

No. _____

**In the
Supreme Court of the United States**

Andrew U. D. Straw,
Petitioner,

v.
**U.S. District Court, Western
District of Wisconsin,**
Respondent.

**On Petition for a Writ of Certiorari
to the Seventh Circuit U.S. Court of Appeals**

PETITION FOR A WRIT OF CERTIORARI

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Petitioner, Proceeding Pro Se

QUESTIONS PRESENTED

Whether it is a procedural due process violation for a **Court of Appeals to hire my appellee** during the course of my appeal, make him a millionaire bankruptcy judge, and then favor him and his state court employer against me just 3 weeks later in my panel vote. *Straw v. Indiana Supreme Court, et. al.*, 17-1338 (7th Cir. July 6, 2017)

Whether a state disciplinary hearing, done *in-absentia*, by a conflicted hearing officer (the *appellee* hired by the 7th Circuit, mentioned above) can be considered a *bona fide* hearing.

Whether the Court of Appeals that hired my *appellee* may use the hearing done by this *appellee* to assume the hearing due process was provided to impose discipline reciprocally in the district court below.

Whether the district court violated my 5th Amendment procedural due process rights by providing no hearing, no notice, ignoring my filings, and so gave no due process whatsoever and suspended my law license.

Whether denying my *IFP* status was yet more favoritism so that the U.S. Court of Appeals for the Seventh Circuit could summarily dismiss my appeal and protect the due process violations of the district court below, especially when my *IFP* status was **granted** in the same Court of Appeals earlier in 2017. *Straw v. U.S. District Court*, 17-2523 (7th Cir.) (Dkt. 9)

PARTIES TO THE PROCEEDINGS BELOW

I, *petitioner* Andrew U. D. Straw, a disability rights advocate living in Kane County, Illinois, was disciplined for my disability rights work, which was labeled as “frivolous” by several federal judges who denied me justice in four ADA cases. I worked for the Indiana Supreme Court and the state disciplinary complaint came in immediate retaliation for my own ADA-based complaint against the state supreme court. *Straw v. Indiana Supreme Court, et. al.*, 1:16-cv-3483-SEB-TAB (S.D. Ind.) (Dkt. 1-11 is my complaint; Dkt. 1-13 is the ADA Coordinator’s retaliation; Dkt. 1-22 is the corrupt hearing officer report). The defendant, a U.S. District Court, violated my civil rights by suspending my law license with no hearing to protect my law license.

Respondent U.S. District Court for the Western District of Wisconsin suspended my law license indefinitely and provided **no hearing** or any notice or other means to protect my law license, claiming that the local court rules were my “notice.”

CORPORATE DISCLOSURE STATEMENT

No corporations are parties, and there are no parent companies or publicly held companies owning any corporation's stock to my knowledge. The U.S. District Court is a federal government entity and subject to the U.S. Constitution's Fifth Amendment. I, *petitioner* Andrew U. D. Straw, was a suspended Indiana attorney and I live in Kane County, Illinois. My federal licenses were suspended because of the actions of the Indiana Supreme Court and the failure of the Southern District of Indiana to protect me. My suspended 4 federal licenses are: **N.D. Ind., S.D. Ind., and N.D. Ill, and W.D. Wis.**

The **Western District of Wisconsin** U.S. District Court, *appellee* here, also suspended me, but provided not just a lack of due process, but ***no process*** at all. No notice, no hearings, no opportunity to object in any fashion whatsoever, with my defense documents entirely unfiled and ignored. There is in fact a conspiracy against my civil rights in the Seventh Circuit and it is so blatant that the **Seventh Circuit has hired one of my appellees, the corrupt disciplinary hearing officer from the Indiana Supreme Court: James R. Ahler.**

I am a citizen judicially attainted in violation of the Fifth Amendment, with disabilities from public service to the **Indiana Supreme Court** and the **U.S. Marine Corps**. I am poor. I use public housing and food stamps because **I seem unable to get justice as a lawyer from any court in the 7th Circuit.**

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PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully petitions for a writ of certiorari to review the judgment of the Seventh Circuit in this case.

