

CASE NO. _____

IN THE
UNITED STATES SUPREME COURT

In re CORNELIUS CLEMONS

Petitioner,

VS

STATE OF OHIO AGENT BWC

Respondent,

ORIGINAL ACTION OF
PETITION FOR WRIT OF MANDAMUS

MOTION PURSUANT RULES 17 & 48

FOR

LEAVE TO FILE,

DOCKET & ADJUDICATE

IN ACCORDANCE WITH RULE OF LAW

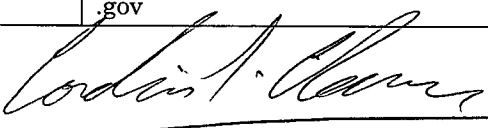
OF COTUS FIFTH AMENDMET; MAGNA CARTA CHAPTER 29;

South Carolina v. Katzenbach, 383 US 301, 324 (S. Ct. 1966); &

Twining v. New Jersey, 211 US 78, 92 (S. Ct. 1908)

Cornelius Clemons 1280 Norton Avenue Apt. 304 Columbus, Ohio 43212 (614) 816-3416; 450-2676 Teff980@yahoo.com	State of Ohio BWC Bureau of Workers' Compensation: Administrator Stephen Buehrer & Board of Directors 30 West Spring Street Columbus, Ohio 43215	Patsy A. Thomas Assistant Attorney General *Counsel of Record 150 East Gay Street, 22 nd Floor Columbus, Ohio 43215 (614) 466-6696 Patsy.Thomas@OhioAttorneyGeneral.gov
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Dated: February 6th, 2018



Cornelius Clemons

IN THE
UNITED STATES SUPREME COURT
MOTION FOR LEAVE TO FILE

NOW COME THE PETITIONER, Cornelius Clemons (hereinafter Mr. Clemons) pursuant United States Supreme Court Rules 17.3 & 48 and respectfully move this Court to File, Docket and expediently Adjudicate Petitioner Mr. Clemons' Petition for Expedited Writ of Mandamus in pursuant to and in accordance with COTUS Fifth Amendment; Magna Carta Chapter 29; South Carolina v. Katzenbach, 383 US 301, 324 (S. Ct. 1966); & Twining v. New Jersey, 211 US 78, 92 (S. Ct. 1908) & 28 U.S.C. § 1657(a). Mr. Clemons' position is more fully set forth in the attached Brief in Support.

Respectfully Submitted,

Dated: February 6th, 2018



Cornelius J. Clemons, Pro se

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BRIEF IN SUPPORT

I. INTRODUCTION & FACTS

Mr. Clemons' petition before this Court is under the Statute At Large Redress' Statue of § 1979 (hereinafter 42 U.S.C. § 1983) for State Of Ohio's Wrongful Deprivation of Property & the, subjecting to and/ or causing of, deprivation to Mr. Clemons of his Constitution Of The United States (hereinafter COTUS) Fifth Amendment Rights of Security of Property and Due Process of Law as also secured by Statute At Large § 1977 (hereinafter 42 U.S.C. § 1981).

Mr. Clemons, on July 8, 2014 invoked the original jurisdiction of the Ohio Supreme Court in Case No. 2014-1138; and under 42 U.S.C. § 1981 sought to Enforce Contract for the security of his \$1,829,078.00 monetary property arising under Ohio Constitution Article II § 35 through an O.R.C. 2731.06; 07 Peremptory Writ of Mandamus. See State of Ohio ex rel. Cornelius Clemons v. Board of Directors of Ohio's Workers Compensation and Steve Buehrer, Administrator of Ohio Bureau of Workers' Compensation, No. 2014-1138, Complaint in mandamus of Cornelius Clemons (July 08, 2014).

On August 1, 2014, in Ohio Supreme Court Case No. 2014-1138; in response to Mr. Clemons' petition for Writ of Mandamus under 42 U.S.C. § 1981 for the Enforcement of Contract; the Respondent BWC filed an Ohio Civil Rules of Civil Procedure 12 (B) (6) Motion to Dismiss; requesting the denial of Mr. Clemons petition without a hearing. See State of Ohio ex rel. Cornelius Clemons v. Board of Directors of Ohio's Workers Compensation and Steve Buehrer, Administrator of Ohio Bureau of Workers' Compensation, No. 2014-1138, Motion to dismiss (Aug. 01, 2014).

On August 8, 2014, in Ohio Supreme Court Case No. 2014-1138; Mr. Clemons replied to the Respondent BWC's Motion to Dismiss; clarifying that his Mandamus Petition is an Original Action in Mandamus, and that 42 U.S.C. § 1981 and Title 1 Ohio Civil Rules of Civil Procedure 1 (C) (2) precludes the Respondent BWC usage of Ohio Civil Rules of Civil Procedure 12 (B) (6) Motion to Dismiss. See State of Ohio ex rel. Cornelius Clemons v. Board of Directors of Ohio's Workers Compensation and Steve Buehrer, Administrator of Ohio Bureau of Workers' Compensation, No. 2014-1138, Memo opposing motion to dismiss (Aug. 08, 2014).

On September 24, 2014, in Ohio Supreme Court Case No. 2014-1138; the Ohio Supreme Court dismissed Clemons' petition for Writ of Mandamus upon the Respondent BWC's Ohio Civil Rules of Civil Procedure 12 (B) (6) Motion to Dismiss. See State of Ohio ex rel. Cornelius Clemons v. Board of Directors of Ohio's Workers Compensation and Steve Buehrer, Administrator of Ohio Bureau of Workers' Compensation, No. 2014-1138, slip op. (Sept. 24, 2014).

Mr. Clemons has attempted to have redress in several Federal judicial forums for which have denied jurisdiction of his petition. See In Re: Cornelius Clemons, Case No. 14-4243 (6TH Cir. December 16, 2014); see also Clemons v. Ohio Bureau of Workers Compensation, Case No. 2:2015cv00964 (S.D. Ohio March 18, 2015); see also Cornelius Clemons v. Ohio Bureau of Workers Comp, Case No. 16-3095 (6TH Cir. February 4, 2016); see also Clemons v. Ohio Bureau of Workers' Compensation et al, Case No. 2:2016cv00846 (S.D. Ohio September 2, 2016); see also Clemons v. Ohio Bureau of Workers Compensation, Case No. 2:2017cv00213 (S.D. Ohio March 14, 2017); see also Clemons v. Ohio Bureau of Workers Compensation, Case No. 2:2017cv00501 (S.D. Ohio June 12, 2017); see

also Cornelius Clemons v. Ohio Bureau of Workers Comp, Case No. 17-4092 (6TH Cir. October 2017).

Mr. Clemons does acknowledge that he is financially crippled and does not have any monetary income beyond SNAP food assistance in the amount of 192 monthly; and through only the beneficent bartering of giving food from his cabinets and table was Mr. Clemons able to secure just enough monetary ability to provide this Court with his Petition for Expedited Writ of Mandamus (in first instance, without notice).

