No. 25-5092

In the Supreme Court of the United States

HUSSEIN S. YOUSIF, PETITIONER

v.

SUSAN LARSON CHRISTENSEN, BADDING, P.J., BULLER, J., DANILSON, S.J. AND SARAH CRANE, DEFENDANTS

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE EIGHT CIRCUIT

PETITION FOR A WRIT OF CERTIORARI

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QUESTIONS PRESENTED

Does Logic disqualify Judicial actions?

References Appellate Case: 24-3437 Date Filed: 12/05/2024 Entry ID: 5463070.

Statutory provisions Is the first and the fourteenth Amendment meaningless in the Constitution for a Citizen of United States with Rule 41 argument?

Forrester v. White, 484 U.S. 219, 229 (1988);

Spencer v. Doe, 139 F. 3d 107 - Court of Appeals, 2nd Circuit 1998;

Hobbie v. Unemployment Appeals Comm'n of Fla., 480 US 136 - Supreme Court 1987.

Is the first and the fourteenth Amendment meaningless in the Constitution for a Citizen of United States?

Sherbert v. Verner, 374 US 398 - Supreme Court 1963;

Monroe v. Pape, 365 U.S. 167, 187 (1961);

Dred Scott v. Sandford, 60 U.S. (19 How.) 393 (1857);

Korematsu v. United States, 323 U.S. 214, 218 (1944).

Elk v. Wilkins, 112 U.S. 94, 98 (1884);

Yick Wo v. Hopkins, 118 U.S. 356, 369 (1886).

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District Court 4:24-cv-00319-SMR-SBJ

Federal Court of Appeals No: 24-3437

Iowa Supreme Court No.21-1861 Polk County No. CVCV061404

IN THE COURT OF APPEALS OF IOWA No. 21-1861 Filed March 29, 2023

The Supreme Court Susan Larson Christensen wrote on 05/22/2023, **"After consideration by this court, en banc, further review of the above-captioned case is denied. Please investigate.**

TABLE OF AUTHORITIES

THE FEDERAL COURT AUTHORITY

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I. PETITION FOR WRIT OF CERTIORARI

Hussein S. Yousif petitions the Court for a writ of certiorari to review the judgment of the United States Court of Appeals for the Eight Circuit.

II. OPINIONS BELOW

In accordance with the judgment of February 6, 2025, and pursuant to the provisions of Federal Rule of Appellate Procedure 41(a), the formal mandate is hereby issued in the above styled matter. March 19, 2025. The court motion to stay or recall is denied by the court on March 28, 2025.

III JURISDICTION

The Appealed with Court of Appeals 8th circuit 24-3437. LOKEN, ERICKSON, and STRAS, Circuit Judges. This petition is timely filed pursuant to Supreme Court Rule 13.1. This Court has jurisdiction under 28 U.S.C. § 1254(1).

IV. STATUTORY PROVISIONS INVOLVED

Federal Rule of Appellate Procedure 41(a), which authorizes a to grant relief from a final judgment in a civil case. *U.S. C ONST. art. IV, § 2, cl. 1. U.S. CONST. amend. XIV.* 28 U.S.C. § 1254(1).

V. STATEMENT OF THE CASE

Introduction *Hussein S. Yousif is a Citizen of United States. Applying* ***logic*** *is the issue with rule 41. The first Amendment petition the government and 14th amendment.* Establishing ***Logic*** *Reference Appellate Case: 24-3437 Page: 1 Date Filed: 12/05/2024 Entry ID: 5463070. U.S. C ONST. art. IV, § 2, cl. 1. U.S. CONST. amend. XIV The United* the Civil Rights Acts (1964) 42 U. S. C. § 1983. According to Rule 41 other cases were granted. *Valentin v. Dinkins,* 121 F. 3d 72 - Court of Appeals, 2nd Circuit 1997; *Bach v. Friden*

Calculating Mach. Co., 148 F. 2d 407 - Circuit Court of Appeals, 6th Circuit 1945; *McGowan v. Faulkner Concrete Pipe Co.*, 659 F. 2d 554 - Court of Appeals, 5th Circuit 1981.

Establishing Logic Iowa Code Iowa Admin Code r. 11-63.3, 63.5(4). 11-63.3 5(4) Iowa Code § 17A.19(10)(m) *Gimbel v. Employment Appeal Bd.*, 489 NW 2d 36 - Iowa: Court of Appeals 1992, *Timmons v. Employment Appeal Board*, Iowa: Court of Appeals 2017. Iowa Code Section 1C.2, I. Iowa Code 96.6(4) Iowa Code 96.7(2)(b).

App. 263-264 (Exhibit proposed 17) 12/11/2020 clearly plaintiff was on being for medical health reasons. *Christensen v. SNAP-ON TOOLS CORPORATION,* 554 NW 2d 254 - Iowa: Supreme Court 1996. Iowa Admin. Code r. 871-24.32. December 25, 2020 Lucas building is closed for the holiday. December 11, 2020 plaintiff was on App. 263-264 (Exhibit proposed 17 at 264) Azithromycin Tablets USP for medical reasons 5 daily doses works through 10 days. *Whitehorn v. Lovik,* 398 NW 2d 851 - Iowa: Supreme Court 1987.

