

24-6733

No. _____

ORIGINAL

Supreme Court, U.S.
FILED

DEC - 5 2024

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Dolostor Scott — PETITIONER
(Your Name)

vs.

Stavon M — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Texas Supreme Court 24-0449
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Dolostor Scott
(Your Name)

6822 Cherrydale
(Address)

Houston, Tx. 77087
(City, State, Zip Code)

832-984-2596
(Phone Number)

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 _____ 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[] is unpublished.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[] is unpublished.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 1 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[] is unpublished.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 Tex. Supreme Court (24-0449) 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[] is unpublished.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 _____.

[] 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 9/13/24.
A copy of that decision appears at Appendix 1.

A timely petition for rehearing was thereafter denied on the following date: 9/13/2024, 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. § 1257(a).

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

Question's Presented

1. *When a timely filed petition*

Is denied by the 129 District Court

Of Harris's, Tx. With the Fourteenth

Court of Appeals and Texas Supreme

Court. Do the U. S. Supreme Court

Resolves the conflict in under the

14th Constitution Amendment Due

Process sec.1 ?

2. *When a diversity medical suit is an*

Issue with expert witnesses and

Evidence qualified by the U.S.C.

And civil statute to prove the fault,

Is the plaintiff suit in jurisdiction

To be reviewed in the U.S. Court

For the claims?

Table of contents

- 1. Questions presented*
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- 10. Conclusion*

Parties

Delester Scott (plaintiff)

Address: 6822 Cherrydale

Houston, Tx. 77087

Phone: 832-984-7596

Steven Maislos, MD. (Decedent)

Attorneys for Steve M.

Calver Firm and Associates

Email: calverfirm@calverfirm.com

Phone: 713-290-0272

Fax: 713-290-0277

Address: 15201 Mason Road, Suite 350

Writ of Certifcation Petition

I Delester Scott the plaintiff *petition the U. S. Supreme Court for a consideration of a writ certfication. The 129 District denied a (summary judgment Tex. Civ. Code and procedure 166(a) (i).) on 1/29/2024 of Ch.74 Medical liability of non exempt damages. The Fourteenth Court of Appeals denied the no evidence summary judgment on 3/28/2024 with a Memorandum Opinion (Tex. Rules of app. 47.4 (a) (b) (c) (d). Also, the Texas Supreme Court denied a timely Filed petition on 9/13/2024.*

The district 129 court and Fourteenth Court disagreement (Memo.Opinón) cited cases related to the claim against the Defendant Steven M.. These courts are in conflict with (Delester R. Scott vs. Steve M.) 24-00449. (Memm. Opinion Tex. Rules app. 47.4 (a) (b) (c) (d).) and criticizes the 14 Amendment by the due process of Tex. Code and Procedure rules, U.S.C.Staututes admissible evidence Texas Civ. Practice and Remmidies and Federal law for the medical liability to be jurisdiction of the Court. The summary judgment 166(a) (l) requires the plaintiff to submit evidence to have the judgment.

Furthermore, the men.opinion rules require the plaintiff to question the jurisdiction of the judgment of the 129 District court , Fourteenth Court of Appeals and Texas Supreme Court.

Page 2. Of petition of writ of certification

To establish the assemble evidence (U.S.C. 18 3501 rule

402. 15&49 U.S.C.) and for the Failed Standard Care Act.

By (ch. 74 medical liability Tex. Civ. Pract. And Remm.

Title 4. Subchapter A. sec. 74.301.) The dates of negligence

By the physician (s) ch.74.(duty of physician on health

Care sec.74.251.) begin on 2012 to 2023 under these

Statutes on documented insurance claim for the plaintiffs

Care(Amerigroup inc.)

Dates of breach by the respondent Dr. Steven M. and other

Urologists are within (ch74.sub chapter F. States of limits

Sec.74.251(a)(b), to a have claim. M. Jain dates in 9/24/2013

9/24/2013, 10/24/2013,10/4/2013. Dr. P.Hinh dates are

3/10/2015, 4/20/205 and 6/10/2015. Dr. Dodger. Are on

4/6/2015. The last dates of breaches are on 8/5/2021 by

Dr. Wang,R. The respondent Dr Steven's dates are 12/18/2018,

11/182019,11/5/2018, 1/18/2019, 8/13/2018, 7/62018

And 9/21/2023.

The online search in 2023 are dates of experts under

(The Tex Civ. Pract. And remm. Ch.74 subch.I.Sec. 74.401

Qualification of expert witnesses suit against physician.)

(Qualification on causation in health care liability claim

Sec.74.403.) These experts are Dr.Stephan Hrubly

On dates Nov.2005 and 2009. Dr.D. Luther date is 2019

Of Dec. Eve V. Vodegel in 2002 of Oct. Lawrence Lo.

Is on 2022of Apr. Nicola Adanna Oklahoman on oct.2022.

Page 3 of petition of writ of certification

The National Library of Medicine is documented

Evidence by the statutes to the petition.

These Dr.(s) explain the misdiagnosis and

The correct surgical to proper care and there

Testimony is qualified by the provision and

Statutes of the case.

