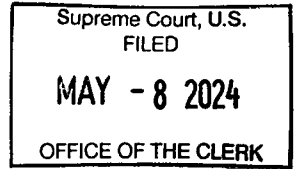


24-6650

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



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Abdullah Sall,

Pro Se Petitioner

vs.

Chittenden County State Attorney Sarah George,
Chittenden County State's Attorney's Office (CCSAO),
Chittenden County Sheriff,
Seven Days Newspaper,
Vermont State Police,
Chittenden County Police Departments, State of Vermont,
City of Burlington, Chittenden County Townships,
Local Motion,
Greater Burlington YMCA.

Respondents.
-----◆-----

**On Petition for a Writ of Certiorari to the United States
Court of Appeals for the Second Circuit Court**



PETITION FOR A WRIT OF CERTIORARI

Abdullah Sall
4400 Memorial Drive Unit 3124
Houston, Texas 77007
Phone#: 802 324 6941
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QUESTION(S) PRESENTED

According to established legal precedent, the deadline for submitting an appeal carries substantial legal implications for both litigants and defendants. See *Budinich v. Becton Dickinson & Co.*, 486 U.S. 196, 202 (1988). Despite the court's awareness of my homeless status and its potential impact on my case, the United States District Court for the District of Vermont in Burlington rendered a decision, leading to the expiration of the timeframe for filing an appeal. The way in which my complaint

was handled by the District Court has raised several unresolved legal questions. These questions shed light on fundamental flaws in both the statute of limitations and the federal civil procedures, calling into question the integrity of the American legal system. Additionally, summary judgment is deemed appropriate when it is demonstrated that the standard outlined in the *Rule 56* FRCP is satisfied or accomplished not due to the court discovering a means to dismiss a claimant's complaint. A district court has the authority or the discretion to decide on a case either by considering the merits of the pleadings or by following the rules or case law. In all cases, the judge has the final say in all outcomes. Furthermore, *Rule 8* FRCP prescribes the essential content of pleadings in all civil cases in federal district courts. *Rule 8(a)* directs that a complaint "must contain" a statement of jurisdiction, a demand for relief, and "a short and plain statement of the claim showing that the pleader is entitled to relief." The rule further provides that "each allegation must be simple, concise, and direct. No technical form is required." Additionally, *Fed. R. Civ. P. 15(c)(1)(B)* stipulates that an amended pleading will "relate back" to the date of an original

pleading if the amended pleading “asserts a claim or defense that arose out of the conduct, transaction or occurrence set out – or attempted to be set out – in the original pleading.” I respectfully request the granting of this Petition to effectively address these following consequential questions:

1. The question presented in the petition is whether the United States District Court for the District of Vermont in Burlington abused its discretion by applying improper legal standards and hastily resorting to summary judgment to deny my claim of continuous violation against the respondents.
2. Whether my defamation claim against respondent Seven Days, Inc. sufficiently pleads equitable tolling just with direct evidence and by presenting detailed factual allegations from which, when collectively considered, equitable tolling could plausibly be inferred.

3. Does Title VII of the Civil Rights Act of 1964 prohibit employers from engaging in defamatory misconduct based on race, religion, ethnicity, or national origin?
4. Whether the statute of limitations applies even in cases of ongoing misconduct. See *Local Motion, Inc.*
5. Whether my assertion of a section 1985 conspiracy against Seven Days, Inc., is considered the introduction of a new claim? Further, whether the statute of limitation time-barred my complaint against respondent Seven Days, Inc., even though all the evidence points to the respondent's misconduct as the cause for my inability to file within the specified deadline.
6. Is a newspaper that participates in an act to advance a conspiracy liable under *section 1985*? Does the misconduct of the office of the prosecutor and a major publication constitute a *section 1985* violation in this case?
7. Whether a plaintiff can be precluded from invoking a statute in opposition to a summary judgment motion, even

if he expressed the argument of the statute in his original complaint, Amended Complaint, responses, replies, and Second Amended Complaint?

8. Is a co-conspirator newspaper protected under the First Amendment from a defamation claim? Is the hit-piece published by respondent Seven Days Newspaper considered protected speech?
9. Who is a public figure in this case?
10. Whether an employer making employment decisions such as promotion based on racial, religious, ethnic, sex, or national origin stereotypes or assumptions about an employee's abilities, traits, or performance constitutes a section 1981, Title VII, and Title VI. See *Greater Burlington YMCA*.
11. Whether my claims against respondent Greater Burlington YMCA is time-barred given the respondent misconduct fits within the continue violation doctrine?

12. Whether in cases of two, three, four, or multiple overlapping statutes of limitations caused by a continuing wrong stemming from systemic racism, discrimination, or prejudice, in such cases, a single investigation and the evidence of other claims or the merits of the complaints relieve an unrepresented litigant of their obligation to report to the Equal Employment Opportunity Commission (EEOC), or the victim may be granted a filing requirements waiver of EEOC due to the significant burden placed on the victim to meet all EEOC requirements simultaneously.

13. Whether the harassment, abuse, intimidation, and expulsion of a potential litigant constitute tampering with evidence and a violation of due process? Whether attorney harassment and intimidation constitute tampering with evidence?

14. Whether the harassment, abuse, intimidation, and expulsion of a potential litigant amount to tampering with evidence and a violation of due process?

LIST OF PARTIES

The petitioner is me, pro litigant Abdullah Sall.