Iowa Admin. Code r. 871-24.32 *Timmons v. Employment Appeal Board*, Iowa: Court of Appeals 2017 under section Iowa Code § 17A.19(10)(m) to determine whether the decision is "illogical, irrational, or wholly unjustifiable." *Meyer v. IBP, Inc.,* 710 N.W.2d 213, 219 (Iowa 2006) . We also look to see whether the agency "abused its discretion by, for example, employing wholly irrational reasoning or ignoring important and relevant evidence."

Plaintiff had App. 188 (Exhibit Proposed 15 at 3) records shows plaintiff had Covid 4/30/2021 and App. 143 (Exhibit Proposed 12 at 3) 12 05/04/2021 show plaintiff had Covid. Regardless of the two days, Iowa Workforce development at el actions were completely careless and should be hold accountable for the actions by logic. Iowa Workforce Development had plenty of chances to give plaintiff his money before leading to the point of two ridiculous days. December 25, 2020 Lucas building is closed for the holiday. December 11, 2020 plaintiff

was on App. 263-264 (Exhibit proposed 17 at 264) Azithromycin Tablets USP for medical reasons 5 daily doses works through 10 days. *Whitehorn v. Lovik*, 398 NW 2d 851 - Iowa: Supreme Court 1987. *Employment Div., Dept. of Human Resources of Ore. v. Smith,* 494 US 872 - Supreme Court 1990.

The court of appeals erred with logic. Plaintiff did in fact did some research around that time if appears on December 11, 2020 plaintiff was on Azithromycin Tablets USP for health issues 5 daily doses works through 10 days. In the App.170 (Exhibit Proposed 13 at 170-177 and App. 160 (Exhibit Proposed 14 at 160-169) shows a petitioner checking amount. App 204-07 (Cert. Rec. at 9-13). Clearly shows before the 2 ridiculous days in October 19, 2020 Hussein Yousif was denied PUA benefits. App. 263-264 (Exhibit proposed 17) 12/11/2020 clearly plaintiff was on being for medical health reasons. App. 188 (Exhibit Proposed 15 at 3) records show's plaintiff had Covid 4/30/2021 and App. 143 (Exhibit Proposed 12 at 3) 12 05/04/2021 show plaintiff had Covid. Hussein Yousif vs Iowa Workforce Development at el. *Arndt v. City of Le Claire*, 728 NW 2d 389 - Iowa: Supreme Court 2007. *Houlihan v. Employment Appeal Bd.*, 545 NW 2d 863 - Iowa: Supreme Court 1996.Employment Appeal Board is found in Iowa Administrative Code rule 486-3.1(17). Like rule 236, the purpose of rule 486-3.1(17).

Exhibit 05771 CVCV061404 send by defendant under App 206-07 (Cert. Rec. at 12-13) The Administrative Judge reasoning's were unethical and incorrect illogical. *Christensen v. SNAP-ON TOOLS CORPORATION,* 554 NW 2d 254 - Iowa: Supreme Court 1996. A reasonable cause or excuse exists if either (1) the delay was necessary for the insurer to investigate the claim, or (2) the employer had a reasonable basis to contest the employee's entitlement to benefits. *Silva v. Employment Appeal Bd.,* 547 NW 2d 232 Iowa: Court of

Appeals 1996. *Id.* at 236.

Hussein Yousif got approved for PUA in the beginning but later the changed it to Other IT issues and under Other they denied his PUA. Since this was a doctor prescription it was in the frame time when Hussein Yousif got mail from Iowa Workforce Development at el. This case has substantial evidence and must be settled by the Supreme Court. Should prescription from a professional doctor for medical health excuse the fifteen days for Hussein Yousif wellbeing?

Public concerns the fifteen days is a simple rule but here we have a medical health involved. *Insurance Co. of No Amer. v. Sperry & Hutchison Co.*, 168 NW 2d 753 - Iowa: Supreme Court 1969 "This court has been liberal in affirming determinations of default-voiding mistake, inadvertence, and excusable neglect in rule 236 appeals." *Cosper v. Iowa Dept. of Job Service*, 321 NW 2d 6 - Iowa: Supreme Court 1982. Excessive absenteeism caused by an incapacitating illness or other reasonable grounds for which the claimant is excused is not misconduct. *Madsen v. Litton Indus.,* 498 N.W.2d 715 (Iowa 1993). Rule 236.

PURETHANE v. Iowa State Bd. of Tax Review, 498 NW 2d 706 - Iowa: Supreme Court 1993. Good cause does not include "mistakes or erred of judgment growing out of ... misunderstanding of the law or the failure of the parties or counsel through mistake to avail themselves of remedies, which if resorted to would have prevented the casualty or misfortune." *Claeys v. Moldenschardt,* 260 Iowa 36, 43, 148 N.W.2d 479, 483 (Iowa 1967).

Rooney v. Employment Appeal Bd., 448 NW 2d 313 - Iowa: Supreme Court 1989. First, when the illness is either "caused or aggravated by circumstances associated with the employment," regardless of the employee's predisposition to succumb to the illness, the separation will be deemed to be with "good cause attributable to the individual's employer." -

the individual's employer." - in *White v. Employment Appeal Board*, 487 NW 2d 342 - Iowa: Supreme Court 1992.

The scope of standard review Hussein Yousif vs. Iowa Workforce Development at el in *Gimbel v. Employment Appeal Bd.*, 489 NW 2d 36 - Iowa: Court of Appeals 1992. If you look at Exhibit 05771 CVCV061404 send by defendant under App 206-07 (Cert. Rec. at 12-13). *Meyer v. IBP, Inc.*, 710 NW 2d 213 - Iowa: Supreme Court 2006.

