

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

DONALD STURGIS

— PETITIONER

(Your Name)

vs.

OAKLAND COUNTY CIRCUIT JUDGE

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. Court of Appeals for the Sixth Circuit

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Donald Sturgis

(Your Name)

N. 5705 Osibway Road

(Address)

Marion Co., Michigan 49947

(City, State, Zip Code)

(248) 838-9288-66- Ann Arbor

(Phone Number)

QUESTION(S) PRESENTED

1, Does a Trial Court Judge Have To Follow The Courts Own Rules, As Legislatively Mandated To Do So, When The Liberty Of A U.S. Citizen is at stake?

2, By Intentionally Not Following The Courts Own Rules To Conspire With The "Plaintiff-State Of Michigan" To gain an Illegal Conviction, Does This Action Alone Negate The Defendants Entire Bill Of Rights?

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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:

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☒ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

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☒ is unpublished.

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

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☒ is unpublished.

☐ For cases from **state courts**:

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

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☐ is unpublished.

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

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☐ is unpublished.

JURISDICTION

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

The date on which the United States Court of Appeals decided my case was 9-05-2017.

[] 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: October 26, 2017, and a copy of the order denying rehearing appears at Appendix C.

[] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

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

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

[] A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

[] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

United States Constitutional Amendments 1-5-14

42 U.S.C. § 2283 THE Anti-Injunction ACT (2012)
THE ALL WANTS ACT.

THE Petitioner is prejudiced by THE FACT HE IS in a PRISON STATE WHERE ALL, EACH and EVERY LAW BOOK REQUIRED TO BE AVAILABLE TO PRISONERS WERE REMOVED FROM EACH and EVERY LAW LIBRARY in EVERY PRISON in THE STATE OF MICHIGAN. THIS IS CONTRARY TO STATE and FEDERAL LAW in CLEAR VIOLATION OF THE PETITIONERS DUE PROCESS TO COMPETENTLY COMPLETE THIS FORM.

§ 2254 (B)(ii)

CIRCUMSTANCES EXIST THAT RENDER SUCH PROCESS INEFFECTIVE TO PROTECT THE RIGHTS OF THE PETITIONER.

MICHIGAN CONSTITUTION: 1, 17, 36
1963 WE THE PEOPLE:

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

STOUSS V. Oakland County Circuit Judge
16-12957 P-T-M.
Atlantic Coast R.R. Co. V. Bd Locomotive Engineers,
398 U.S. 281, 286-287 (1970)
Rea V. Wells Fargo Home Mortgage, (2009) U.S. Dist Lexis
76315 (E.D. Mich Aug 7, 2009).
SMITH V. Enclave Credit Corp, 623 F. Supp 2d. 910
918-919 (N.D. Ohio 2008).
Elonis V. U.S., 13-983 (2015)

STATUTES AND RULES

ALL WAITS ACT -
Michigan Court Rule 6.500
42 U.S.C. § 2283 (2012) Anti-Injunction Act

OTHER

Webster Dictionary of Law;
Mandamus
Enactings of THE USC Amendments & Entire Bill of Rights.

STATEMENT OF THE CASE

ON APRIL 6, 2016 THE PETITIONER "STUNTS" FILED HIS Motion For Relief Of Judgment Under MICHIGAN COURT RULE 6.500. ON MAY 11, 2016 THE COURT ISSUED AN OPINION\ORDER TO SAID MOTION. IN ANY MOTION FOR RELIEF OF JUDGMENT UNDER MICHIGAN COURT RULE MCR 6.500 THE TRIAL COURT [M]UST ANSWER IN FULL DETAIL TO ANY CLAIMS THAT ARE "ILLEGAL, CONSTITUTIONAL OR INFER RETROACTIVE CHANGE IN THE LAW."

THE OPINION OF MAY 11, 2016 AS WELL AS THE MOTION FOR RECONSIDERATION\REHEARING, IGNORED THE (4) MAIN ISSUES EXPRESSED WHICH WERE LEGISLATIVELY MANDATED TO ANSWER TO WHICH WERE\ONE ILLEGAL CONSTITUTIONAL AND RETROACTIVE CHANGE IN THE LAW.

BY THE COURTS OWN ACTION TO IGNORE THE MICHIGAN COURTS RULES WHICH GOVERN THE MOTION FOR RELIEF OF JUDGMENT, VIOLATES THE PETITIONERS UNITED STATES CONSTITUTIONAL AM 1-5-14 DUE PROCESS RIGHTS.

ON 8-9-2016 THE PETITIONER FILED IN THE U.S.

District Court, Appendix D. Case 16-12957 P-T-M.

Entitled: [Alternate writ - Extraordinary writ]

Petition for the Issuance of An Interlocutory Decree, Due to Matters Undecided by Trial Court Judge in Violation of MSR 6.500,
U.S. Const 1-5-9-14 AM.

The Defendants Counsel MR Brandon Buck Argued The Motion was in Violation of The ALL WRITS ACT, and The Anti-Injunction Act.

The Petitioners Motion to The U.S. District Court was and is Not Banned by Any such Act which violates The Petitioners Constitutional Rights.

