

24-6227

No. _____

ORIGINAL

FILED

DEC 06 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

David C. Lipton — PETITIONER
(Your Name)

vs.

University of Rochester — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Second Circuit of Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

David C. Lipton
(Your Name)

P.O. Box 874
(Address)

Ayer, MA 01032
(City, State, Zip Code)

(Phone Number)

Questions
23-cv-504

1. Can a non-government agent be granted immunity?
2. Is a University a state agent?
3. Is *Neitze v Williams*, 490 U.S. 319 incorrect?
4. Can a person or place be immune to the American with Disability act?
5. Can there be immunity to abuse of process?
6. To -

LIST OF PARTIES

- ☒ All parties appear in the caption of the case on the cover page.
- ☐ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

RELATED CASES

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lex is*

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OTHER

Ave process
Equal protection

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☒ is unpublished.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 _____ 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☒ is unpublished.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☐ is unpublished.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☐ is unpublished.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 September 19, 2009

☐ 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).

CONSTITUTION AND STATUTORY PROVISIONS INVOLVED
23-cu-504

1. Due process
2. Equal protection
3. Title II Americans with disabilities act
4. Title 28 United States code 144
5. Title 23 United States code 137

Statement of Case
23-cv-504

The wrong standards have been applied. University of Rochester is a public benefit corporation that was created by state legislature which be new york state. This was clarity in an opinion from Joseph F. Bianco in *gaines v nassau univeristy medical center*, 2018 U.S. Dist. Lexis 141698.

It seems thjat a state agency isn't clothed with state law, but the issue stems from a compentty test. First before the motion to grant was mnade the petitioner had fired the retain lawyer in which the judge had turned around and stated that the lawyer couldn't be fired and that the petitioner had to contuine to pay the lawyer for which the laws.

Then after an opinion was made and ready to be filed it was delay on a matter that was totally and completely inrealvent to the matter ofabeing compentety or not. this was the reason for the suit. That is since the doctor was going to dianogios the petitioner in which would have made a malpractice lawsuit since the government had later admitted that the whole competency exam was a stall tatic.

The doctor wanted records from a different facility in which n had no bearing on the opinion.

So the question becomes out of the facts sorrounding the matter is there an immunity defense? and does state law apply to the state created agency.

Reason to grant petition
23-cv-504

To make it clear on the position of acting of color of Law.
To say wether or not a person can get immunity when they aren't
clothed with color of law.
is immunity possible for the american disability act on a matter
of law.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

N L

Date: December 7, 2024