Logical invalidity disqualifies the actions of all judges due to Iowa Code 17a.19 (10) (m) illogical which is a violation of 1st and 14th amendment applies in federal court. Hussein Yousif should have been eligible for the PUA and should receive his PUA benefits before the 2 pretext days. Iowa Workforce Development at el broke the law. Plaintiff send a picture of his driver license, and his tax returns to Iowa Workforce Development at el. Logic shows the 2 days argument is just a pretext, Iowa Workforce Development at el failed to investigate 2-day delay, Locus building lady refused to take papers from plaintiff, "A decision is already made." Refused to take paper from Hussein Yousif. Iowa Code Section 1C.2, I. Iowa Admin. Code r. 11-63.3 63.3(4) and 63.3(5).

Iowa Code § 96.5(1) *Cosper v. Iowa Dep't of Job Serv.,* 321 N.W.2d 6, 10 (Iowa 1982). Iowa Supreme Courthouse had similar case like this *Sharp v. Employment appeal Bd.*, 479 NW 2d 280 - Iowa: Supreme Court 1991.

Henderson ex rel. Henderson v. Shinseki, 562 US 428 - Supreme Court 2011. *Webster Cty. Bd. of Sup'rs v. Flattery,* 268 NW 2d 869 - Iowa: Supreme Court 1978. *Legislative Research Commission v. Brown,* 664 S.W.2d 907, 918-19 (Ky. 1984) (delay power held violative of separation of powers); contra, *Martinez v. Department of Industry*, 478 N.W.2d 582 (Wis. 1992 (statutory delay power not a violation of separation of powers) *Id. at 702 "By*

the Court. The decision of the court of appeals is reversed." *Klouda v. Sixth Judicial Dist. Dept.*, 642 NW 2d 255 - Iowa: Supreme Court 2002. *Id. at 263 reversed and remanded. Lacina v. Maxwell*, 501 NW 2d 531 - Iowa: Supreme Court 1993. *Sioux City v. Young*, 97 NW 2d 907 - Iowa: Supreme Court 1959. *State v. Kolbet,* 638 NW 2d 653 - Iowa: Supreme Court 2001. *Anderson v. Bessemer City*, 470 US 564 - Supreme Court 1985. *Id.* at *581* "Judge's conclusions are clearly erroneous. On the record before us, we cannot say that they are. Accordingly, the judgment of the Court of Appeals is *Reversed."*

(A) United States Supreme Court Authority *Thomas v. Review Bd. of Indiana Employment Security Div.*, 450 US 707 - Supreme Court 1981; *United States v. Lee,* 455 US 252 - Supreme Court 1982; *Employment Div., Dept. of Human Resources of Ore. v. Smith,* 494 US 872 - Supreme Court 1990; *White v. New Hampshire Dept. of Employment Security*, 455 US 445 - Supreme Court 1982; *Hobbie v. Unemployment Appeals Comm'n of Fla.*, 480 US 136 - Supreme Court 1987; *Sherbert v. Verner*, 374 US 398 - Supreme Court 1963; *Frazee v. Illinois Dept. of Employment Security*, 489 US 829 - Supreme Court 1989; *California v. Grace Brethren Church*, 457 US 393 - Supreme Court 1982; *Steward Machine Co. v. Davis*, 301 US 548 - Supreme Court 1937. *Forrester v. White,* 484 U.S. 219, 229 (1988).

State court of appeals conflicts *Soler v. DIRECTOR, DEPARTMENT OF WORKFORCE SERVICES,* 2022 Ark. App. 37 - Ark: Court of Appeals, 2nd Div. 2022; *Benes v. State*, Nev: Court of Appeals 2024; *Benoist v. Westin Trading, Inc.*, 662 SW 3d 146 - Mo: Court of Appeals, Eastern Dist., 4th Div. 2023; IN THE MATTER OF HEIN, Minn: Court of Appeals 2022; *Swarn v. Thompson,* 893 SE 2d 474 - Ga: Court of Appeals 2023; *GILKISON v. KENTUCKY*

UNEMPLOYMENT INSURANCE COMMISSION, Ky: Court of Appeals 2023; *Scales v. State*, 658 SW 3d 366 - Tex: Court of Appeals, 13th Dist. 2022

(ineligible) *Yousif v. IOWA WORKFORCE DEVELOPMENT*, Iowa: Court of Appeals 2023; *Thompson v. Kentucky Unemployment Ins.*, 85 SW 3d 621, - Ky: Court of Appeals 2002; *Martin v. Dept. of Workforce Services*, 507 P. 3d 847 - Utah: Court of Appeals 2022.

Federal Court of Appeals Conflict *AL-FAROUK v. Nelson*, Dist. Court, D. Nevada 2024; *Melendez v. City of New York*, 16 F. 4th 992 - Court of Appeals, 2nd Circuit 2021.

Ineligible *McClendon v. Bernard, Dist.* Court, ED Arkansas 2021.