II. JURISDICTION & DUTY

This United States Supreme Court has Original Jurisdiction of this case's COTUS Fourteenth Amendment § 5 & 42 U.S.C. § 1983 subject matter pursuant COTUS Article III Section 2; and Person jurisdiction of State Agent Ohio BWC pursuant COTUS Fourteenth Amendment § 1 and 42 U.S.C. § 1981 to provide Mr. Clemons with the requested O.R.C. § 2731.06 Mandamus Relief and/ or similar Relief in fulfillments of its duties in ensuring the validity of Mr. Clemons' guaranteed COTUS Fifth Amendment Right to the security of his property from State violation of COTUS Fourteenth Amendment § 1 Due Process of Law Prohibition.

"The Fourteenth Amendment withdrew from the States powers theretofore enjoyed by them to an extent not yet fully ascertained, or rather, to speak more accurately, limited those powers and restrained their exercise. There is no doubt of the duty of this court to enforce the limitations and restraints whenever they exist, and there has been no hesitation in the performance of the duty." See Twining v. New Jersey, 211 US 78, 92 (S. Ct. 1908).

"And therefore, every subject of this realme, for injury done to him in bonis, terris, vel persona, by any other subject, be he ecclesiastical, or temporal, free, or bond, man, or woman, old, or young, or be he outlawed, excommunicated, or any other without exception, may take his remedy by the course of the law, and have justice, and right for the injury done to him, freely without sale, fully without any denial, and speedily without delay." See Klopfer v. North Carolina, 386 US 213, 224 (1967).

"Some of these contentions may be dismissed at the outset. The word "person" in the context of the Due Process Clause of the Fifth Amendment cannot, by any reasonable mode of interpretation, be expanded to encompass the States of the Union, and to our knowledge this has never

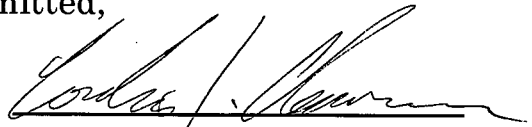
been done by any court.” See South Carolina v. Katzenbach, 383 US 301, 324 (S. Ct. 1966).

III. CONCLUSION

Pursuant Rule of Law of COTUS Fifth Amendment Due Process of Law, Magna Carta Chapter 29, 42 U.S.C. §§ 1983 & 1981, 28 U.S.C. § 1657, O.R.C. § 2731.06, Twining v. New Jersey, 211 US 78, 92 (S. Ct. 1908), Klopper v. North Carolina, 386 US 213, 224 (1967), South Carolina v. Katzenbach, 383 US 301, 324 (S. Ct. 1966); Mr. Clemons should have the Right, and this United States Supreme Court the Duty; to have Mr. Clemons’ Petition for Writ of Mandamus expedited and speedily Filed, Adjudicated and Granted (in first instance, without notice).

Respectfully Submitted,

Dated: February 6th, 2018


Cornelius J. Clemons, Pro se

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CASE NO. _____

IN THE
UNITED STATES SUPREME COURT

In re CORNELIUS CLEMONS

Petitioner,

VS

STATE OF OHIO AGE

Respondent,

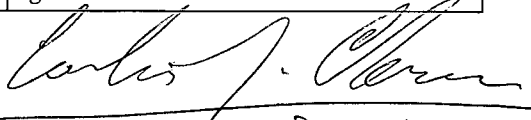
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ORIGINAL ACTION OF
PETITION FOR WRIT OF MANDAMUS

PETITION FOR EXPEDITED O.R.C. 2731.06
WRIT OF MANDAMUS; OR SIMILAR REMEDY
IN FIRST INSTANCE; WITHOUT NOTICE

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Dated: February 6th, 2018



Cornelius J. Clemons

QUESTION PRESENTED

Should, and is it the duty of, this United States Supreme Court in accordance with its Jurisdiction under Constitution of the United States (hereinafter COTUS) Article III Section 2, and Title 42 United States Code Section 1983 pursuant to COTUS Fifth Amendment to; provide redress, of State of Ohio having subjected United States Citizen, Mr. Cornelius Clemons, (Petitioner) to a meaningful hearing in the appropriation of his property for which violated COTUS Fourteenth Amendment § 1's Due Process of Law Clause; and caused Mr. Cornelius Clemons to suffer the wrongful deprivation of his property from being subjected to the denial of his COTUS Fifth Amendment & Title 42 United States Code Section 1981 right to enforce contract for the security of his property in Ohio Supreme Court Case No. 2014-1138?

PARTIES TO THE PROCEEDING

Petitioner is Cornelius J. Clemons; a Natural Citizen of the United States, and a Citizen; Resident of the State of Ohio; whom also is a claimant to Ohio Workers' Compensation's State Insurance Fund as an Injured Worker.

Respondent(s) is Ohio Bureau of Workers Compensation: Administrator Stephen Buehrer and Board of Directors (in their official capacity) collectively as Ohio State Agent BWC. The State of Ohio is appropriately cognizant as a Party through suit against its Agent in its official capacity for the purpose of recovery of monetary property from State Action of Wrongful deprivation of Property in violation of Constitution of the United States Fourteenth Amendment's Section 1 Due Process Clause.

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Clemons' Mandamus Petition

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Ohio Supreme Court Case No. 2014-1138

BWC's Motion to Dismiss

Exhibit (3)

Ohio Supreme Court Case No. 2014-1138

Clemons' Reply

Exhibit (4)

Ohio Supreme Court Case No. 2014-1138

Judgment of Court

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Certified Copy of Ohio Constitution Article II § 35

Quid Pro Quo Legislation

Exhibit (6)

Clemons' Employer Documentation of injury

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Exhibit (7)

Clemons' Property Claim under Ohio Constitution Article II § 35

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IN THE
UNITED STATES SUPREME COURT

PETITION FOR O.R.C. 2731.06

PERMEPTORY WRIT OF MANDAMUS IN FIRST INSTANCE

(WITHOUT NOTICE)/ OR SIMILAR REMEDY

NOW COME THE PETITIONER, and hereby aver as follows:

1. This petition for fulfillment of, Constitution Of The United States (hereinafter COTUS) Fifth Amendment's Due Process Guarantee and its Organic Law, Statute At Large R.S. § 1977 (hereinafter Title 42 United States Code Section 1981/ 42 U.S.C. § 1981); as operated through , Statute At Large R.S. § 1979 (hereinafter Title 42 United States Code Section 1983/ 42 U.S.C. § 1983) shall, pursuant the COTUS Fifth Amendment be filed and adjudicated in accordance with the requirements of COTUS Fifth Amendment and its roots of Magna Carta Chapter 29.

2. This pro se document is to be liberally construed; As the Court unanimously held in Haines v. Kerner, 404 U.S. 519 (1972), a pro se complaint, "however inartfully pleaded," must be held to "less

stringent standards than formal pleadings drafted by lawyers” and can only be dismissed for failure to state a claim if it appears” beyond doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief. Id., at 520-521, quoting Conley v. Gibson, 355 U.S. 41, 45-46 (1957).

3. Pursuant Federal Rules of Civil Procedure (8) (e) this pleading must be construed so as to do justice.

Federal Rules of Civil Procedure (8) (e) provides:

Construing Pleadings. Pleadings must be construed so as to do justice.

I. OPINION BELOW

This cause originated in this court on the filing of a complaint for a writ of mandamus.