The respondents are the Chittenden County State Attorney Sarah George, the Chittenden County State's Attorney's Office (CCSAO), Chittenden County Sheriff, Seven Days Newspaper, the Vermont State Police, "Chittenden County Police Departments," the City of Burlington, Chittenden County, Local Motion, and the Greater Burlington YMCA.

RELATED CASES

There are no related proceedings within the meaning of this Court's Rule 14.1(b)(iii). So, I petition the Court to review my case de novo.

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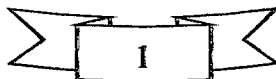
The opinions of the United States Court of Appeals for the Second Circuit in this case remain unpublished. The decisions and dissenting views on the denial of rehearing *en banc* remain unpublished.

JURISDICTION

The jurisdiction of the US Supreme Court is derived from Article III, Sections I & II of the United States Constitution. The Court of Appeals rendered its decision on December 20, 2023. A timely petition for rehearing *en banc* was denied on February 22, 2024. The Court has jurisdiction under 28 U.S.C. § 1254(1) to hear these cases. This petition is being submitted before the Court in line with the First Amendment, which guarantees citizens' right to petition the government for redress of grievances.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. **First Amendment:** free of speech, press, and religion, as well as the right to petition the government.



2. **Fourth Amendment:** The right of individuals to be secure in their persons.
3. **14th Amendment: Section 1** No enactment or enforcement of any law that abridges the privileges or immunities of citizens; nor deny equal legal protection.
4. **42 U.S. Code § 1985(2)** law prohibits any conspiracy that interferes with civil rights.
5. **42 U.S. Code § 1983** law provides for civil action in cases of deprivation of rights.
6. **Defamation law:** prohibits the use of false statements to damage somebody's public image.
7. **Title VII of the Civil Rights Act of 1964**, a law that prohibits employment discrimination on the basis of race, religion, ethnicity, and national origin.
8. **Title VI of the Civil Rights Act of 1964**, also known as **42 U.S.C. § 2000d et seq., Section 3**, forbids discrimination based on race, color, and national origin in

any program or activity that benefits from federal financial aid.

9. **Civil Rights Act of 1866, codified as 42 U.S.C. § 1981,** granted all citizens of the United States with the same rights, including the right to make and enforce contracts and to be subject to the same punishments, taxes, and other legal responsibilities.

STATEMENT OF THE CASES

C. Sall v. Local Motion, Inc.

The appeal arose from my dismissed race, religious, ethnic, and cultural-based hostilities, discrimination, abuse, and defamation of character lawsuit against Local Motion, Inc., a complaint consolidated in the case of Sarah George et al... The abuse described in the complaint were instigated by Director Charlene Wallace, who maliciously spread false statements to defame my character, while urging others to engage in abusive behavior against me. She opted to abuse me in blatant defiance of state and federal laws prohibiting discrimination and defamation, escalating the hostility when it became clear that I lacked the

language skills required to draft a complaint against them, the capacity to convey what they had done to me in a court of law in a flawless American accent and my lacked of biological link in the community, proofing that the defendant's decision to abuse me was deliberate and calculated. Regardless whether or not we shared a physical workspace, the hostility persisted. Further, the atmosphere within Local Motion, Inc's office can be described as a re-education camp aimed at replacing all of my beliefs with new feminist beliefs, the harsh condition left me with emotional and psychological trauma. She enlisted her lesbian Elizabeth (Beth) and others to abuse me, leading to further attacks against me at Burlington City Hall, social gatherings, and public events, where they hurled verbal insults at my family, ethnic community, and, in particular, my father, while claiming to be aware of the repressive status of women in my culture, which barred women from talking back to men, asserting I was forbidden to respond or talk back to them. I sat in silence, filled with anger, as they kept telling me that male members of my race, religion, ethnic group, and continent of origin embody toxic masculinity and the patriarchy, that mistreat and subjugate

women. They made it their life mission to propagate false rumors about me, rumors that alleged I was *sexist, misogynistic, anti-women*, and *homophobic*, depriving me of the opportunity to form authentic human connections within the community, considering all this happened during my early stages of self-development as a newcomer at a time when everything was unfamiliar to me, including the legal framework of this nation's government, to which society has responded since time immemorial by extending a welcoming hand to the strangers. Regrettably, because the defendants do not follow the hospitality code customs, they saw an opportunity to exploit my vulnerabilities and subject me to abuse. Moreover, the respondent could have contained their hostilities within the Local Motion, Inc.'s workspace. However, they opted to malign my character by distorting what I belief and that of my ethnic nation to the broader community and rallying others to partake in harassment and abuse against me, promising me that they would assure my failure in Vermont and America, doing everything possible since then to achieve that objective. As expected, upon learning of the false defamatory statements,

community members responded with hurling feminist slurs, making false accusation and derogatory comments against me, which was followed by threats of reporting me to law enforcement. The defendant turned everyone that came into contact with them against me, including student volunteers, volunteers mistreated me, as they had seen other staff members do. I sat in silence, filled with anger when Ms. Wallace and Beth told others that I hailed from rape culture in which men will not accept no for an answer when women refuse to have sex, adding that I belong to a patriarchal society that performs female genital mutilation on girls and forced women to wear headscarves. These verbal assaults occur consistently before, during, and after group meetings. Sometimes, at Local Motion, community halls, and at Burlington City Hall. In their view, I represented the evils of my ethnic culture. I could not say or do anything to defend my people's honor. The instant we met, one person would hurled insults at me, and the rest would rally in support of my assailant by yelling, screaming offensive remarks, or shouting with venom, drowning out my voice and depriving me the chance to respond. I was further accused of being a *rapist*,