NATURE OF PROCEEDING

The Supreme Court of Iowa "The judges violated the petitioner's Constitutional civil rights. The judges violated harming publicly causing harm to Hussein S. Yousif Constitutional Civil rights **Opinion affirmed March 29, 2023.** ***Application for further review*** on April 17, 2023. Would the United States Supreme Court please investigate this document Susan Larson Christensen wrote on 05/22/2023, **"After consideration by this court, en banc, further review of the above-captioned case is denied.** The district court Judge *Stephanie M. Rose 1st of November is having is her way. The Court of Appeals 8th circuit* 24-3437. LOKEN, ERICKSON, and STRAS, Circuit Judges. *Is the first and the fourteenth Amendment meaningless in the Constitution for a Citizen of United States? References Appellate Case: 24-3437 Date Filed: 12/05/2024 Entry ID: 5463070. Reference Appellate Case: 24-3437 Date Filed: 02/18/2025 Entry ID: 5486970. Appellate Case: 24-3437 Page: 3 Date Filed: 03/26/2025 Entry ID: 5500234* denied by the court.

(B) State Supreme Court Conflicts. Is Federal Rule of Appellate Procedure 41(a) not conflict with other cases presented below?

State Supreme Court Conflicts *Bracken v. DEPT. OF LABOR AND REGULATION,* 991 NW 2d 89 - SD: Supreme Court 2023; *Palladino v. Unemployment Compensation Board of Review,* 81 A. 3d 1096 - Pa: Commonwealth Court 2013; *GIMPELEV v. Board of Review,* NJ: Appellate Div. 2023; *Onyilogwu v. Onyilogwu,* 289 A. 3d 1214 - Conn: Appellate Court 2023; *ANGSTMAN v. Department of Labor,* Vt: Supreme Court 2022; *Burton v. Unemployment Insurance Appeal Board,* Del: Superior Court 2024; IN RE APPEAL OF LaPADULA, NH: Supreme Court 2024; *State v. Spell,* 339 So. 3d 1125 - La: Supreme Court 2022.

Ineligible *Brummell v. BEEBE HEALTHCARE,* Del: Superior Court 2022; *State v. Gnanaprakasam,* 967 NW 2d 89 - Neb: Supreme Court 2021; IN THE MATTER OF THE PETITION OF WILLIAM WEBB FOR A WRIT OF MANDAMUS, Del: Supreme Court 2021; *Sheehan v. Sun Valley Co.,* 519 P. 3d 1188 - Idaho: Supreme Court 2022; *ACLU of Utah v. State,* 467 P. 3d 832 - Utah: Supreme Court 2020.

Statutory provisions Is the first and the fourteenth Amendment meaningless in the Constitution for a Citizen of United States with Rule 41 argument? *Chambers v. Nasco, Inc.,* 501 US 32 - Supreme Court 1991; *McLaurin v. Oklahoma State Regents for Higher Ed.,* 339 U.S. 637,639- 642 (1950); *Peterson v. City of Greenville,* 373 U.S. 244, 248 (1963).

Federal Court of Appeals Rulings on 41 *Blonder-Tongue Laboratories, Inc.* v. *University of Ill. Foundation,* 402 U. S. 313, 324, n. 12 (1971); *Morris v. Ocean Systems, Inc.,* 730 F. 2d 248 - Court of Appeals, 5th Circuit 1984; *Rogers v. Kroger Co.,* 669 F. 2d 317 - Court of Appeals, 5th Circuit 1982; *McGowan v. Faulkner Concrete Pipe Co.,* 659 F. 2d 554 - Court of Appeals, 5th Circuit 1981; *Hildebrand v. Honeywell, Inc.,* 622 F. 2d 179 - Court of Appeals, 5th Circuit 1980; *Meinecke v. H & R BLOCK OF HOUSTON,* 66 F. 3d 77 - Court of Appeals, 5th Circuit 1995; *Hells Canyon Preservation Council v. US Forest Service,* 403 F. 3d 683 - Court of Appeals, 9th

Circuit 2005; *Ciralsky v. CIA*, 355 F. 3d 661 - Court of Appeals, Dist. of Columbia Circuit 2004; *Malone v. US Postal Service*, 833 F. 2d 128 - Court of Appeals, 9th Circuit 1987; *Tolbert v. Leighton*, 623 F. 2d 585 - Court of Appeals, 9th Circuit 1980.

Rule 41 *Bach v. Friden Calculating Mach. Co.*, 148 F. 2d 407 - Circuit Court of Appeals, 6th Circuit 1945; *Federal Deposit Ins. Corporation v. Mason*, 115 F. 2d 548 - Circuit Court of Appeals, 3rd Circuit 1940; *Mateas v. Fred Harvey*, 146 F. 2d 989 - Circuit Court of Appeals, 9th Circuit 1945; *Cone v. West Virginia Pulp & Paper Co.*, 330 U.S. 212, 217, 67 S.Ct. 752, 91 L.Ed. 849 (1947); *HOME OWNERS'LOAN CORPORATION v. Huffman*, 134 F. 2d 314 - Circuit Court of Appeals, 8th Circuit 1943; *United States v. Lyman*, 125 F. 2d 67 - Circuit Court of Appeals, 1st Circuit 1942; *Hells Canyon Preservation Council v. US Forest Service*, 403 F. 3d 683 - Court of Appeals, 9th Circuit 2005; *Cheeks v. Freeport Pancake House, Inc.*, 796 F. 3d 199 - Court of Appeals, 2nd Circuit 2015; *Berry v. Cigna/RSI-Cigna,* 975 F. 2d 1188 - Court of Appeals, 5th Circuit 1992; *Campbell v. Wilkinson,* 988 F. 3d 798 - Court of Appeals, 5th Circuit 2021.