4. Upon consideration of respondents' motion to dismiss and motion to strike memorandum in support of mandamus and amended memorandum in support of mandamus, it is ordered by the court that the motion to dismiss is granted and the motion to strike is denied. Accordingly, this cause is dismissed. See Exhibit No. (4); see

also State of Ohio ex rel. Cornelius Clemons v. Board of Directors of Ohio's Workers Compensation and Steve Buehrer, Administrator of Ohio Bureau of Workers' Compensation, No. 2014-1138, slip op. (Sept. 24, 2014).

II. JURISDICTION

Each and every paragraph/ statement/ presentation of any kind is incorporated as if fully written herein

This United States Supreme Court's Person and Subject Matter jurisdiction is invoked pursuant COTUS Article III Section 2, COTUS Fifth Amendment, Magna Carter Chapter 29, COTUS Fourteenth Amendment Section 1, COTUS Fourteenth Amendment Section 5, Section 1981 & 1983 of Title 42 as 42 United States Code (hereinafter U.S.C.) §§ 1981 & 1983, and Sections 1651(a) & 1657(a) of Title 28; as 28 United States Code (hereinafter U.S.C.) §§ 1651(a) & 1657 to expedite the issuance of an Ohio Revised Code (hereinafter O.R.C.) 2731.06' Peremptory (In First Instance & Without Notice) Writ of Mandate; and/ or other suitable Writ of Mandate to Ohio, State Agent, BWC; to wit, make payment to Mr. Cornelius Clemons his monetary

property appropriated him pursuant Ohio Constitution Article II § 35, and O.R.C. § 1343.03 (A) Prejudgment Interest, and O.R.C. § 1343.03 (B) Post-judgment Interest; as established and or prescribed by this Court.

COTUS Article III Section 2 relevant portion provides:

The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;— between a State and Citizens of another State,— between Citizens of different States,—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

COTUS Fifth Amendment relevant portion provides:

“No person shall” “be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation”.

Magna Carter Chapter 29 provides:

“We will sell to no man, we will not deny or defer to any man either justice or right”

“And therefore, every subject of this realme, for injury done to him *in bonis, terris, vel persona*, by any other subject, be he ecclesiasticall, or temporall, free, or bond, man, or woman, old, or young, or be he outlawed, excommunicated, or any other without exception, may take his remedy by the course of the law, and have justice, and right for the injury done to him, freely without sale, fully without any deniall, and speedily without delay.” *See Klopfer v. North Carolina, 386 US 213, 224 (1967).*

COTUS Fourteenth Amendment Section 1 provides:

All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. 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.

COTUS Fourteenth Amendment Section 5 provides:

The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Title 42 United States Code Section 1983 provides:

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

Title 42 United States Code Section 1981 provides:

All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal

benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.

Title 28 United States Code Section 1651(a) provides:

The Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law.

Title 28 United States Code Section 1657(a) provides:

(a) Notwithstanding any other provision of law, each court of the United States shall determine the order in which civil actions are heard and determined, except that the court shall expedite the consideration of any action brought under chapter 153 or section 1826 of this title, any action for temporary or preliminary injunctive relief, or any other action if good cause therefor is shown. For purposes of this subsection, "good cause" is shown if a right under the Constitution of the United States or a Federal Statute (including rights under section 552 of title 5) would be maintained in a factual context that indicates that a request for expedited consideration has merit.

Ohio Constitution Article II Section 35 provides:

See Exhibit No. (5).

Ohio Revised Code Section 2731.06 provides:

When the right to require the performance of an act is clear and it is apparent that no valid excuse can be given for not doing it, a court, in the first instance, may allow a peremptory mandamus. In all other cases an alternative writ must first be issued on the allowance of the court, or a judge thereof.

Ohio Revised Code Section 1343.03 (A) provides:

(A) In cases other than those provided for in sections 1343.01 and 1343.02 of the Revised Code, when money becomes due and payable

upon any bond, bill, note, or other instrument of writing, upon any book account, upon any settlement between parties, upon all verbal contracts entered into, and upon all judgments, decrees, and orders of any judicial tribunal for the payment of money arising out of tortious conduct or a contract or other transaction, the creditor is entitled to interest at the rate per annum determined pursuant to section 5703.47 of the Revised Code, unless a written contract provides a different rate of interest in relation to the money that becomes due and payable, in which case the creditor is entitled to interest at the rate provided in that contract.

Ohio Revised Code Section 1343.03 (B) provides:

(B) Except as provided in divisions (C) and (D) of this section and subject to section 2325.18 of the Revised Code, interest on a judgment, decree, or order for the payment of money rendered in a civil action based on tortious conduct or a contract or other transaction, including, but not limited to a civil action based on tortious conduct or a contract or other transaction that has been settled by agreement of the parties, shall be computed from the date the judgment, decree, or order is rendered to the date on which the money is paid and shall be at the rate determined pursuant to section 5703.47 of the Revised Code that is in effect on the date the judgment, decree, or order is rendered. That rate shall remain in effect until the judgment, decree, or order is satisfied.

Petitioner Cornelius Clemons petitions this United States

Supreme Court in accordance with its COTUS Article III Section 2

jurisdictional powers and duties involving cases and controversy as they

relate to this instant 42 U.S.C. § 1983 Redress Action; from prior State

of Ohio Agent BWC having subjected and/ or caused Cornelius Clemons

to be subjected to the deprivation of COTUS Fifth Amendment's Due

Process of Law as applied to the States through COTUS Fourteenth

Amendment's Provisions/ Prohibitions; for which thus, wrongfully deprived Cornelius Clemons of his property; to which end, Cornelius Clemons in Redress seeks enforcement of Contract pursuant COTUS Fifth Amendment Due Process of Law, 42 U.S.C. §§ 1983 & 1981, Magna Carter Chapter 29 in accordance with this Courts acknowledgments in: Klopper v. North Carolina, 386 US 213, 224 (1967); Twining v. New Jersey, 211 US 78, 92 (S. Ct. 1908); and South Carolina v. Katzenbach, 383 US 301, 324 (S. Ct. 1966).

The State of Ohio has consented its agent BWC to suit in this federal forum, pursuant COTUS Fourteenth Amendment § 5 as enforced through 42 U.S.C. § 1983 and COTUS Article III Section 2, for the purpose of Mr. Clemons' Enforcement Contract for the security of his property pursuant COTUS Fourteenth Amendment § 1, COTUS Fifth Amendment Due Process Clause as applied through Fourteenth Amendment § 1, and 42 U.S.C. § 1981.