pedophile, and *sexual aggressor*, because I follow a religion that beat women and whose prophet married a nine-year-old child, even more that this nation perceives anyone born with a penis to be predisposed to *sexual aggression* or *rape*; Black men are thought to be more likely to engage in sexual aggressiveness. Ms. Wallace said, Black men commit the vast majority of rapes, physical assaults, sexual assaults, and robberies in the nation; are known not to have self-control around women and are considered the laziest race of people. Meanwhile, during the time of the abuse I was at the same time being told, "When I look at you, Mohammed – oh, I'm sorry, Abdullah – I don't see color," while they maintained I could not stop their abuse because unlike in my country of origin, women hold power in America; their assertion was correct, primarily because society holds the belief that all women are natural victims and that a woman's claims should not be questioned, but accepted as gospel without reservation. Consequently, they publicly abused me without any fear of being held accountable. I began to realize that the spiteful words had been disseminated and were having a detrimental impact on my public image when I started attending social

events, encountering individuals who initially appeared enthusiastic about the presence of a newcomer, who upon learning my name began to verbally assault me, as I painful watch their emotion shift from excitement to rage. I had to deal with these defamatory attacks from Local Motion until I was expelled from Vermont in 2019. The court's allegation that I failed to report the defendant is, therefore, unjust and biased. This indicates that the court has refused to consider the factors, including the intimidation and threats of violence posed by the defendant against me. The court neglected to consider the defendant's inherent advantage over me as a native-born people, including the privilege of belonging to the dominant group and being a native speaker of the language of law, in assessing whether to apply the statute of limitation. Unlike the defendants, I lacked the money, litigation readiness, legal awareness, linguistic skills, and the backing necessary to successfully file a claim, which demonstrates that the court's application of the statute of limitations in my case was not only unjust but also unreasonable, imposing an unnecessary burden with minimal consideration for the circumstances of a

disadvantaged immigrants. This is not a conflict between two privilege equals, but rather between the advantage abusers and the underprivileged legal alien victim. Moreover, my complaint against respondent Local Motion alleges misbehavior consistent with a pattern of ongoing abuse. However, the court refused to consider the evidence in reaching its verdict, demonstrating the court's bias against me. The court has deviated from customary principles because, in comparable circumstances, where the accused has been found to exploit the vulnerabilities of the plaintiff to a greater degree with lawlessness, the court has consistently upheld the constitutional rights of the plaintiff. In the case of *Parker v. Reema Consulting Services, Inc.*, the court held that defamation of character lawsuits can be based on workplace gossip and false rumors. Ms. Wallace persistent circulation of false stories about my character with the aim of damaging my reputation is consistent with the principle of equitable tolling, which states that a wrongdoer should not gain from their misconduct. In the cases involving workplace hostility and discrimination such as *Bowden v. United States* or *Smith-Haynie v. District of Columbia*, the court has applied equitable

tolling and equitable estoppel doctrines to allow the victims to pursue their claims based on the merits without facing undue procedural obstacles. Once again, my lawsuit has provided substantial evidence indicating that the defendant initially attempted to exploit legal loopholes prior to engaging in hateful acts against me. See, *Bowden v. United States*, 106 F.3d 433 (D.C. Cir. 1997);” *Smith-Haynie v. District of Columbia*, 155 F.3d 575, 579 n.5 (D.C. Cir. 1998). Similarly, as in the case of *Valentino v. United States*, my lawsuit has demonstrated a series of incidents of the defendant's misconduct that fall within the parameters required to establish a continuous violation. See, *Valentino v. United States Postal Serv.* Ms. Wallace's continuous hostility and hatred caused me tremendous mental, psychological, and emotional suffering, leaving me with permanent emotional scars that I have to live with for the remainder of my life. Every employee of Local Motion, Inc. who became YMCA gym member over the years approached me with an angry scowl or a look of hatred; they influenced and incited the YMCA staff to harass me. In *Kaplan*, the Court postulated in determining whether an allegation under Title VII is like or

reasonably related to allegations contained in a previous EEOC charge, the court should inquire whether the original EEOC investigation would have encompassed the additional charges, adding continuing violation could be demonstrated not only by proving a company-wide policy or practice, but also by demonstrating a series of linked acts against a single individual. See, *Id.* 829 F.2d at 961.

D. Sall v. Greater Burlington YMCA

This action stems from defendant Greater YMCA racial, religious and ethnic/national origin-based abuse, discrimination, prejudice, hostility, and character defamation toward me, which were dismissed without consideration of the merits of the case, only by reasoning that my complaint is barred by applicable statute of limitations and because my SAC fails to state a defamation claim. On the contrary, my complaint has proven a case of overlapping statutes of limitations and ongoing violations. It has properly invoked the doctrines *equitable tolling* and *equitable estoppel*, which allows the suspension of the statute of limitations, as well as presented a case for workplace

defamation. Further, the YMCA's extensive influence and reach provide an understanding of how their defamatory claims affected me. The defendant prioritized protecting my abusers over defending my human rights, believing that I posed a threat to public safety because I share the same color, religion, nationality, and gender as those who commit rape and assault. In their wrath, I was informed that underlying reason for the verbal and psychological assault against me was due to the repression of women gays, and lesbians by my primitive, barbaric, and brutal culture, adding they were giving me a taste of what it is like to be oppressed. Graham Gowen and others referred to me as "nigger" and questioned whether I was upset like African-Americans, given I was born in Africa, repeating these racial slurs against me through the years. This sentiment was echoed by Gary Vassar, the Human Resources Director, who repeatedly stated unequivocally that he takes charges against me seriously, even if they are shown to be false, given that the negro race is more likely to commit criminal act, noting that negros account for the vast majority of the sexual offenders' registry. The defendant criminalized my laughter and anger by