Establishing Rule 41 in 42 U.S.C. § 1983 majority cases. *Spencer v. Doe*, 139 F. 3d 107 - Court of Appeals, 2nd Circuit 1998; *Colon v. Mack,* 56 F. 3d 5 - Court of Appeals, 2nd Circuit 1995*; Nasious v. Two Unknown BICE Agents,* 492 F. 3d 1158 - Court of Appeals, 10th Circuit 2007*; Valentin v. Dinkins,* 121 F. 3d 72 - Court of Appeals, 2nd Circuit 1997; *Wynder v. McMahon,* 360 F. 3d 73 - Court of Appeals, 2nd Circuit 2004*; Hernandez v. City of El Monte,* 138 F. 3d 393 - Court of Appeals, 9th Circuit 1998; *Bautista v. Los Angeles County*, 216 F. 3d 837 - Court of Appeals, 9th Circuit 2000; *Campbell v. Wilkinson,* 988 F. 3d 798 - Court of Appeals, 5th Circuit 2021; *Lopez v. Aransas Cty. Independent Sch. Dist.*, 570 F. 2d 541 - Court of Appeals, 5th Circuit 1978; *Tetro v. Elliott Popham Pontiac, Oldsmobile, Buick, and GMC Trucks,* 173 F. 3d 988 - Court of Appeals, 6th Circuit 1999.

(C) ***Is the first and the fourteenth Amendment meaningless in the Constitution for a Citizen of United States?*** *Chambers v. Sanders*, 63 F. 4th 1092 - Court of Appeals, 6th Circuit 2023; *Golden State Transit Corp. v. City of Los Angeles*, 493 U.S. 103, 105 (1989); *Maine v. Thiboutot*, 448 U.S. 1, 6–8 (1980).

[SUSAN LARSON CHRISTENSEN, BADDING, P.J., BULLER, J., DANILSON, S.J. AND SARAH CRANE] acted under color of state law; Hussein S. Yousif is under color. The act[s] of [SUSAN LARSON CHRISTENSEN, BADDING, P.J., BULLER, J., DANILSON, S.J. AND SARAH CRANE] deprived the plaintiff of [his] [her] particular rights under [the laws of the United States] [the United States Constitution] The first Amendment and the fourteenth Amendment. [SUSAN LARSON CHRISTENSEN, BADDING, P.J., BULLER, J., DANILSON, S.J. AND SARAH CRANE] acted pursuant to an expressly adopted official policy or a widespread or longstanding practice or custom of the defendant [SUSAN LARSON CHRISTENSEN, BADDING, P.J., BULLER, J., AND DANILSON, S.J. ALSO SARAH CRANE]; and applying logic is the issue with rule 236 with the first Amendment and 14th amendment.

The defendants [SUSAN LARSON CHRISTENSEN, BADDING, P.J., BULLER, J., DANILSON, S.J. AND SARAH CRANE]'s official policy or widespread or longstanding practice or custom caused the deprivation of the plaintiff's rights by the [SUSAN LARSON CHRISTENSEN, BADDING, P.J., BULLER, J., DANILSON, S.J. AND SARAH CRANE; that is, the [SUSAN LARSON CHRISTENSEN, BADDING, P.J., BULLER, J., AND DANILSON, S.J. ALSO SARAH CRANE]'s official policy or widespread or longstanding practice or custom is so closely related to the deprivation of the plaintiff's rights as to be the moving force that caused the ultimate injury. The judges violated harming publicly causing harm to Hussein S.

Yousif Constitutional Civil rights Opinion affirmed March 29, 2023. *Application for further review* on April 17, 2023. Susan Larson Christensen wrote on 05/22/2023, "After consideration by this court, en banc, further review of the above-captioned case is denied.

A person acts "under color of state law" when the person acts or purports to act in the performance of official duties under any state, county, or municipal law, ordinance or regulation. [[The parties have stipulated that] [I instruct you that] [SUSAN LARSON CHRISTENSEN, BADDING, P.J., BULLER, J., DANILSON, S.J. AND SARAH CRANE] acted under color of state law.]

"Official policy" means a formal policy, such as a rule or regulation adopted by the defendant [SUSAN LARSON CHRISTENSEN, BADDING, P.J., BULLER, J., DANILSON, S.J. AND SARAH CRANE], resulting from a deliberate choice to follow a course of action made from among various alternatives by the official or officials responsible for establishing final policy with respect to the subject matter in question.

"Practice or custom" means any longstanding, widespread, or well-settled practice or custom that constitutes a standard operating procedure of the defendant [SUSAN LARSON CHRISTENSEN, BADDING, P.J., BULLER, J., DANILSON, S.J. AND SARAH CRANE]. [A practice or custom can be established by repeated constitutional violations that were not properly investigated and for which the violator[s] [was] [were] not disciplined, reprimanded or punished.] The complaint was correct the Judges refused to use logic which results to violation of Hussein S. Yousif first and 14th Amendment. *Monroe v. Pape, 365* US 167 - Supreme Court 1961. Acting under color of state law as required by section 1983 is defined as the `[m] isuse of power, possessed by virtue of state law and made possible only because the wrongdoer is clothed with the authority of state law.