III. PARTIES

**Each and every paragraph/ statement/ presentation of any kind is
incorporated as if fully written herein**

5. State of Ohio Agent Ohio Bureau of Workers Compensation:
Administrator Stephen Buehrer (in official capacity) & Board of Directors (in official capacity) collectively as Bureau of Workers Compensation (hereinafter BWC).
6. BWC is the State Agency of Ohio that is responsible for providing payment to injured workers covered under the Ohio Constitution Article II § 35 Workers' Compensation Act and the underlying Statutes.
7. Pursuant O.R.C. § 4121.39 (D), the Administrator of BWC has the powers and duties to: "Serve as representative of the state insurance fund" See O.R.C. § 4121.39 (D). Pursuant O.R.C. § 4121.12 (F) (1) the Bureau of Workers' Compensation Board of Directors is the Board with the duty of establishing the overall administrative policy for the bureau. See O.R.C. § 4121.12 (F) (1). The Board of Directors and Administrator make up the governing body of the Bureau of Workers' Compensation collectively referred to in this case as BWC.
8. Citizen of United States and Citizen and Resident of the State of Ohio: Cornelius Clemons (hereinafter Mr. Clemons).

IV. STATEMENT OF FACTS AND FACTUAL BACKGROUND

**Each and every paragraph/ statement/ presentation of any kind is
incorporated as if fully written herein**

9. In the latter part of 2010, Mr. Clemons was employed with Kenco Logistics as an operator of a several ton industrial vehicle called a Clamp-lift; with the duties of moving appliances for storage and distribution.
10. In the course of Mr. Clemons' employment with Kenco Logistics; a fellow employee while performing his employment duties and operating the same sort of industrial vehicle accidentally collided with Mr. Clemons in a T-bone collision while Mr. Clemons was operating his industrial vehicle in the course of his employment.
See Exhibit No. (6).
11. Mr. Clemons has sustained numerous injuries inclusive of medical conditions of Myofascial Pain Syndrome, Fibromyalgia, Spinal Curvature, Disc Desiccation, Multi-Level Disc Degeneration Disease in the Cervical, Thoracic, and Lumbar spinal regions, Pinched Nerve, moderate Arthritis and Inflammation in throughout the body greater

in neck, arm, and hip areas, Permanent Hip Joint Sprang from non-treatment and etc. See Exhibit No. (8).

12. Mr. Clemons medical injures has cause him loss of income, loss of scholastic opportunity, loss of the ability to maintain gainful employment and etc.; And at current his health condition worsens from lack of financial ability to aid in the care of his health. See Exhibit No. (8).

13. As a result of Mr. Clemons having been accidentally injured in said T-bone collision; Mr. Clemons became a claimant of Ohio Workers Compensation; particularly a State Fund claimant. See Exhibit No. (6).

14. Mr. Clemons was provided a claim number and policy number in relation to his being a claimant to Ohio Workers Compensation. See Exhibit No. (6).

15. Mr. Clemons employer at the time of incident; Kenco Logistics, is recorded as having been insured by the State of Ohio. See Exhibit No. (6).

16. Ohio Constitution Article II § 35 is the State Legislation that arranges between; the State of Ohio, the Employer, and the

Employee, who has been accidentally injured in the course of their employment; the exchange of; the Employee's right to sue for injuries or damages occurring in the course of employment at common law or statute law; for the right to compensation for all injuries or damages. See Exhibit No. (5).

17. State's Workers Compensation Acts, for which provide as an exclusive remedy for Employees accidentally injured in the course of their employment have been interpreted as State Quid Pro Quo legislation for which the injured employee is entitle to moderate compensation in all cases of injury, and has a certain and speedy remedy without the difficulty and expense of establishing negligence or proving the amount of damages. See Lockheed Aircraft Corp. v. United States, 460 US 190, 194 (S. Ct.1983); See Duke Power Co. v. Carolina Environmental Study Group, Inc., 438 US 59, 93 (S. Ct. 1978); & See New York Central R. Co. v. White, 243 US 188, 201 (S. CT. 1917).

18. Despite numerous attempt by Mr. Clemons; to receive compensation under Statutes promulgated under Ohio Constitution Article II § 35, Mr. Clemons was not able to receive his

compensation beyond less than 1 Month's pay. Similar circumstance of the general inability of Claimant's to receive payment of Compensation under State Worker Compensation programs despite the legal liability involved has retained cognizance before the U.S. Congress (See Exhibit No. (10)).

19. Mr. Clemons then attempted to file a Breach of Contract claim in the Common Pleas Court of Franklin County; this Claim was dismissed; and then subsequently appealed by Mr. Clemons to Ohio's 10th District Appeals Court; where the dismissal was affirmed.

20. Mr. Clemons also petitioned the Ohio's 10th District Appeals Court for Mandamus under Common Law; Contract Enforce, for which was dismissed.

21. Mr. Clemons, next, on July 8, 2014 invoked the original jurisdiction of the Ohio Supreme Court in Case No. 2014-1138; and under 42 U.S.C. § 1981 sought to Enforce Contract for the security of his \$1,829,078.00 monetary property arising under Ohio Constitution Article II § 35 through an O.R.C. 2731.06; 07 Peremptory Writ of Mandamus. See Exhibit No. (1); see also State

of Ohio ex rel. Cornelius Clemons v. Board of Directors of Ohio's Workers Compensation and Steve Buehrer, Administrator of Ohio Bureau of Workers' Compensation, No. 2014-1138, Complaint in mandamus of Cornelius Clemons (July 08, 2014).

22. On August 1, 2014, in Ohio Supreme Court Case No. 2014-1138; in response to Mr. Clemons' petition for Writ of Mandamus under 42 U.S.C. § 1981 for the Enforcement of Contract; the Respondent BWC filed an Ohio Civil Rules of Civil Procedure 12 (B) (6) Motion to Dismiss; requesting the denial of Mr. Clemons petition without a hearing. See Exhibit No. (2); see also State of Ohio ex rel. Cornelius Clemons v. Board of Directors of Ohio's Workers Compensation and Steve Buehrer, Administrator of Ohio Bureau of Workers' Compensation, No. 2014-1138, Motion to dismiss (Aug. 01, 2014).

23. On August 8, 2014; Mr. Clemons replied; stating in-applicability of BWC's ORCP (12)(B)(6) (See Exhibit No. 3). On August 8, 2014, in Ohio Supreme Court Case No. 2014-1138; Mr. Clemons replied to the Respondent BWC's Motion to Dismiss; clarifying that his Mandamus Petition is an Original Action in Mandamus, and that

42 U.S.C. § 1981 and Title 1 Ohio Civil Rules of Civil Procedure 1 (C) (2) precludes the Respondent BWC usage of Ohio Civil Rules of Civil Procedure 12 (B) (6) Motion to Dismiss. See Exhibit No. (3); see also State of Ohio ex rel. Cornelius Clemons v. Board of Directors of Ohio's Workers Compensation and Steve Buehrer, Administrator of Ohio Bureau of Workers' Compensation, No. 2014-1138, Memo opposing motion to dismiss (Aug. 08, 2014).

24. On September 24, 2014, in Ohio Supreme Court Case No. 2014-1138; the Ohio Supreme Court dismissed Clemons' petition for Writ of Mandamus upon the Respondent BWC's Ohio Civil Rules of Civil Procedure 12 (B) (6) Motion to Dismiss. See Exhibit No. (4); see also State of Ohio ex rel. Cornelius Clemons v. Board of Directors of Ohio's Workers Compensation and Steve Buehrer, Administrator of Ohio Bureau of Workers' Compensation, No. 2014-1138, slip op. (Sept. 24, 2014).