accusing me of sexism for finding humor in situation involving females that they deemed funny. In such instances, a white female expressed hate or anger toward me, if I showed any sign of anger at that female, the staff would claim that my response was evidence of my sexist and misogynistic upbringing, habitually eavesdrops on any conversation I was having, particularly with white women under the age of 40, interrupting me in mid-sentences to accuse me of being misogynistic or sexist in order to break our conversation. Enraged Caitlin Stephens stated, "My people make babies like monkeys." She added, "We treat women like baby-making machines, and that Africa is such a disgusting place that she would never set foot." The hostility and abused against me at the YMCA was instigated and perpetuated by YMCA's staff Graham Gowen, who said to me repeatedly that Holy Quran or Islam promote sexism and homophobia, while questioning, how I, who is somehow smart, could possibly believe in such a religion. These attacks set the tone for how members of their close-knit political and ideological community treated me until my expulsion. Regretfully, Judge Reiss' prejudice blinded her to the hardships and obstacles I

faced at the time. Despite my hopes that the persistent bigotry and discrimination would stop, the fact shows that I was unable to take legal action to end the hatred. This ruling merely serves to legitimize the defendants' misconduct. Graham Gowen was Director Wallace's enlisted person to harass me, to fulfil their promise of making my life a living hell. However, the hostility against me emanated not merely from YMCA staff but also from the gym members. I was subjected to race, continent of origin, religious, and ethnic-based disparaging remarks by gym members. One such member is Chris Heimer, who became hostile toward me after learning that I belonged to the Fulbhe ethnic group, also known as the Fulani, who are the descendants of the converted Jews. He looks at me with hatred ever since he found out that I belong to the ethnic group that Pat Robertson and other Christian clerics have blamed for persecuting Christians in Nigeria, alleging I was a terrorist, because I listen to the same religious clerics who promote terrorism and pedophiles, such as Prophet Mohammed, who married a nine-year-old girl because I follows his belief and share his faith, adding that President Trump's Muslim travel ban was justified.

He noted that despite America being a Christian nation, it admits a larger number of Muslims than Christians. Moreover, as part of their continuous effort to destroy me, the defendant tried to frame me with terrorism-related offenses by claiming that I was yelling anti-American slogans like "Allahu Akbar" and "Death to America" at work, which severely affected my mental, emotional, and psychological well-being. The YMCA's malicious accusation that I am *sexist, misogynistic, homophobic*, and a further tarnished my character and severely harmed me. Despite my exemplary conduct and moral character, I found myself unable to overcome the relentless animosity directed me.

**E. Petitioner's case for defamation against respondent
Greater Burlington YMCA**

Similarly, the YMCA's animosity towards me extended beyond the office walls, and their disdain for me was so intense that they sought to influence others in their close-knit political and ideological community to share the same, accusing me of *pedophilia, homophobia, misogyny*, and collaborating with Local Motion on a larger scale to deprive me of social acceptance, and

this partnership led to severe hostility towards me, causing the community to reject my presence. In addition to damaging my reputation, the defendant's re-inforced the false accusations disseminated by Local Motion, Inc., showing lack of empathy for me because we have no ties to one another by blood, adoption, marriage, race, religion, or ethnicity. Julieanne, Brittany, Caitlins, Graham, and others actively targeted guests who expressed warmth towards me and shared the false rumors, making them hate me and adopt a hostile attitude against my presence. The claims I have raised in my complaint align with those *Dr. Jew* presented in her case against the *University of Iowa*. See, in *Jew v. University of Iowa*. Dr. Jew was subjected to disparaging remarks and accused of leveraging her sexual ties to advance her career. The Court's ruled in her favor, arguing that the rumors likely would not have surfaced had *Dr. Jew* not been a woman. Similarly, these rumors likely would not have surfaced had my race, religion, ethnicity, and continent of origin not been considered. Further, my defamation claim against the Greater Burlington YMCA is consistent with the court's judgment in *McDonnell v. Cisneros*, where the plaintiff was falsely accused of

engaging in incest. Terms such as *sexist*, *misogynist*, *pedophile*, *women-hater*, and *chauvinist pig* evoke a feeling of hatred, anger, and hostilities against the victim. It is clear there is no distinction between calling a woman a "*slut*," "*bitch*," or "*whore*" and labeling me a *sexist*, *misogynist*, *pedophile*, *chauvinist pig*, and a *woman hater* due to my membership in a particular racial, ethnic, religious, or continent of origin. It is offensive, dehumanizing, and extremely demeaning to someone's dignity to call them a *pedophile* or *women hater*. These claims have the potential to incite violence, including murder. Further, after being falsely labeled with these incendiary words, I became the subject of hatred, contempt, and scorn from individuals I had never met, but who I became aware came into contact with the defendants. Again, the *Estelle* case sets a significant precedent for the District Court, providing guidance when it faces a conflict in adjudicating impartially a case of this nature. The verdict suggests that lower courts interpret pro se complaints with greater leniency, focusing more on the substance over technical precision. But it is evident that the District Court imposed a stringent threshold to exonerate the defendants, which was