The Petition for the Issuance of An Interlocutory Decree, a writ of Mandamus is Defined as: An Extraordinary writ Used by a court of competent Jurisdiction to an Inferior Tribunal, ... OR Any Person Compelling The Performance of An Act USU. ONLY WHEN THERE IS A DUTY UNDER THE LAW TO PERFORM THE ACT, THE PLAINTIFF HAS A CLEAR RIGHT TO SUCH PERFORMANCE, and THERE IS NO OTHER adequate Remedy Available. < > Mandamus is an Extraordinary Remedy and is Issued only to Command The Performance of a [Ministerial Act]: Relating to or being an Act Done AFTER Ascertaining The Existence of a Specified State of Facts in Obedience to Legal and ESA Statutory Mandate without Exercise of Personal Judgment or Discretion, Definition of Mandamus Websters Dictionary of Law.

By This Definition Alone MR BUCK'S Argument Falls Short on Substance, Regarding The (2) ALL WRITS ACT.

Secondly THE DEFENCE COUNCIL MR. BUCK CITES, "STUNGS'S"
CLAIMS ARE BARRED BY THE ANTI-INJUNCTION ACT. MR.
BUCK CITES 42 U.S.C. § 2283 (THE "ACT") BECAUSE THE
PETITIONER SEEKS A FEDERAL COURT "TO COMPEL A LOWER
JUDICIARY TO PERFORM A MANDATORY ACT." THE DEFENCE CLAIMS
PURSUANT TO THE ACT A COURT OF THE UNITED STATES IS
ABSOLUTELY PROHIBITED FROM ENJOINING STATE COURT PROCEEDINGS
EXCEPT (1) AS EXPRESSLY AUTHORIZED BY AN ACT OF CONGRESS, (2)
OR WHERE NECESSARY IN AID OF ITS JURISDICTION, OR (3)
TO PROTECT OR EFFECTUATE ITS JUDGMENTS."
ATLANTIC COAST R.R. CO. V. BHD. OF LOCOMOTIVE ENGINEERS, 398 U.S. 281,
286-287 (1970). "THE PARTY PURSUING THE INJUNCTION BEARS
THE BURDEN OF ESTABLISHING THAT THE INJUNCTION FALLS WITHIN
ONE OF THE (3) EXCEPTIONS." Rea V. Wells Fargo Home Mortgage 2009
U.S. Dist Lexis 76315 (E.D. MICH. AUG 7, 2009) (QUOTING SMITH
V. ENCORE CREDIT CORP., 623 F. SUPP. 2D 910, 918-19 (N.D. OHIO,
2008.)

THE ANTI-INJUNCTION ACT USED AGAINST THE PETITIONER
IN THIS INSTANCE 42 U.S.C. § 2283 THE (ACT) VIOLATES
THE ACT OF CONGRESS, SINCE THE PETITIONERS DEMAND
FOR AN INTERJUDICIAL DECREE FOR AN ORDER FROM
THE U.S. DISTRICT COURT TO ORDER THE OAKLAND
COUNTY CIRCUIT JUDGE TO FOLLOW THE COURT'S OWN RULES,
BY NOT DOING SO VIOLATES THE PETITIONERS 1-5-14
UNITED STATES CONSTITUTIONAL RIGHT TO DUE PROCESS.

THE EXCEPTION # (1) CLEARLY STATES: "AS EXPRESSLY AUTHORIZED BY ACT OF CONGRESS". THE VIOLATION OF AN ACT OF CONGRESS IS SIMPLE TO POINT OUT TO THE COURT.

THE ENACTING OF THE AMENDMENTS TO THE CONSTITUTION SIMPLY SAYS: "ARTICLES IN ADDITION TO, AND AMENDMENTS OF, THE CONSTITUTION OF THE UNITED STATES OF AMERICA, PROPOSED BY CONGRESS, AND RATIFIED BY THE LEGISLATURES OF THE SEVERAL STATES, PURSUANT TO THE FIFTH ARTICLE OF OF THE ORIGINAL CONSTITUTION."

THE 1ST AMENDMENT; TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES,

THE 5TH AMENDMENT; NOT BE DEPRIVED OF LIFE, LIBERTY OR PROPERTY, WITHOUT DUE PROCESS OF LAW.

THE 14 AMENDMENT; DUE PROCESS OF THE LAW WITH EQUAL PROTECTION OF THE LAWS.

THE PETITIONERS WRIT OF HABEAS CORPUS, FOR THE ISSUANCE OF AN INTERLOCUTORY DECREE FOR THE U.S. DISTRICT COURT TO ORDER THE OAKLAND COUNTY CIRCUIT JUDGE TO SIMPLY FOLLOW THE COURT'S OWN RULES, AS LEGISLATIVELY MANDATED TO DO SO FALLS WELL WITHIN THE USC 1-5-14 AMENDMENTS, WHICH WERE AND ARE AUTHORIZED BY ACT OF CONGRESS WHICH NEGATES 42 USC § 2283 (THE "ACT"), IN THIS PRETENCE.