West v. Atkins, 487 U.S. 42, 49 (1988). Such actions may result in liability even if the defendant abuses the position given to him by the state. A private actor may also act under color of state law under certain circumstances. *Wyatt v. Cole*, 504 U.S. 158, 162 (1992)"Title 42 USC § 1983 provides a cause of action against `[e] very person who, under color of any statute of any State... subjects, or causes to be subjected, any citizen... to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws "of the United States.

National Collegiate Athletic Assn. v. Tarkanian, 488 US 179 - Supreme Court 1988. (quoting *Monroe v. Pape, 365* U.S. 167, 172 (1961) Hussein S. Yousif demonstrate that he was deprived of rights secured by the United States Constitution or federal statutes.

Jones v. Cummings, 998 F.3d 782, 787–88 (7th Cir. 2021) (noting that absolute immunity applies to claim that prosecutors filed ***untimely*** amendments to criminal charges); Section 1983 provides a remedy for violation federally protected rights by government and its employees. Civil litigants were still precluded from suing governmental entities themselves until 1978 when the Supreme Court decided *Monell v. New York Department of Social Services,* 436 U.S. 658 (1978). *Canton v. Harris,* 489 US 378 - Supreme Court 1989. The government body is 1983 cannot be entitled to an absolute immunity, lest our decision that such bodies are subject to suit under § 1983 "be drained of meaning," *Scheuer v. Rhodes,* 416 U. S. 232, 248 (1974).

Bivens v. *Six Unknown Fed. Narcotics Agents,* 403 U. S. 388, 397-398 (1971). States and state agencies are entitled to Eleventh Amendment immunity in federal court. *Edelman v. Jordan*, 415 U.S. 651 (1974). State and regional legislators are absolutely immune, as long as they are engaged in traditional legislative functions. Local legislators, such as city council members and county commissioners, have been guaranteed absolute immunity since *Bogan v.*

Scott-Harris, 523 U.S. 44, 118 S. Ct. 966 (1998). *Forrester v. White*, 484 US 219 - Supreme Court 1988). The deprivation must be intentional; mere negligence will not suffice to state a claim for deprivation of a constitutional right under § 1983.

Patterson v. Van Arsdel, 883 F.3d 826, 830– 32 (9th Cir. 2018) (denying absolute prosecutorial immunity to a county court pretrial release officer on the ground that his acts did not amount to "advocacy," over a dissent arguing that the court "should adhere to the long established rule that once we grant that the function in question is a prosecutorial function, it does not matter if the person performing that function lacks the title of 'prosecutor'" and noting that earlier cases had held similar acts *as* prosecutorial); *id.* at 832 (Fernandez, J., dissenting) ("[W]e should adhere to the long-established rule that once we grant that the function in question is a prosecutorial function, it does not matter if the person performing that function lacks the title of 'prosecutor.'") "Amendment 1 petition the Government for a redress of grievances. *Soranno's Gasco, Inc. v. Morgan*, 874 F. 2d 1310 - Court of Appeals, 9th Circuit 1989).

The fourteenth Amendment *Shelley v. Kraemer,* 334 US 1 - Supreme Court 1948. *Palmore v. Sidoti,* 466 US 429)- Supreme Court 1984. *United States v. Price, 383 U.S.* 787 - Supreme Court 1966; *Turner v. Impala Motors,* 503 F. 2d 607, 609 (1974.) The concept of state action as required by the Fourteenth Amendment has been found to be virtually synonymous with the "under color of state law" requirement of § 1983.

Serrano v. Francis, 345 F. 3d 1071, 1075 (2003). "The appeal was ***ultimately*** granted." (Citing *Mack v. Williams*, Dist. Court, D. Nevada 2019) "If a genuine issue of material fact exists that prevents a determination of qualified immunity at summary judgment, the case must proceed to trial.

Strauder v. West Virginia, 100 US 303 - Supreme Court 1880. The words of the [Fourteenth] Amendment... contain a necessary implication of a positive immunity, or right, most valuable to the colored race—the right to exemption from unfriendly legislation against them distinctively as colored; exemption from legal discriminations, implying inferiority in civil society, lessening the security of their enjoyment of the rights which others.

Martin v. Hunter's Lessee, 14 US 304 - Supreme Court 1816. Were state courts bound to follow decisions is-sued by the Supreme Court of the United States? State courts' interpretation of federal law or the Constitution is reviewable by the Supreme Court of the United States. Although the construction of the act of March 3, 1875 (18 Stat. 470), under which the removal of this cause was ordered, has not been judicially settled, the sixth article of the Constitution, which differs from it only in not limiting the jurisdiction of the surts of the United States to cases of a civil nature, has been the subject of repeated decisions. *Ex parte Young*, 209 US 123 - Supreme Court 1908.

Slaughter-House Cases, 83 US 36 - Supreme Court 1873. The clear and central purpose of the Fourteenth Amendment was to eliminate all official state sources of invidious racial discrimination in the States. Making the fourteenth Amendment meaningless. John Bingham purpose of the privilege and immunities clause on fourteenth Amendment is meant for the Federal Government to enforce Bill of Rights against the state. *Roe v. Wade,* 410 US 113 - Supreme Court 1973. *Griswold v. Connecticut*, 381 US 479 - Supreme Court 1965. *Cox v. Dept. of Soc. & Health Servs.*, 913 F.3d 831, 837 (9th Cir. 2019) (discussing the distinction between acts for which social services workers receive absolute or qualified immunity). *Hardwick v. County of Orange*, Court of Appeals, 9th Circuit 2020.