25. The dismissal of Ohio Supreme Court Case No. 2014-1138 by the Ohio Supreme Court was done without a Hearing or Trial for the appropriation of Mr. Clemons' property rights under Ohio

Constitution Article II § 35; nor was any hearing or trial conducted.

See Exhibit No. (4).

26. Mr. Clemons then filed in Ohio Supreme Court Case No. 2014-1138 a request for Reconsideration, and a Motion to Strike the Pleadings of the Respondent BWC, stating violation of U.S. Constitution Fourteenth Amendment; to which the Court on November 24, 2014 declined.

27. In order to redress the deprivation of Mr. Clemons' COTUS Fifth Amendment rights as supported by 42 U.S.C. § 1981; Mr. Clemons has made petitions for relief in the Federal Judicial forums of the Sixth Circuit Court of Appeals and the District Court for Southern Ohio with subsequent Appeals as so shown. Court of Appeals Case No. 14-4243, District Court Case No. 2:2015cv00964 and its subsequent related Court of Appeals Cases (Mandamus Petition) No. 15-3995 & (Appeal of Decision) No. 16-3095, District Court Case No. 2:2016cv00846 and its subsequent related Court of Appeals Case (Mandamus Petition) No. 17-3183 & (Appeal of Decision) No. 17-3216, District Court Case No. 2:2017cv00213 (non-appealed, and District Court 2:2017cv00501 and its subsequent related Court of

Appeals Case (Mandamus Petition) No. 17-3883 & (Appeal of Decision) No. 17-4092.

28. Mr. Clemons' 42 U.S.C. § 1981 Action under 42 U.S.C. § 1983 for redress against liable State Agent BWC's action of Wrongful Deprivation of Property has been denied pursuant lack of jurisdiction of State Agent BWC as a political body termed a State; as so held by the District Court for Southern Ohio and Sixth Circuit Court of Appeals.

29. Mr. Clemons has literally slept in the winter season in very low temperatures and other times under the open covering of buildings and/ or trees. Mr. Clemons has spent ample time going between family member's and friend's residences for shelter. Mr. Clemons has near Three hundred documented days in several shelter for homeless facilities for which conditions at different times and locations were most dreadful, inclusive of extended nights sleeping on a one inch pad upon the floor, being tormented by bed bugs; such further list of the horridness of homeless shelter stay is left to this Court's presumptions. Presently and since October 2015, Mr. Clemons has been placed in a Public Assistance living residence.

Mr. Clemons maintains a 400 sq. ft. efficiency, his comings and goings are monitored and entrance into his building is controlled by 24hr. Door surveillance; without them opening the door; Mr. Clemons cannot enter. This Residency enforces; an allowance of two overnight guest a week maximum, daily guest or overnight guest check in prior to 10 P.M.; both must leave their identification with the staff at the door; daily guest are allowed until 10:45 P.M.. Mr. Clemons only source of income is SNAP in the amount of 192.00 credit of food assistance. Mr. Clemons does not have cash assistance; usually washes all laundry by hand in a pale; and does not have a bath tube. In Essence; Clemons has been unconstitutionally deprive of his Civil Liberties since the September 24, 2014; and otherwise deprived of his Civil Liberties from year 2010.

V. STATEMENT OF CASE

**Each and every paragraph/ statement/ presentation of any kind is
incorporated as if fully written herein**

State of Ohio Agent BWC and the Ohio Supreme Court violated
COTUS Fourteenth Amendment § 1's Due Process Clause; Equal

Protection Clause, and enforced law abridging and depriving Mr. Clemons' of his COTUS Fifth Amendment and 42 U.S.C. § 1981 right to enforce contract for the security of his property and thus also deprived Mr. Clemons' of his property without a meaningful hearing.

Congress pursuant § 5 of COTUS Fourteenth Amendment has provided 42 U.S.C. §§ 1981 & 1983 as appropriate legislation to enforce in redress Mr. Clemons' COTUS Fifth Amendment and 42 U.S.C. § 1981 right to enforce contract for the security of his property without impairment/ denial or abridgment; and to enforce that the State of Ohio shall not deprive Mr. Clemons of his property without Due Process of Law in violation of COTUS Fifth and Fourteenth Amendments.

This United States Supreme Court has Original jurisdiction of this case's COTUS Fourteenth Amendment § 5 & 42 U.S.C. § 1983 subject matter pursuant COTUS Article III Section 2, and Person jurisdiction of State Agent Ohio BWC pursuant COTUS Fourteenth Amendment § 1 and 42 U.S.C. § 1981; to provide Mr. Clemons with the requested O.R.C. § 2731.06 Mandamus Relief and/ or similar Relief in

fulfillments of its duties in ensuring the validity of Mr. Clemons' guaranteed COTUS Fifth Amendment Right from State violation of COTUS Fourteenth Amendment § 1 Prohibitions.

"The Fourteenth Amendment withdrew from the States powers theretofore enjoyed by them to an extent not yet fully ascertained, or rather, to speak more accurately, limited those powers and restrained their exercise. There is no doubt of the duty of this court to enforce the limitations and restraints whenever they exist, and there has been no hesitation in the performance of the duty." See Twining v. New Jersey, 211 US 78, 92 (S. Ct. 1908).

"And therefore, every subject of this realme, for injury done to him in bonis, terris, vel persona, by any other subject, be he ecclesiastical, or temporal, free, or bond, man, or woman, old, or young, or be he outlawed, excommunicated, or any other without exception, may take his remedy by the course of the law, and have justice, and right for the injury done to him, freely without sale, fully without any denial, and speedily without delay." See Klopfer v. North Carolina, 386 US 213, 224 (1967).

“Some of these contentions may be dismissed at the outset. The word "person" in the context of the Due Process Clause of the Fifth Amendment cannot, by any reasonable mode of interpretation, be expanded to encompass the States of the Union, and to our knowledge 324*324 this has never been done by any court.” See South Carolina v. Katzenbach, 383 US 301, 324 (S. Ct. 1966).

VI. CAUSE OF ACTION

**Each and every paragraph/ statement/ presentation of any kind is
incorporated as if fully written herein**

A. Ohio Supreme Court Jurisdiction

Jurisdiction of the Ohio Supreme Court was appropriate pursuant to Ohio Constitution (hereinafter Ohio Con.) Art. IV § 2(B) (1)(b) & 2(B)(3); for which provides the Ohio Supreme Court with jurisdiction over Original actions in Mandamus; for which no law or rule could be passed whereby any person shall be prevented from invoking the original jurisdiction of the Ohio Supreme Court. Pursuant to COTUS Supremacy Clause the Ohio Supreme Court’s jurisdiction was to be exercised in conformity with COTUS Fifth, & Fourteenth Amendments, and 42 U.S.C. § 1981.

B. Ohio Supreme Court 42 U.S.C. § 1981 Action

Mr. Clemons invoked the original jurisdiction of the Ohio Supreme Court proceeding by an original Action of [O.R.C. § 2731.06 Peremptory Writ of Mandamus (in first instance, without notice)] (hereinafter O.R.C. § 2731.06 Mandamus) to enforce contract for the security of his property providing cognizance of 42 U.S.C. § 1981's codification of 42 U.S.C. § 1981. See EXHIBIT No. 1.