unnecessary because a more flexible approach could have settled the case at the District Court level. It raises the bar for me while lowering it for the defendants, thus exposing the court's prejudice. The verdict contradicts the standard set by the *Estelle* case, as my SAC identified the correct claims, showing that I am entitled to relief. See, *Estelle v. Gamble*. This ruling by the US District Court is nothing more than a punishment for my lack of community support, legal training, and language proficiency. However, the *Estelle v. Gamble* verdict was designed to guarantee that even those with scarce resources could pursue legal remedy in the courts. I am a Jew, not an Englishman. This lawsuit highlights the significant gap between the native English defendants and me, the non-native plaintiff, which ought not to be ignored. The unmerited court's decision merely exposed the Honorable Judge's prejudice and pro-defendant slant toward me, siding with the defendants while maintaining the impression of a fair verdict. Another piece of evidence that the District Court completely ignored that demonstrates the court's prejudice against me is the toll of years of emotional and psychological abuse I suffered at the hands of the defendants,

which permanently damaged my mental capacity, prove of that each time I try to focus, I am forced to relive the misery and suffering that I have endured, demonstrating that these injuries have had a significant impact on my ability to write, which only serves to benefit those who have mistreated me. The summary judgment was improper given the court may have discovered further information to support my claims during the discovery process. However, this simply revealed the judge's prejudice and underscored the significant flaws in the nation's legal system, demonstrating the government's inability to safeguard the rights of individuals like myself against hostile citizens. Moreover, even if I had the knowledge to draft a complaint or the finances to hire legal counsel, it could have been too perilous an endeavor. I can assert with confidence that initiating legal proceedings against a community member could have provoke a strong and unified response from the white population. In summary, my SAC has met the conditions required for the application of the doctrine "*no man may take advantage of his own wrong*," as established in *Glus v. Brooklyn Eastern Term*, the doctrine of "*equitable tolling*," as adopted in *Ramirez-Carlo v. United States*, and the doctrine of "*equitable*

estoppel," that mandate the suspension of the statute of limitation. The unfounded allegations that alleged I am a *sexist, misogynist*, and based on my race, religion, ethnicity, and cultural origin have turned this situation from a mere *Title VII* case into one involving defamation lawsuit as well. The District Court's refusal to accept this merely demonstrates their bias against me.

**F. Sall v. Seven Days, Inc., Newspaper aka Da Capo
Publishing**

This case arose from a defamatory article published by Seven Days, Inc. against me, commissioned by Chittenden County State Attorney Sarah George, and the Chittenden County State Attorney's Office and the Sheriff, which was dismissed on grounds that my SAC was time-barred and that my conspiracy allegation under *Section 1985* was a subsequent addition. On the contrary, the conspiracy claim is not a new addition; as it has been from the onset, part of my primary complaint against defendant Seven Days, Inc... Seven Days, Inc., managed and executed the hostilities against my attorney, which dissuaded him from providing me legal representation and forced me to flee the state in search of safety. These actions

were managed at their main office on behalf of Chittenden County State Attorney Sarah George, Chittenden County State Attorney's Office, and the Sheriff. Reciprocally, during the investigation, the defendants State employed delay tactics to impede the Vermont Human Rights Commission's investigative schedule, thus impacting the statute of limitations. However, the defendant attempts to justify its actions by claiming I was a public figure, but the truth is, Seven Days, Inc. is the main public figure, and I am not. A public figure has the power to shape public opinion and influence decision-making, and by this definition, Seven Days, Inc. is a public figure. Moreover, as public figure and a publication, Seven Days, Inc holds the power to sow seeds of discord, incite hatred, encourage mob violence, cultivate bias, foster prejudice, foment civil unrest, religious disharmony, and amplify xenophobia between individuals and among groups. However, when its influence is used to do good, it has the potential to foster cooperation, unity, promote cultural and communal harmony, peaceful cohabitation, and social inclusion. It also has the journalistic influence to raise someone's profile in the public eye, or reduce someone's popular regard, or

utterly ruin their reputation, or also the power to select and shape the topic of public debate. Likewise, when given the option of publishing either the story involving interviews with my former friends, acquaintances, and myself, or the defamatory piece authored by the defendant's chief editor Ken Picard, in which his wife, former state attorney Stacy Graczyk, was the primary witness, Seven Days chose the latter, halting and subsequently canceling the publication of the piece that portrays me as a human; indicating that the defendant has complete autonomy over the narrative they choose to craft and the manner in which they present it to their audience. Seven Days, Inc presented the sequence of events from the perspective of defendant Chittenden County State Attorney Sarah George and others, persuading the public to accept the defendant's explanations while entirely silencing or dismissing mine and more so, portraying the defendants as victims of false discriminatory accusation and me as the villain in the article, because of my status as an outsider, which rendered me undeserving of the community's sympathy, empathy, hospitality, or compassion. However, even in the face of hostilities, prejudice,

discrimination, vilification, and living as the scum of the community, I was resolved to fight—not in the violent manner they expected, as a terrorist, but through serving in government because I saw the government as the main enabler of my abusers; this was what ultimately motivated me to run for Burlington City Council. Once more, supporting my assertion that the Court's summary judgment is premature is my recent discovery of this e-mail exchange between Paula Routley and I.

“Abdullah -

Kyme tells me that you are reluctant to speak with her for a story in Seven Days. I'm sure you know by now: If you are asking people to vote for you, they are entitled to know who you are — and where you stand on the issues. That's where Kyme and Seven Days come in. She needs to interview you soon in order to get an article done for the issue of February 1. If you're not on the ballot, we won't run the story — okay?