Anderson v. Bessemer City, 470 US 564 - Supreme Court 1985. *Untimely issued. United States v. GERSKY,* Court of Appeals, 4th Circuit 2020 "If the district court's account of the evidence is plausible in light of the record viewed in its entirety, the court of appeals may not reverse it even though convinced that had it been sitting as the trier of fact, it would have weighed the evidence differently."

Tenney v. Brandhove, 341 US 367 - Supreme Court 1951. (Holding that legislators have full immunity from suits under 8 U.S.C. §§ 43 and 47 for acts committed within the scope of their duties). *Harlow, 457 U.S.* at 814 (noting the importance of the vindication of constitutional guarantees, but also the costs attendant to the denial of absolute immunity to public officers.) *Monroe v. Pape,* 365 U.S. 167, 183 (1961) (stating that "[i]t is no answer that the state has a law which if enforced would give relief" as "[t]he federal remedy is supplementary to the state remedy"). *Pierson v. Ray,* 386 U.S. 547, 551–57 (1967) (finding "administrative" acts to be distinct from judicial decisions.) *HIRA EDUC. SERVICES NORTH AMERICA v. Augustine*, 991 F. 3d 180, 190 (3rd Cir. 2021).

Tenney v. Brandhove, 341 U.S. 367, 372 (1951) ("The privilege of legislators to be free from arrest or civil process for what they do or say in legislative proceedings has taproots in the Parliamentary struggles of the Sixteenth and Seventeenth Centuries.") *Hustler Mag., Inc. v. Falwell*, 485 U.S. 46, 53 (1988) (holding that the first Amendment prohibit public figures and public officials from recovering damages for the tort of intentional infliction of emotional distress). *Ex parte Young*, 209 U.S. 123, 125 (1908) ("[A] Federal court may enjoin an individual or a state officer from enforcing a state statute on account of its unconstitutionality.")

Pierson v. Ray, 386 US 547 - Supreme Court 1967.) Any argument that Congress could not impose liability on state judges for the deprivation of civil rights would thus have to be based

upon the claim that doing so would violate the theory of division of powers between the Federal and State Governments. This claim has been foreclosed by the cases recognizing "that Congress has the power to enforce provisions of the Fourteenth Amendment against those who carry a badge of authority of a State.

VI. REASONS FOR GRANTING THE WRIT

U.S. C ONST. art. IV, § 2, cl. 1 ("The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.") The First Amendment Redness Amdt1.10.2. Fourteenth Amendment Section 1. The state violated the law denying jurisdiction. First and fourteenth Amendment first section of the constitution "Section 1 (cont.); Clause in the original Constitution (Article IV, Section 2, Clause 1).

U.S. CONST. amend. XIV ("No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Rostker v. Goldberg, 453 U.S. 57, 70 (1981) ("[J]udicial deference to such congressional exercise of authority is at its apogee when legislative action under the congressional authority to raise and support armies and make rules and regulations for their governance is challenged.").

The fourteenth amendment *Monroe v. Pape*, 365 U.S. 167, 187 (1961); *Hirabayashi v. United States,* 320 U.S. 81, (1943); *Korematsu v. United States*, 323 U.S. 214, 218 (1944); *Dred Scott v. Sandford*, 60 U.S. 393, 407 (1857); *Yick Wo v. Hopkins*, 118 U.S. 356, 369 (1886) (discrimination against Chinese on the West Coast); *Ozawa v. United States*, 260 U.S. 178 (1922) the Supreme Court held that Japanese were not 'white' and, accordingly, ineligible for naturalization.

Elk v. Wilkins, 112 U.S. 94, 98 (1884); *United States v. Wong Kim Ark*, 169 U.S. 649, 653 (1898); *Plessy v. Ferguson,* 163 U.S. 537, 554 (1896); *Gomillion v. Lightfoot*, 364 U.S. 339 (1960). A law may be unconstitutional even if it does not facially discriminate on the basis of race, if it "uses the racial nature of an issue to define the governmental decision-making structure, and thus imposes substantial and unique burdens on racial minorities.

Burton v. Wilmington Parking Authority, 365 U.S. 715, 726 (1961); *Peterson v. City of Greenville*, 373 U.S. 244, 248 (1963); *Lombard v. Louisiana*, 373 U.S. 267, 274 (1963); *United States v. Original Knights of Ku Klux Klan*, 250 F. Supp. 330 - Dist. Court, ED Louisiana 1965. *Lugar v. Edmondson Oil Co.*, 457 U.S. 922, 931, 942 (1982); *Grutter v. Bollinger*, 539 U.S. 306 (2003), which upheld a law school's racially conscious admissions program under strict scrutiny. Nonetheless, strict scrutiny has remained extraordinarily stringent.