On July 14, 2014; in Ohio Supreme Court Case No. 2014-1138, Mr. Clemons proceeded by O.R.C. 2731.06 Mandamus to enforce contract (Ohio Con. Art. II § 35) for the security of his property. Mr. Clemons made cognizant that he is a claimant to the State Insurance Fund of Ohio Workers Compensation, with identifying claim number 10-858586. Mr. Clemons provided the claim number provided him by Ohio Bureau of Workers Compensation and that BWC is the appropriate State agent; holding the appropriate office and station that is responsible to make payment to Mr. Clemons. Pursuant Mr. Clemons' rights as stated in 42 U.S.C. § 1981 Mr. Clemons sought to enforce Ohio Con. Art. II § 35 for the security of his entitled \$1,829,078.00 property. See EXHIBIT No. 1. Mr. Clemons supported his claim in Memorandum

to his petition.

C. Ohio Supreme Court BWC's ORCP (12)(B)(6)

On August 1, 2014, in Ohio Supreme Court Case No. 2014-1138, BWC, filed an Ohio Rules of Civil Procedure (12)(B)(6) Motion to Dismiss (hereinafter ORCP (12)(B)(6)) presenting the question of whether Mr. Clemons' action was an Original Action, or an Appeal; and alleged that Mr. Clemons, pursuant legal precedence, could not enforce contract for the security of his property in Mandamus; because Mr. Clemons had not met the *three prongs of Berger* of: Mr. Clemons having a clear legal right to the relief prayed for, BWC having a clear legal duty to do the act prayed for, Mr. Clemons having no plain and adequate remedy in the ordinary course of Law. See Exhibit No. 2.

BWC argued that Mr. Clemons' Action being taken as an Original Action did not meet the *three prongs set out in Berger Supra*. BWC highlighted the three prongs as; (1) [he] must has a clear legal right to the relief prayed for; (2) [BWC] must be under a clear legal duty to perform the act requested; and (3) [he] must have no plain and adequate remedy in the ordinary course of law.

BWC, in their ORCP (12)(B)(6) alleged that Mr. Clemons did not

have a clear legal right to the relief prayed for pursuant to legal precedence; presenting that in order for Mandamus relief to be granted against the BWC; there must be a showing of *Abuse of Discretion* on the part of BWC pursuant to their handling of a Workers' Compensation claim; as it relates to their exercising of discretion under the statutes passed under Ohio Con. Art. II § 35. See Exhibit No. 2.

BWC in said ORCP (12)(B)(6) also alleged that Mr. Clemons failed to establish [BWC] had a clear legal duty to perform the act requested pursuant legal precedence; presenting that Mr. Clemons had sought to charge the BWC with a duty that only legislative authority can create and that the Ohio Supreme Court could not create such a duty in Mandamus; being that Mr. Clemons had not shown that BWC had abused it discretion and that BWC's authority to administer claims is statutory. See Exhibit No. 2.

BWC, in said ORCP (12)(B)(6) also alleged that the third *Berger* requirement of [he] must have no plain and adequate remedy in the ordinary course of law was not met; and pursuant legal precedence that the Ohio Supreme Court must deny the Writ pursuant Mr. Clemons having failed to exercise his plain and adequate remedy at law; by not

having appealed the decisions of the Lower Courts. See Exhibit No. 2.

D. Ohio Supreme Court Mr. Clemons Reply

On August 8, 2014, in Ohio Supreme Court Case No. 2014-1138, Mr. Clemons replied to BWC's ORCP (12)(B)(6) stating that his action is an Original Action for Writ of Mandamus and 42 U.S.C. § 1981 (codification for 42 U.S.C. § 1981) prohibited the usage of Respondent BWC's ORCP (12)(B)(6). See Exhibit No. 3.

As supported by Exhibit No. 3, Mr. Clemons replied to the contentions of BWC, by acknowledging that pursuant 42 U.S.C. § 1981 BWC's, usage of ORCP (12)(B)(6) is outlawed to the extent that it by its nature would be clearly inapplicable in Mr. Clemons' Action of Enforcement of Contract for the security of his property. Mr. Clemons also provided clarity of the fact that his Petition is Original Action in Mandamus (See EXHIBIT No. 3).

1. Reply's Legal Standing

Pursuant to COTUS Fifth Amendment, and as also stated in 42 U.S.C. § 1981, the binding and supreme Law of the Land provided Mr. Clemons with a clear legal right to enforce contract for the security of his property under Ohio Con. Article II § 35 as also confirmed by the

Supremacy Clause of COTUS Article VI Section 2.

Pursuant O.R.C. § 4121.39 (D), the Administrator of BWC has the powers and duties to: "Serve as representative of the state insurance fund" See O.R.C. § 4121.39 (D). Pursuant O.R.C. § 4121.12 (F) (1) the Bureau of Workers' Compensation Board of Directors is the Board with the duty of establishing the overall administrative policy for the bureau. See O.R.C. § 4121.12 (F) (1). The Board of Directors and Administrator make up the governing body of the Bureau of Workers' Compensation collectively referred to in this case as BWC.

Pursuant COTUS Fifth Amendment Due Process of Law Clause, Mr. Clemons shall have the security of his property unencumbered by arbitrary and capricious deprivation. Pursuant COTUS Fourteenth Amendment prohibition/ provision the State shall not arbitrarily and capriciously deprive Mr. Clemons' of his property. Mr. Clemons argues that the Clause and Prohibition/ Provision of the supreme Law of the Land created a clear legal duty on part of BWC to make payment to Mr. Clemons his property in Ohio Case No. 2014-1138.

Mr. Clemons argues that upon cognizance of the contractual obligation under the immutable right to be heard, it being found that

Mr. Clemons is owed his \$1,829,078.00 property and Mr. Clemons being in demand of security of said property; the Due Process of Law Clause and Provision of the COTUS Fifth & Fourteenth Amendments requires: the Hearer of Mr. Clemons claim, the State of Ohio, and the State of Ohio agent who has the office or trust of performing the ministerial task of disbursements of payments, to make payment of Mr. Clemons' property unto Mr. Clemons. See O.R.C. § 2731.01 Mandamus defined.

Mr. Clemons argues that his right to the usage of the proceeding of Mandamus, specifically Ohio's Mandamus law O.R.C. 2731.06 is a right secured by the COTUS Fifth Amendment & 42 U.S.C. § 1981. It would be arbitrary and capricious to deprive Mr. Clemons of his property upon the basis that; although the hearing is appropriate enough to rightfully make a determination of property ownership, that there would exist an issue in the manner for which the property is demanded.

Whereas, 42 U.S.C. § 1981 is the declaratory statement of COTUS Fifth Amendment; and COTUS Fourteenth Amendment's prohibitions/provisions of: *“No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States;”*

and," nor deny to any person within its jurisdiction the equal protection of the laws"(COTUS Fourteenth Amend. § 1), it is clear that Mr.

Clemons had a clear legal right to O.R.C. § 2731.06 Mandamus relief in Ohio Supreme Court Case No. 2014-1138.