-Paula”

P.S. I'm emailing Kevin Kelley, who writes for us and also knows you from the Y. He used to teach journalism at St. Mike's. If I can't convince you, I hope he can!

This indicates that had the Court permitted my claim to advance to the discovery phase, my case could have been substantiated. Seven Days, Inc.'s article published on February 28 2017, was not intended to promote the public good, but rather designed to capitalize on the anti-immigrant sentiment to promote hostility against me among members of their close-knit political and ideological community, as a consequence, I was subjected to psychological and verbal abuse. The article also lends credence to the anti-immigrant debate that was raging at the time, portraying me as the embodiment of the inferior immigrant that President Trump's Executive Order 13769 was aiming to remove from this nation, empowering the employees of Local Motion Inc. and the YMCA, as well as everyone else who taunted and tormented me throughout the years. Despite the active protests in Vermont against the travel ban, there was an acceptance of the xenophobic attacks directed at me.

i. Conspiracy: the parties to the conspiracy and their interrelationships

Ken Picard, a Seven Days staff writer, his wife, Chittenden County State's Attorney Stacy Graczyk, Chittenden County State's Attorney Sarah George, and the Chittenden County State Attorney's Office and Sheriff are liable for producing and publishing the hit-piece article and directing the hostility against me and my attorney. Stacy Graczyk, a former CCSA and the wife of Seven Days staff writer Ken Picard, served as the liaison between Seven Days, and the Chittenden County State Attorney's Office and Sheriffs. Although she left two months after I started, the report identified Stacy Graczyk as their main source. This source is also Sarah George's best friend, which proves that the article was a conspiracy and a *hit-piece*. It is worth noting that the *hit-piece* was released against the political backdrop of the War on Terror and Muslim Travel Ban. Following the publication of the *hit-piece*, I began to receive anonymous threatening calls from strangers, including Seven Days' staffer Kevin Kelley and others, alleging I have accused their "community of racism," and while walking on the streets, I

would often encounter people who yell at me, "Go back to your country," and others take my photos. Consequently, it compelled me to self-isolate, merely venturing outside when it was absolutely necessary to obtain or accomplish something essential and I stopped answering the phone due to anonymous threats. In *Puckett*, the Court determined that the doctrine of "*equitable tolling*" warrants a deviation from established procedure in compelling cases like mine. See, *Puckett v. Tenn. Eastman Co.*

Once more, in the case of *U.S. v. Johnson*, the court emphasized the importance of applying the doctrine of "*equitable tolling*" in situations when a litigant's extreme conditions hindered them from meeting a legally mandated deadline. In addition, suspending the statute of limitations in response to Seven Days, Inc.'s defense is consistent with the principle that no man should profit from their own wrongdoing, preventing the defendant from undue reliance on the statutes of limitations. See, *Glus v. Brooklyn Eastern Term.*, 359 U.S. 231, 232-233. My efforts to obtain legal remedies in a timely manner were hampered by my expulsion from the federal jurisdiction where my case was to be filed. In *Erbe v. Lincoln*, the court held that a defendant should

not be allowed to retain the unfair advantage they illegally obtained if they had previously misled or breached their duty to the plaintiff, further highlighting the court's bias against me. Once again, the District Court misunderstood my claim and incorrectly ruled in favor of the respondent in my *Section 1985* claim, which was predicated on conspiracy rather than incitement as the Court had presumed. This alone provides sufficient grounds for reversing the district court's decision. In addition, the Seven Days, Inc.-led hostilities, involving threats, intimidation, and harassment directed against my counsel and I, following the publication of the article, is what transformed this case from mere defamation case into one of conspiracy and defamation. The evidence shows that the judge merely agreed with the defendants' defense without addressing the underlying problem. *Fed. R. Civ. P. 56*, established that summary judgment may be granted only when the evidence shows there is no genuine issue of material fact to be disputed. In *Santiago-Ramos v. Centennial P.R. Wireless Corp.*, the court defined a genuine dispute as one in which the facts presented could lead a reasonable jury to rule in favor of the plaintiff. In *Viera*, although

the litigant filed an amended complaint that exceeded the scope of the permission he was granted, the Court used its discretion appropriately and declined to dismiss the Amended Complaint or any portions of it because of Plaintiff's pro se status. Frankly, the court's decision to dismiss my case represents an abuse of judicial discretion, exacerbating my grievances against the people of Vermont. Judge Reiss opted to apply the most stringent case laws, such as *Palm Beach Strategic Income, LP v. Salzman*, a case that is unrelated and unconnected to my case, further revealing her indifference to my pain and suffering. In summary, the essence of my arguments against Seven Days, Inc. remains unchanged, and the defendant was a co-conspirator in the hostility, deprivation of my rights, and the publication of the defamatory article against me.