(LH)

THE PETITIONER IS WELL AWARE THE DEFENDANT IS THE PETITIONER'S TRIAL COURT JUDGE, THE SAME JUDGE BEFORE TRIAL DENIED THE USE OF THE WORDS "FREE SPEECH DURING THE JURY TRIAL, BECAUSE THE JURORS ARE NOT LAWYERS AND THEY WOULD NOT UNDERSTAND THE CONCEPT OF FREE SPEECH!"

THIS IS THE SAME JUDGE WHO ALLOWED "KNOWN PERJURED TESTIMONY" TO SECURE AN ILLEGAL CONVICTION SINCE THE PETITIONER REFUSED TO PLEAD GUILTY FOR PROBATION.

THIS IS THE SAME COURT THAT SENTENCED THE PETITIONER TO 5 TO 35 YEARS IN PRISON FOR BLOSIONG THE TRUTH OF A CORRUPT COURT SYSTEM AND THE CRIMINAL ACTIVITIES OF THE SO CALLED VICTIM ATTORNEY RHONDA IVES. THE COURT INTENTIONALLY WITH MALICE & FORESIGHT WENT OUT OF THEIR WAY TO VIOLATE THE PETITIONER'S ENTIRE BILL OF RIGHTS.

THE (4) ISSUES AS EVIDENCED IN APPENDIX (g)

THE PETITIONER DEMANDED THE COURT TO ANSWER TO UNDER MCR 6.500 ARE ALL COVERED UNDER THE U.S.C.

1- RETROACTIVE CHANGE IN THE LAW DUE TO THE PRECEDENT OF ELONIS V. U.S. 13-983 (2015).

2- WHY DID THE COURT ALLOW "KNOWN PERJURED TESTIMONY" TO POORASLY CONVICT PETITIONER.

3- HOW IS IT LEGAL FOR A TRIAL COURT JUDGE TO ORDER THE DEFENDANT & THE RETAINED DEFENCE ATTORNEY TO BE FORBIDDEN TO USE THE TERM FREE SPEECH DURING THE COURSE OF THE TRIAL.

4- To Compel THE State/Court to Provide THE Actual Evidence of Any so called Inappropriate blog, To Provide Any nude Picture in Any blog as THE State let THE so called victim, Falsely Testify TO. THIS THE Court Can Not Do simply because IT never Happend.

These (4) Issues are Issues Implying THE Issues are Illegal - Unconstitutional and are Retroactive Changes in the Law, THE (3) Requirements which THE Trial Court Judge is Mandated to Answer, By Not Answering violates THE Petitioners Entire BILL OF RIGHTS.

Therefore THE Petitioner Has Proven He is Entitled TO Relief, THE Conflict by THE ACT OF Congress lies between THE United States Constitution Enacting THE Amendments and THE BILL OF RIGHTS and Between THE (1) Anti-Injunction Act and (2) THE ALL WRITS ACT.

THE Petitioner Claims "Circumstances exist that Render Fair and Impartial Treatment OF THE Petitioner by THE Court Non Existent Due TO THE Violations OF THE ACT OF Congress," ALSO THE ACT OF Congress is IN Conflict with 42 U.S.C. § 2283 (THE "Act"),

REASONS FOR GRANTING THE PETITION

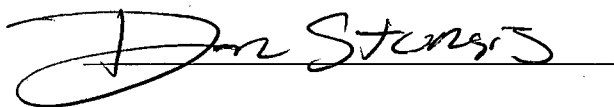
The Petitioner Has To Follow The Court Rules, The Law, The Constitution Of The United States Plus Each and Every Statute Therein. THE TRIAL COURT JUDGE ALSO HAS TO FOLLOW THE COURTS OWN RULES Legislatively Mandated To Do So by Law. The Petitioner Requests THE TRIAL COURT Judge Has Immunity From Being Sued, but NOT Immunity For Intentional Abuse Of Power which Violates The Law Clearly with Intent To Provide and Maintain a False Narrative To Mislead The Court and The Public Record. The Oakland County Circuit Court Judge is NOT ABOVE THE LAW OR IMMUNE FROM COMMITTING SEVERAL FELONYs WITH OUT REPERCUSSION. NO ONE IN THE HISTORY OF THE U.S. JUDICIAL SYSTEM HAS EVER RULED PRIOR TO TRIAL "THE WORDS FREE SPEECH ARE FORBIDDEN" THE TRIAL COURT Judge MUST FOLLOW THE COURTS OWN RULES and HER JUDICIAL CANONS as well as comply with BOTH THE MICHIGAN CONSTITUTION and THE U.S. CONSTITUTION. The Oakland County Circuit Court Judge, Wendy Potts, is NOT HILLARY CLINTON. POTTS IS HELD UNDER SCRUTINY and REFUSES TO APPLY THE LAW FAIR and IMPARTIALLY. THERE IS GREAT DANGER WHEN THE PRESIDENT IS SET THAT ANY TRIAL COURT JUDGE CAN BREAK THE LAW WITH OUT CONSEQUENCES. THE AFOREMENTIONED CASE IS IN CLEAR VIOLATION OF THE ACT OF CONGRESS.

Don Stangis

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Dan Stengis", written over a horizontal line.

Date: 11-27-2017