"Recognizing the difficulty in defining, with exactness, the phrase "due process of law," it is certain that these words imply a conformity with natural and inherent principles of justice, and forbid that one man's property, or right to property, shall be taken for the benefit of another, or for the benefit of the State, without compensation; and that no one shall be condemned in his person or property without an opportunity of being heard in his own defence. As the possession of property, of which a person cannot be deprived, doubtless implies that such property may be acquired, it is safe to say that a state law which undertakes to deprive any class of persons of the general power to acquire property would also be obnoxious to the same provision". See Holden v. Hardy, 169 US 366, 390 & 391 (S.Ct. 1898).

"A fundamental requirement of due process is "the opportunity to be heard." Grannis v. Ordean, 234 U. S. 385, 394. It is an opportunity which must be granted at a meaningful time and in a meaningful

manner.” See Armstrong v. Manzo, 380 U. S. 545, 552 (S. Ct. 1965).

“The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws, whenever he receives an injury. One of the first duties of government is to afford that protection. In Great Britain the king himself is sued in the respectful form of a petition, and he never fails to comply with the judgment of his court”. See Marbury v. Madison, 5 US 137, 162, 163 (S. Ct. 1803).

“Contracts between individuals or corporations are impaired within the meaning of the Constitution whenever the right to enforce them by legal process is taken away or materially lessened.” See Lynch v. United States, 292 US 571, 580 (S. Ct. 1934).

The purpose of BWC's ORCP (12)(B)(6) was to ensure that Mr. Clemons' Petition would not be heard and to impair the right of Mr. Clemons to enforce contract for the security of his property. The claims alleged by BWC were without merit; and BWC's action of motioning the Ohio Supreme Court in said fashion, so as to cause Mr. Clemons the deprivations of; Due Process, a meaningful hearing, and security of property caused the violation of all of COTUS Fourteenth Amend. § 1 prohibitions/ provisions; whereas, the Ohio Supreme Court acted upon

said motion; causing Mr. Clemons to be deprived of his rights secured by COTUS Fifth Amendment & 42 U.S.C. § 1981.

E. Ohio Supreme Court Judgment

On September 24, 2014; in Ohio Supreme Court Case No. 2014-1138, the Ohio Supreme Court filed Judgment dismissing Mr. Clemons' 2731.06 Mandamus upon consideration of BWC's ORCP (12)(B)(6). See EXHIBIT No. 4.

As supported by Exhibit No. 4, the Ohio Supreme Court made cognizant Mr. Clemons' Petition as an Original Action, and rendered their decision upon consideration of BWC's ORCP (12)(B)(6). The Ohio Supreme Court decided to dismiss Mr. Clemons' Petition without providing a meaningful hearing of Mr. Clemons' property rights under Ohio Con. Art. II § 35, or providing Mr. Clemons with the right to enforce contract for the security of his property, or providing to Mr. Clemons, the security of any of his rights secured by both COTUS Fifth Amendment & 42 U.S.C. § 1981.

F. 42 U.S.C. § 1983 Action in Redress

Mr. Clemons claims BWC subjected or caused him to be subjected to the deprivation of his COTUS Fifth Amendment rights that are

secured by 42 U.S.C. § 1981; inclusive of: right to a meaningful hearing, right to enforce contract for security of property, right to Mandamus usage for property security, right to security of property, right to acquire property, and right to O.R.C. § 2731.06 Mandamus for property security. Mr. Clemons also claims State violation of all provisions/ prohibitions of COTUS Fourteenth Amendment § 1. Mr. Clemons claims State agent BWC is liable as a person (non-sovereign politic body) in this United States Supreme Court's COTUS Article III § 2 jurisdiction as a case arising under COTUS Fourteenth Amendment §§ 5 & 1; pursuant 42 U.S.C. § 1983 in enforcement of Equal Rights 42 U.S.C. § 1981, COTUS Fifth Amendment, and COTUS Fourteenth Amendment § 1 as required by COTUS Fifth Amendment. Mr. Clemons claims the State of Ohio has consented its agent BWC to suit in this case; in the jurisdiction of this United States Supreme Court pursuant COTUS Fourteenth Amendment §§ 1 & 5.

Mr. Clemons argues that State agent BWC, under color of regulation, and/or custom, and/or usage, of the State of Ohio, had subjected, or caused Mr. Clemons, a citizen of Ohio, to be subjected to the deprivation of his rights secured to him by COTUS Fifth

Amendment and 42 U.S.C. § 1981; and caused State violation of all the prohibitions of COTUS Fourteenth Amend. § 1, in Ohio Supreme Court Case No. 2014-1138; which is indisputably evidenced in the Record of said case as submitted to this United States Supreme Court, for which Mr. Clemons requests this United States Supreme Court to have judicial cognizance of.

Mr. Clemons argues that COTUS Supremacy Clause and COTUS Fifth Amendment ensured that Mr. Clemons' O.R.C. 2731.06 Mandamus in Ohio Supreme Court Case No. 2014-1138 was protected and secured by COTUS Fifth Amendment & 42 U.S.C. § 1981. "The words, "due process of law," were undoubtedly intended to convey the same meaning as the words, "by the law of the land," in Magna Charta. Lord Coke, in his commentary on those words, (2 Inst. 50,) says they mean due process of law". See Murray's Lessee v. Hoboken Land & Improvement Co., 59 US 272, 276 (S. Ct. 1856).

Just as Mr. Clemons was deprived of COTUS Supremacy Clause's supreme Law of the Land, Mr. Clemons was indisputably deprived of his property without protection of COTUS Fifth Amendment Due Process of Law inclusive of 42 U.S.C. § 1981 in Ohio Supreme Court

Case No. 2014-1138. Mr. Clemons argues that he has a meritorious 42 U.S.C. § 1983 Cause of Action for *Wrongful Deprivation of Property*.

VII. 42 U.S.C. § 1981 ACTION

**Each and every paragraph/ statement/ presentation of any kind is
incorporated as if fully written herein**

A. Mr. Clemons Property Rights

This United States Supreme Court shall have judicial cognizance of the evidence presented in Exhibits No. 1-9 for the purpose of supporting Mr. Clemons' property claim under Ohio Con. Art. II § 35, & O.R.C. §§ 1343.03 (A) & (B); whereas, the submissions provide indisputable evidence as in accordance with law of Mr. Clemons' \$1,829,078.00, Prejudgment, and Post-judgment properties claim.

As supported by Exhibits No. 5-9, Mr. Clemons claims that he sustained serious injury in the course of his employment in the latter part of 2010; for which he is recognized as an injured worker and claimant to the State Fund Insurance of Ohio Workers Compensation (See Exhibits No. 6); which is administered by the State of Ohio and the Ohio Bureau of Workers Compensation, from which Mr. Clemons was provided Policy and Claim numbers of #1561299-0 & #10-858586

respectfully. See Exhibits No. 6.

Mr. Clemons has submitted in Exhibit No. 8; some of his Medical Records for which evidence Mr. Clemons' physical impairments. See Exhibit No. 8. Due to these physical impairments Mr. Clemons has suffered: loss of scholastic opportunity (See Exhibit No. 9), & loss of income, loss of the ability to maintain gainful employment, and etc., for which Mr. Clemons has provided cognizance of his damages in Exhibit No. 7, as his cognizant \$1,829,078.00 entitled property under Ohio Con. Art. II § 35. See Exhibit No. 7 & 9.