**G. Sall v. Sarah George et. al.: Vermont State Police,
Chittenden County State's Attorney's Office and
Sheriff, Chittenden County Townships and
Municipal Departments**

This case arose from the persecution, discrimination, racial profiling, defamation, deprivation of rights, conspiracy to

deprive rights, and disparate treatment I endured based on my race, religion, ethnicity, and sex at the hands of the state and municipal defendants. The District Court dismissal of my complaint demonstrates the judge's apathy and consistent error of judgment against me. The statutes of limitations for the Chittenden County State Attorney's Office and Sheriffs, Sarah George, Seven Days, Inc., and the Greater Burlington YMCA run concurrently, while the case against Local Motion, Inc. is a continuing violation, demonstrating overlapping statutes of limitations. The hostility I experienced at the hands of the local officials and residents due to my ethnicity, race, religion, and sex violated the fundamental trust that humans have in one another that enables men to travel and discover the joys of coexisting harmoniously with diverse Indigenous peoples. Moreover, I was grateful to receive a job offer that allowed me to work for both Chittenden County State Attorney's Office and Sheriff, as I recognized both agencies of government are tasked with ensuring the public compliance of the law, but the happiness quickly turned into misery and suffering. I expected this job to protect me from mistreatment, prejudice, racial profiling, and

other forms of abuse that I have endured at Local Motion and the YMCA. However, I quickly that learned that was not the case when they began to disparage me, call me names, make derogatory comments, and hurl feminist slurs at me, escalating into violent outbursts of yelling and venomous screams, implanting in me a profound sense of hopelessness as I realized I was not safe anywhere, worsened my trauma, depression, and mental anguish.

ii. The parties to the conspiracy: the Chittenden County State Attorney's Office and Sheriffs, Chittenden County State's Attorney Sarah George, Seven Days, Inc., Newspaper, Municipal Townships and Departments interrelationships

Sarah George, and the Chittenden County State Attorney's Office and Sheriff, commissioned the defamatory article published by Seven Days, Inc. against me, in addition to the racial harassment or profiling I endured by law enforcement. Stacy Graczyk, Ken Picard, Aimee Griffin, and Faisal Shergill were the co-conspirators who assisted in the authoring and publication of the defamatory article that defamed my character,

incited public hatred against me, and damaged my candidacy in the City Council race. In support of the then-new county prosecutor, I was subjected to racial, religious, and ethnic profiling by the Municipal Departments and State Police following my employment termination, indicating a conspiracy. Shortly before the defamatory article was published, Kevin Kelley of Seven Days questioned, "If you can't keep a job, how can the public trust you with one?" This was the initial sign of their collaboration to deprive me of my rights and subject me to maltreatment. Moreover, the hostility against my counsel and I increased and intensified after my phone call with Mr. Kelley, the intensity of the hostilities forced my counsel to confront Ken Picard, defendant Seven Days staff writer who was managing the attacks against us, ultimately resulting in his eventual withdrawal from the case, while discouraging other attorneys from taking up my case. On my last office visit he remarked, "You're what we call a deer with no legs, no eyes," and then chuckled. I did not understand his words. He furrowed his brows and added, "Still no idea!" I returned a smile, but internally I felt numb, depressed, betrayed, and upset. Faisal Gill posed as a

friend and invited me to his office with intention of persuading me to withdraw my candidacy for the Burlington City Council race. I informed him I was not going to drop out. He swore they would humiliate me if I did not withdraw from the race. He added, "You will never run for office again." He coerced Whiteny Bush to cease assisting my campaign. Thus, the court's decision to disregard the *Hartford* standard demonstrates its indifference and bias ruling against me.

In *Hartford*, the court ruled that a reviewing court must assume the allegations in a complaint as true and affirm a dismissal if it is evident that the petitioner cannot establish any facts that would entitle them to relief. Similarly, in *Conley*, the Supreme Court ruled that a complaint should not be dismissed...unless it appears beyond doubt that the plaintiff can prove no set facts in support of his claim that would grant him relief. See, *Conley v. Gibson*, 355 U.S. 41 (1957). This further exposed the District Court's selective use of case law, which favors producing outcomes favorable to the defendants. Once more, my SAC has exceeded the legal threshold established by *Rule 8(a) FRCP*, presenting additional facts to strengthen my

claims and move beyond the mere "possibility of misconduct" and the need for speculation. However, even more troubling if this case is settled as it stands, it will serve as precedent for depriving similarly situated victims of protection. *Rule 8(e) FRCP* requires courts to interpret pleadings in a manner that serves justice. So, the judicious course of action to do in this case, is to proceed to the discovery phase. Once more, the court's decision also appears to contradict the standard established in the *McDonnell Douglas Corp.* case, which held that a plaintiff's right to sue under the Civil Rights Act of 1964 is not restricted to just EEOC finding. See, *McDonnell Douglas Corp. v. Green*, 411 U.S. 792 (1973). In *Furnco Constr. Corp.*, this court reasoned, it is incongruous to require a plaintiff to plead more facts than he may need to prove to succeed on the merits if direct evidence of discrimination is discovered. See, *Furnco Constr. Corp. v. Waters*, 438 U. S. 567, 577. Yet, the Second Circuit affirmed the dismissal based on 28 U.S. Code § 2107 and relying on the precedent set from the ruling in *Bowles v. Russell*, 551 U.S. 205, 212–13 (2007), causing additional damage to my pursuit of justice. The negligence-based dismissal that Second Circuit Court upheld it is a court-induced

negligence designed to deprive me justice. Comparatively, my claims are consistent with the court's ruling in *Griffin v. Breckenridge*, since the defendants (CCSA Sarah George, the Chittenden County State Attorney's Office and Sheriff, the municipal and state defendants, Seven Days, Inc. Newspaper, and the "Vermont legal community) banded together to violate my rights. See, *Griffin v. Breckenridge*, 403 U.S. 88 (1971). I established that the defendants' hostilities and conspiracy to deprive me of rights were motivated by racial, ethnic, and religious factors, similar to the *Bray v. Alexandria Women's Health Clinic*, case. In this lawsuit, the Court stated that to prove a Section 1985(3) claim, the plaintiff must show that the conspirators had a racial or class-based, egregiously discriminatory intent. See, *Bray v. Alexandria Women's Health Clinic*, 506 U.S. 263 (1993). More so, I provided the Court with specifics regarding the respondents' inappropriate behavior, including the locations of the occurrences, the names of the aggressors, quotes, words, or facial expressions, and details of the specific behavior I complained about. However, the court decided to dismiss my claims regardless.