Statement of the case

A timely filed petition for rehearing was denied by

The Tex. Supreme Court for the jurisdiction of the cert.

Question review. The complaint of negligence is filed

in the district 129 and denied a hearing by the proceeding
of jurisdiction of the Highest state court or U.S. Supreme Court
by the statutes involved.

The fault is in the valid by the dates of the breach

found online in 2023 at the National Liabary of Medicine.

The limitation to file is within the statute time to file. To have
all judicial existence to the issues presented by the plaintiff
are in n the due process of the code and procedure of the
courts. The evidence is to be reviewed to resolve the conflict
of these court disagreements. To consider question number
one the facts of material is documented and proceeding
Of the court for jurisdiction of the evidence and procedure.

Page 2. The statement of the case

For the med. Liability provision and non-eco

Damages are due by the Failed Standard Care Act.

of law for all physicians to treat by the

Elevation board of Medical License. Dr. Steve

M. (Respondent) and other Dr.s act in a breach of

Duty, failure to treatment and Provided improper

care by their profession. Misdiagnosis to medical

examination is performed to find the cause of the

Medical condition related by certified board

of medical license professionals.

Example of the misdiagnosis, are performed blood

Test, Scans, Imaging, M.R.I. are improper care for

The med. Condition cited by the experts of the field

of urology. Improper care will cause harm to the patient

mental health and physical. The correct treatment for numbness

for penile is pudendal nerve entrapment surgery. This is cited

in the article. To consider the question # 2 to all judicial

matters are an issue that are valid by the statute

,provision, code and procedure, practice and remedies

of civil law to the jurisdiction of the court.

For the respondent Dr. Steve dates of neg. is valid

by statutes and laws involved to have a liability claim.

Ch.74 Tex.civ.pract. and remedies. Statute of limitations

Sun.Ch.F. (A)(B) filed on 5/31/2023 is valid.

Reason for the consideration of a writ

The jurisdiction of the 129 districts, the Fourteenth Court of Appeals and the State Supreme Court are invoked by the U.S.C. 28 1332 and 1331 of a federal question statute are to be decided by 1257(a) of jurisdiction by the court under 28 U.S.C.

App. Rule part 3 .(a) in the U.S

Supreme Court.

To not resolve the conflict, the 28 U.S.C. 1345 and

1348 becomes valid for (Delester Scott vs. U.S. as

Defendant) and the magistrate of the judge

Micheal Gomez by (ch.74. Subch. A conflict of the

Law and other rules, Tex Civ. Practice and remedies)

All provisions apply to the suit for (Delester Scott vs.

Steven M.)

Constitution and Statutes Involved

*166 (a) (i)summary judgment (i) page88

Appendix: 129 District , Fourtheenth Circuit

Of appeals and Tex. Supreme Court.

* U.S.C. 28

1332

1331

1254

1257

U.S.C. 15&49

Appendix: in the Texas Supreme Court

* The 14th Amendment of the constitution

Sec. 1

Appendix: Texas Supreme Court

* Memorandum Opinion rule

47.4 Tex. App rules (a)(b) c() d()

Appendix: The Fourtheenth court appeals

*Medical Liability Ch.74 Tex.civ. Pract. And

Remm. Title 4. Subch. A sec74.301.

Appendix : 129 District Court

Tex. App. Rule

10.1 Motion in the app.

10.5 particular motions

53.7(f) order on petition

10.1(a)(5)

56.1 (a)(1)

Page 2 of Constitution and Statute involved

47.4 Memorandum. Opinion

Appendix: Texas Supreme Court

Table of Authorities

*Ch.74 medical liability title 4.

Tex. Civ. Pract. And Remm. Subch. A

Sec.74.301 non eco damages

-page 2 ,3 of the petition

-page 2 of the statement of the case

*166(a)) summ.judgment (i)

-page 1 of petition

-page 1 of the statement of the case

* subch. B. Notice and pleading

Ch. 74 sec. 74.104 duty of physicians

Of health care.

-page 2 of the petition

*subch. F Statutes of limitations

Sec. 74.301 (a)(b)

Subch. I expert witnesses

-page 2 of the petition

Sec. 74.401 qualification of expert witnesses

Suit against physician

-page 2 of the petition

Subch I sec.74.403 qualification on causation

In Health care liability claim.

-page 2 of the petition

*U.S.C. 15&49

-page

Page 2 of Authorities

*U.S.C. 18 3501 Rule 402

-page 2 petition

* subch. A ch. 74 sec. 74.002 conflict with law

And other rules Tex. Civ practices and remedies.

-page 1 of the petition

-page 1 of the statement of the case

-page 1 reason for granting the writ

*U.S.C. 28 1257(a)

-page 1 the reason to granting the writ

U.S.C. 28 app rules part 3

Rule 10.

-page 1 the reason for granting the writ

* U.S.C 28 ch.85 1332

And 1331 diversity and fed.question

-page 1 the reason for granting the writ

*28 U.S.C. 1345 1348

-page 1 reason for granting the writ

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,


Date: 3/4/25th