Turner v. Memphis, 369 US 350, 354 (1962) 28 U. S. C. §§ 1254 (1)*; Anderson v. Martin*, 375 U.S. 399, 404 (1964); *Guaranty Trust Co. v. York*, 326 U.S. 99, 109, 110 (1945); *Patsy v. Board of Regents of Fla.,* 457 U.S. 496 - Supreme Court 1982*; Federated Department Stores, Inc. v. Moitie*, 452 U. S. 394, 398 (1981); *Dotzel v. Ashbridge*, 438 F.3d 320, 324 (3d Cir. 2006); *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388, 410 (1971) (Harlan, J., concurring in the judgment) ("For people in Bivens' shoes, it is damages or nothing.");

Monroe v. Pape, 365 U.S. 167, 187 (1961) ("In the Screws case we dealt with a statute that imposed criminal penalties for acts 'wilfully' done. We construed that word in its setting to mean the doing of an act with 'a specific intent to deprive a person of a federal right.' We do not think that gloss should be placed on § [1983] which we have here. The word 'wilfully' does not

appear in § [1983]." (citation omitted) (quoting *Screws v. United States*, 325 U.S. 91, 103 (1945)).

Bradley v. Fisher, 80 U.S. (13 Wall.) 335, 351–52 (1872); *Stump v. Sparkman,* 435 U.S. 349, 355 (1978); *Butz v. Economou*, 438 U.S. 478, 512–13 (1978) ("We think that adjudication within a federal administrative agency shares enough of the characteristics of the judicial process that those who participate in such adjudication should also be immune from suits for damages."); *Pierson v. Ray*, 386 U.S. 547, 554–55 (1967) ("The immunity of judges for acts within the judicial role is . . . well established, and we presume that Congress would have specifically so provided had it wished to abolish the doctrine.")

Alden v. Maine, 527 U.S. 706, 713–15 (1999), it is worth noting that neither the term "sovereignty" nor any of its derivatives appear in the U.S. Constitution itself. *Chisholm v. Georgia*, 2 U.S. (2 Dall.) 419, 454 (1793) ("To the Constitution of the United States the term SOVEREIGN, is totally unknown."). *Johnson v. California*, 543 U.S. 499, 505 (2005) (explaining that race-based classifications are subject to strict judicial scrutiny because "[r]acial classifications raise special fears that they are motivated by an invidious purpose"). *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964).

Burton v. Wilmington Parking Authority, 365 U.S. 715 (1961) (private discrimination is not constitutionally forbidden "unless to some significant extent the State in any of its manifestations has been found to have become involved in it"). *Slaughter-House Cases*, 83 U.S. 36, 77 (1872) (stating the "sole purpose" of the Privileges and Immunities Clause is "to declare to the several States, that whatever those rights, as you grant or establish them to your own citizens . . . the same, neither more nor less, shall be the measure of the rights of citizens of other States within your jurisdiction").

Afroyim v. Rusk, 387 U.S. 253, 255-268 (1967); *Cohens v. Virginia*, 19 U.S. 264, 399 (1821)); *Wabol v. Villacrusis*, 958 F.2d 1450, 1460 (9th Cir. 1990); *Sessions v. Morales-Santana*, 582 US 47 - Supreme Court 2017; *United States v. Wong Kim Ark*, 169 US 649 - Supreme Court 1898; *Osborn v. Bank of United States*, 22 US 738 - Supreme Court 1824; *Perez v. Brownell*, 356 US 44 - Supreme Court 1958.

Dred Scott v. Sandford, 60 U.S. (19 How.) 393 (1857) — a case long discredited for its rejection of the citizenship and personhood of slaves — articulated this under-standing of the status of territories, as well as Congress's relationship to them and end goal for them. See id. at 447 (noting that territory "is acquired to become a State, and not to be held as a colony and governed by Congress with absolute authority"); *Bond v. United States*, 564 U.S. 211, 222 (2011); *New York v. United States*, 505 U.S. 144, 149, 174–76 (1992) (involving the federal commandeering of state legislative functions); *Printz v. United States*, 521 U.S. 898, 925–33 (1997) (involving the federal commandeering of state executive functions).; *Puerto Rico v. Sanchez Valle*, 136 S. Ct. 1863 (2016); *Calero-Toledo v. Pearson Yacht Leasing Co.*, 416 U.S. 663, 673 (1974))). Cases involving states **conflicts issues** regarding the civil rights. Logical invalidity disqualifies the actions of all judges due to Iowa Code 17a.19(10)(m) and it's ***erroneous***. The Supreme court have been recognized as particularly fitting for exercise of the Court's authority to grant certiorari under 28 U.S.C. §§ 1254(1) and Supreme Court Rule 10 in order to obtain definitive resolution by this Court.

CONCLUSION

The petition for a writ of certiorari should be granted.

CAUSES OF ACTION

1. Judges violated Hussein S. Yousif 42 U.S.C. § 1983 Constitutional Civil rights. 1st petition the government and 14th Amendment constitutional civil right.
2. Plaintiff suffered economic damages to his credit due to no income. Plaintiff waited for Iowa workforce development at el to pay plaintiff and it was an unethical reason for the denial and judges denying his civil right.
3. Plaintiff life was difficult due to no income and the petitioner was forced to donate plasma to survive in December of 2022 and continuing.
4. Plaintiff Constitutional civil rights are violated and plaintiff seek damages for years of his life wasted.

DAMAGES

"Prayer for Relief Sought "

WHEREFORE, Hussein S.Yousif seeks damages from State judge and Supreme Court of Iowa Judges in the amount of the qualified immunity $6,000,000.00. United States Supreme Courthouse may lower or higher the amount on the Judges.

Date this July 7, 2025.

Respectfully submitted,

By/s/ Hussein S. Yousif

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