**iii. My plea for the protection of the descendants of
the Houses of Jacob**

In consideration of the abuses I have endured and the ongoing suffering of members of my ethnic community, I hereby petition the Supreme Court for the creation of a special status to protect all descendants of the Children of Israel. I believe this can be achieved by recognizing our existence and expanding anti-Semitic laws to preserve our human rights. I firmly believe that a person's religious beliefs or ideological affiliations do not change their biological ancestry, as belief is merely the ideas one holds to be true. In essence, I remain, in blood, the descendant of the sons and daughters of the Children of Israel. Moreover, I stand before you humbled, ashamed, and filled with regret that we, the descendants of Europe's unwanted Jews - the Marranos, Nuevo Christians, or Crypto-Jews - who were persecuted and banished due to our religious and ethnic identity, have returned in an even more weakened state to beg you for protection, but I know this was not always the case. My people, my nation—the flesh and blood of Jacob, the sons and daughters of Israel, and the God of Israel—once a prosperous and promising nation that

got reduced to nothing- plunged into poverty and ignorance. The story of my people tells a tale of great human tragedy, a tragedy that serves as a poignant example of how oppression can extinguish the flame of a civilized and intellectual nation. The tragic tale of my life, serves as a testament to the fact that to this day the weight of oppression continues to crush our dreams and force us into a never-ending state of despair. I have pain that cannot be healed. I lament we continue to suffer the fate of abuse, discrimination, prejudice, homelessness, and exploitation as did our forefathers. Being aware one is a descendant of the Children of Israel, the persecuted and banished proto-Jews of Europe as well as victims of forced assimilation, and being somewhat aware of the injustices of racism, discrimination, prejudice, and abuse that members of my ethnic community have to endure is to be in a state of near-constant rage all the time. I have a pain that cannot be healed. In hindsight, I am certain that this sorrow could have been avoided had our forefathers committed mass suicide or if the God of Israel had simply discontinued our lineage and spared us from the endless humiliation, abuse, discrimination, harassment, and

homelessness. In conclusion, the District Court's dismissal of my complaint against the respondents has, in effect, sanctioned further the hostility within the state. More so, this decision has cast significant doubt on the government's commitment to protecting the human rights of marginalized people.

REASONS FOR GRANTING THE WRIT

This petition should be granted to hold the defendants responsible for their unlawful misconducts, given that they consciously violated the law. Further, the petition should be granted to rectify the District Court's errors of judgment, and address the crucial legal issues presented in my complaint, so that the defendants are not rewarded for their wrongdoing and I am not deprived of justice. It is a well-settled law to extend statutory deadlines when litigant's case satisfies the conditions. However, despite the fact that my SAC satisfies the elements of a well-pleaded complaint, the Court chose to disregard this significant judicial standard and other court precedents that support postponing the statute of limitations, casting doubt on the court's impartiality in this lawsuit. Moreover, dismissing

this petition could lead to a systematic failure of justice, as other courts may be persuaded by the erroneous verdict and use this unjust decision as a benchmark, potentially affecting people in my situations. A review can address the legal loopholes that the defendants exploited to challenge the statute of limitations and fix the discriminatory case rules that were utilized to produce the unfair outcomes, the law as it is now exclusively grants privileges to native-born citizens. In conclusion, allowing the district court's decision to serve as a precedent for future cases would be unjust. The petition should be granted following reasons: to rectify the erroneous decision of the District Court and to address the issues and question presented.

A. The District Court erroneous decision led to an unjust outcome

The dismissal of my SAC against the defendants was a mistake in bad faith, as the evidence stands in contradiction to the court's ruling. This error stems from the judge's undue focus on procedural technicalities over the merits of my complaint, depriving me of justice and undermining VHRC's three-year

investigation, also a ruling that rendered the Commission work meaningless, but it is important to note that the investigation played a role in delaying the initiation of this lawsuit. Moreover, Judges are required to defer a decision on a motion pending further discovery, as outlined in *Fed. R. Civ. P. 56(f)*. However, in a blatant abuse of the court's discretion with regard to summary judgment, the court decided to flout this rule by granting the defendants' motions to dismiss when there are significant unaddressed claims before the court.

B. The issues and questions presented hold great legal and national significance / wide application

Even if the dominant group or the ruling class are not directly affected by it, allowing prejudice, discrimination, hostility, defamation, racial profiling, and stereotypes to thrive can jeopardize a community's cohesiveness and well-being. These societal vices have been the curse of communities or nations since the inception of human communities or nations, causing strife, bloodshed, civil unrest, and war, leading to the disintegration of numerous communities, nations, kingdoms,

and empires, making this lawsuit, a suit of great national importance. In a sense, those who sow the seeds of racial, religious, and ethnic hostility, and xenophobia hurt not just the person(s) they seek to harm, but also undermine a nation's overall peace, stability, and togetherness.

CONCLUSION

In the interest of justice, considering the merits of my complaint and the arguments presented, I respectfully request that my petition for a writ of certiorari be granted. See, *First Amendment*. That the Court reverse the erroneous ruling of the United States District Court for the District of Vermont in Burlington.

Respectfully submitted,

Abdullah Sall
Pro Se litigant, Abdullah Sall (Saal)

Date: 2/14/2025
2/14/2025