE. 132, DE. 155, DE. 180, DE. 208, and DE. 221 when compared to the elevation in the letter "c" and the decrease in elevation in the letter "h" in the name "Richard" in DE. 11, DE. 92, and DE. 174.

7th- In DE. 174 in the name "Richard" that's part of the signature "Richard E. Myers II" there is a decrease in elevation in the letter "c" and an increase in elevation in the letter "h" when compared to the decrease in elevation in the letter "c" and the increase in elevation in the letter "h" in the name "Richard" in DE. 55, DE. 10, DE. 128,

DE 132, DE 155, DE 167, DE 180,
D.E. 208, and D.E. 221.

8th - There is no notable increase or decrease in letters "c" and "h" in the name "Richard" that's part of the signature "Richard E. Myers II" in D.E. II when compared to the increase or decrease in elevation in the letters "c" and "h" in the name "Richard" in D.E. 55, DE 10, DE 128, DE 132, DE 155, DE 167, DE 174, DE 180, D.E. 208, and D.E. 221.

9th - The beginning of the letter "e" in the name "Myers" that's part of the signature "Richard E. Myers II" is below the section of the letter "y" as if the pen was raised off the paper when beginning the letter "e" in the name "Myers" in DE 10, DE 128, DE 167, D.E. 208, and DE 221 when compared to the beginning of the letter "e" in the name "Myers" in D.E. II, DE 55, DE 132, DE 155, DE 174, and D.E. 180. The letter "e" in the latter of the above mentioned Docket Entries is more evenly aligned with the intersection of the letter "y" in the name "Myers" than in the first mentioned Docket Entries.

10th - The Roman Numeral "II" in the signature "Richard E. Myers II" appears to be similar in structure in D.E. 174, D.E. 180, and D.E. 128. The structure of the Roman Numeral "II" is different in D.E. 55, D.E. 132 and D.E. 155 when compared to the signature structure of the Roman Numeral "II" in D.E. 11, D.E. 167 and D.E. 221.

11th - The Roman Numeral "II" in the signature "Richard E. Myers II" in D.E. 70 looks like an abbreviation for the phrase "thank you" as if one was sending a text message.
ex. "T" "Y"

12th - The letter "s" and the Roman Numeral "II" is missing off of the name "Myers II" in the signature "Richard E. Myers II" in D.E. 208.

13th - The name "Myers" in the signature "Richard E. Myers II" slants diagonally downward from left to right in D.E. 55, D.E. 128, D.E. 132, D.E. 155, D.E. 174, and D.E. 180 when compared to the name "Myers" in the signature "Richard E. Myers II" in D.E. 11, D.E. 70.

and D.E. 167

14th - The name "Richard" in the signature "Richard E. Myers II" is written in one smooth, steady motion as if the pen was never lifted off the page while writing the name in D.E. 92 when compared to the name "Richard" in the signature "Richard E. Myers II" in D.E. 237.

15th - The middle initial "E" in the signature "Richard E. Myers II" curves from the beginning of the letter to the end in D.E. 221 whereas the middle initial "E" in D.E. 180 is formed using sharp angles. Both are summary judgment documents.

16th - The letter "M" in the name "Myers" starts backwards to the left in D.E. 92 and D.E. 221, whereas the letter "M" in the name "Myers" starts forward to the right in D.E. 180 and D.E. 237 when observing the signature "Richard E. Myers II".

17th - The letter "R" in the name "Richard" contains a full curve at the bottom right leg of the "R" that curves all the

you down to the signature line in D.E. 221 whereas the "R" in the name "Richard" starts straight and abruptly ends with an upward curve well above the signature line in D.E. 180. Both of which are summary judgment documents.

18th- When looking at the letter "M" in the name "Myers" the left peak is slightly higher than the right peak that makes up the letter "M" in D.E. 180, whereas in D.E. 221 the right peak of the letter "M" is a lot higher than the left peak that makes up the letter "M". One document seems to be signed by a right-handed individual while the other document seems to be signed by a left-handed individual.

19th- The Roman Numeral "II" in D.E. 155 and D.E. 132 both consists of a right vertical line that curves to the right at the top of the vertical line and curves to the left at the bottom of the vertical line, whereas D.E. 180 and D.E. 221 both has a Roman Numeral "II" that consists of a right vertical line that is constructed in a straight up and down manner.

20th- The Roman Numeral "II" in D.E. 132 and

DE 155 both has vertical lines that completely touches the top of the horizontal lines, whereas the Roman Numeral II in DE 180 and DE 221 both has vertical lines that is intentionally not touching either of the horizontal lines that makes up the Roman Numeral.

Petitioner brings to this court's attention that proof of forgery will affect the outcome of the case under the substantive law. This means that the important question of federal law in this case is a fact that if proven will affect the outcome of the case under the substantive law, making this important question a material fact. It has been established by the courts that, "A fact is material if proof of the fact might affect the outcome of the case under the substantive law." See *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 251-53 (1986). Because the descriptions given above along with visual observation of the signatures on the listed documents proves that all signatures could not have possibly been made by the same individual and because this question of a violation of a federal law would affect the outcome of the case under the substantive law this court should exercise its supervisory power and overturn the decision of all inferior courts due to an individual forging the signature of Chief United States Judge Richard E. Myers II.

In order to pass off a false document as an authentic one issued by the courts of the United States for the purpose of depriving the Plaintiff out of money and property in violation of 18 U.S.C. § 505. See 18 U.S.C. § 505; See also U.S. v. Jones, 1992, 34 M.J. 1229, review denied, 35 M.J. 207 Military Justice 1736. In the instant case the signatures on documents 55, 79, 128, 132, 155, 167, 174, 189, 208, 221, 92 and 237 were made with the intent to deceive the Plaintiff to believe that the signature on those orders was that of the individual that signed document 11. Therefore this court should exercise its supervisory power to settle the important federal question of law as to the different signatures of an judge on different documents within the same litigation all amounting to the violation of 18 U.S.C. § 505. The U.S. Court of Appeals sanctioned the departure of moving sure that all documents are authentic that is issued by the courts of the United States. This Eastern District of North Carolina and sanctioned by the United States Court of Appeals for the Fourth Circuit. Both interior courts allowed the federal process to proceed under the course of an individual forging a judges signature in order to pass off a false document as an authentic one issued by the courts of the United States and such conduct implicates the interests protected by the criminal statute prohibiting knowingly forging the signature of a United States judge or the seal of a federal court. Despite the interests protected by the criminal statute both lower courts allowed false documents to be passed as authentic ones issued by the courts of the United States. Therefore Petitioner asks that this court exercise its supervisory power to settle the important question of federal criminal law that was allowed to go unnoticed at the District Court and sanctioned on the Court of Appeals as both courts departed from the accepted and usual course of judicial proceedings in the at hand case.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Justin M. Lyons

Date: August 28th, 2024