Ohio Con. Article II § 35 is an exclusive remedy cognizant as Quid Pro Quo legislation for Employees accidentally insured in the course of their employment. See Exhibit No. 5. Black's Law Dictionary defines Quid Pro Quo as; "What for what; something for something. Used in law for the giving one valuable thing for another. It is nothing more than the mutual consideration which passes between the parties to a contract, and which renders it valid and binding" (See <http://thelawdictionary.org/quid-pro-quo/>). See Exhibits No. 5.

State Workers' Compensation Acts that provide an exclusive remedy for Employees accidentally injured in the course of their

employment has been construed as State Quid Pro Quo legislation for which the injured employee is entitled to moderate compensation in all cases of injury, and has a certain and speedy remedy without the difficulty and expense of establishing negligence or proving the amount of damages. See Lockheed Aircraft Corp. v. United States, 460 US 190, 194 (S. Ct. 1983); See Duke Power Co. v. Carolina Environmental Study Group, Inc., 438 US 59, 93 (S. Ct. 1978); & See New York Central R. Co. v. White, 243 US 188, 201 (S. Ct. 1917).

Mr. Clemons argues that his \$1,829,073.00 entitled compensation under Ohio Con. Art. II § 35, and also his Prejudgment and Post-judgment interest under O.R.C. §§ 1343.03 (A) & (B) is cognizable before this United States Supreme Court as his appropriated property, for which Mr. Clemons enjoys COTUS Fifth Amendment & 42 U.S.C. § 1981 protections of. "The Fifth Amendment commands that property be not taken without making just compensation. Valid contracts are property, whether the obligor be a private individual, a municipality, a State or the United States. Rights against the United States arising out of a contract with it are protected by the Fifth Amendment". See Lynch v. United States, 292 US 571, 579 (1934).

Mr. Clemons seeks for the enforcement of the Contracts of Ohio Constitution Article II § 35, and O.R.C. §§ 1343.03 (A) & (B) for Prejudgment and Post-judgment interest, pursuant O.R.C. § 2305.07 cognizance of O.R.C. §§ 1343.03 (A) & (B) as Contracts not in writing, for the security of his property under those Contracts; through this United States Supreme Courts making issuance of Writ of Mandamus compelling BWC to make payment to Mr. Clemons his property for the purpose of Mr. Clemons having the security of his property as required and guaranteed by COTUS Fifth Amendment and support by 42 U.S.C. § 1981.

O.R.C. § 2305.07 Contract not in writing provides:

Except as provided in sections 126.301 and 1302.98 of the Revised Code, an action upon a contract not in writing, express or implied, or upon a liability created by statute other than a forfeiture or penalty, shall be brought within six years after the cause thereof accrued.

O.R.C. § 1343.03 Rate not stipulated (A) & (B) provides:

(A) In cases other than those provided for in sections 1343.01 and 1343.02 of the Revised Code, when money becomes due and payable upon any bond, bill, note, or other instrument of writing, upon any book account, upon any settlement between parties, upon all verbal contracts entered into, and upon all judgments, decrees, and orders of any judicial tribunal for the payment of money arising out of tortious conduct or a contract or other transaction, the creditor is entitled to interest at the rate per annum determined pursuant to section 5703.47 of the Revised Code, unless a written contract provides a different rate of interest in relation to the money that becomes due and payable, in which case the creditor is entitled to interest at the rate provided in that contract.

(B) Except as provided in divisions (C) and (D) of this section and subject to section 2325.18 of the Revised Code, interest on a judgment, decree, or order for the payment of money rendered in a civil action based on tortious conduct or a contract or other transaction, including, but not limited to a civil action based on tortious conduct or a contract or other transaction that has been settled by agreement of the parties, shall be computed from the date the judgment, decree, or order is rendered to the date on which the money is paid and shall be at the rate determined pursuant to section 5703.47 of the Revised Code that is in effect on the date the judgment, decree, or order is rendered. That rate shall remain in effect until the judgment, decree, or order is satisfied.

VIII. CONCLUSION

**Each and every paragraph/ statement/ presentation of any kind is
incorporated as if fully written herein**

A. Prayer For Relief

Mr. Clemons requests this United States Supreme Court to make entry of Judgment and make issuance of Writ of Mandamus O.R.C. 2731.06 Peremptory Writ of Mandamus (In first instance, without notice); or similar Writ of Mandamus compelling BWC to make payment to Mr. Clemons: the total amount of: his \$1,829,078.00 property under Ohio Con. Art. II § 35 plus Prejudgment interest pursuant O.R.C. § 1343.03(A) (as calculated by the Court), as accrued from September 24, 2014 to date of Judgment at the rate of 4% annum interest upon his

entitled \$1,829,078.00 monetary property with payment of Post-judgment interest pursuant O.R.C. § 1343.03(B), (as calculated by BWC), from the date of Judgment to the date of Payment at the rate of 4% annum interest upon the total Judgment of the Court.

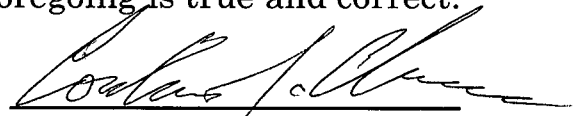
Mr. Clemons prays for this relief in cognizance of COTUS Fifth Amendment roots of Chapter 29 of the Magna Carta requiring justice and right and speedily remedy by the course of law; from harms to Mr. Clemons' person; See Wilkerson v. Johnson, 699 F. 2d 325, 328 (1983); and See Klopfer v. North Carolina, 386 US 213, 224 (1967), and in cognizance of Title 28 U.S.C. § 1657.

Respectfully Submitted,

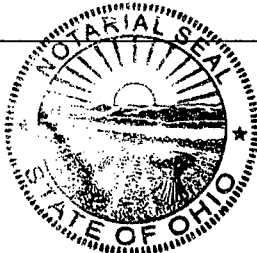

Cornelius J. Clemons, Pro se

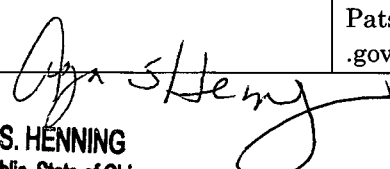
I declare under penalty of perjury that the foregoing is true and correct.

Dated: February 6th, 2018


Cornelius J. Clemons

Cornelius Clemons 1280 Norton Avenue Apt. 304 Columbus, Ohio 43212 (614) 816-3416; 450-2676 Teff980@yahoo.com	State of Ohio BWC Bureau of Workers' Compensation: Administrator Stephen Buehrer & Board of Directors 30 West Spring Street Columbus, Ohio 43215	Patsy A. Thomas Assistant Attorney General *Counsel of Record 150 East Gay Street, 22 nd Floor Columbus, Ohio 43215 (614) 466-6696 Patsy.Thomas@OhioAttorneyGeneral.gov
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OKJA S. HENNING
Notary Public, State of Ohio
My Commission Expires 12-23-2022