OPINIONS BELOW

The Indiana Supreme Court's disciplinary opinion is reported as *In Re Straw*, 68 N.E.3d 1070 (Ind., 2/14/2017). I sought review because the Indiana discipline is disability discrimination against me as a former employee of that state court, but **no federal court would review it**: *Straw v. Indiana Supreme Court, et. al.*, 17-1338 (7th Cir., cert. denied 1/8/2018). The same district court that would not review the discipline for discrimination imposed it reciprocally and suspended my federal law license with **no hearing**. On appeal, this was upheld. *Straw v. U.S. District Court*, 17-2523 (7th Cir.) (Dkt. 36, 12/21/2017), 17-7499, ___U.S.___ (on petition for certiorari, docketed January 22, 2018). The decision below on review here is *Straw v. U.S. District Court*, 17-3550 (7th Cir.) and this final ORDER denying IFP status was done on **January 26, 2018**.

JURISDICTION

The relevant judgment below was entered on January 26, 2018. Jurisdiction to this Honorable Court from the Court of Appeals is under 28 U.S.C. §1254. The time limit for appeal is 90 days from the 7th Circuit decision done on January 26, 2018. The deadline is April 26, 2018. 28 U.S.C. §2101(c). Original jurisdiction in the Courts below is under the Fifth Amendment as a *Bivens* and *Carey* and *In Re Ruffalo* claim due to taking my license without the process due, namely a proper, unconflicted hearing.

CONSTITUTIONAL PROVISIONS AT ISSUE

U.S. Constitution, Amendment V

App'x at A7

INTRODUCTION

I, petitioner Andrew U. D. Straw, am petitioning for a writ of certiorari from this Honorable Court because the Indiana Supreme Court imposed discipline on me suspending my law license and I believe they did so in violation of my rights as a disabled lawyer and disability rights advocate who used to work there. The matter on appeal here is the reciprocal suspension imposed by the Western District of Wisconsin after providing no notice, no hearing, and refusing to file or consider my defensive pleadings offered after the Indiana suspension took

effect. I have had no legitimate hearing from Indiana and the only real hearing I had was from the Virginia State Bar, which called the Indiana attack using its ADA coordinator “a drive-by shooting.” See, App’x at A9. The 3-member panel of the VSB Disciplinary Board stated that ***I proved***, by clear and convincing evidence, that I should not be disciplined. I proved this by the standard that the disciplinary body must meet. This is like a criminal defendant proving his *innocence* beyond a reasonable doubt. App’x at A12.

The Indiana hearing officer was conflicted by being a candidate for Indiana Supreme Court justice while presiding over my case. He made copious errors and omissions to make it seem like my disabilities were not from working at the Indiana Supreme Court when in fact my broken legs and pelvis happened while driving to the Indiana Supreme Court to work. He also omitted that the person who complained was the ADA coordinator for the Indiana Supreme Court when she in fact made her complaint in direct retaliation for my own 2014 ADA complaint to her just days before.

The Indiana hearing officer was out for himself only, and when I sued him in federal court, on appeal he applied for a bankruptcy judge position and the 7th Circuit hired him while he was still my appellee, then denied me justice exactly 3 weeks later. See, App’x at

A8. This violated the ethical rule not to favor a party or be biased in any way. It violated my 5th Amendment right to procedural due process and a fair and unbiased tribunal. Hiring my *appellee* made that *appellee's* hearing officer report completely bogus and illegitimate to use for any reason.

The 7th Circuit violated my right to have a fair and unbiased tribunal on appeal and demonstrated that I have never had a fair appeal before that court in the past nearly 4 years, since Indiana started attacking me in 2014 and went after my very first appeal to any court of appeals. Hiring my *appellee* makes everything Indiana did fall to pieces because it demonstrates my 5th & 14th Amendment rights to a fair tribunal was decimated repeatedly.

The Indiana Supreme Court has managed to suspend my Indiana law license with a corrupt and dishonest hearing officer who placed false and misleading information in his report, which he made 6 months past the mandatory Indiana Supreme Court deadline. Indiana managed to avoid any federal court making a proper and full analysis of its discipline for ADA violations, and that is all this was. It started as retaliation for my complaint to the ADA coordinator, and Virginia State Bar said this, "had all the grace and charm of a drive-by shooting." App'x at A9, A11.

Without any proper federal court analysis, what has happened is one ADA-violating state court invented discipline that no federal court wanted or imposed and then all the 4 federal district courts where I was licensed imposed discipline they did not want earlier but accepted when Indiana wanted it.

There was no due process, NO INDIANA HEARING, and there are no ADA rights for me. I am singled out as a person attainted in violation of the 5th Amendment because I made a complaint against a vicious and malicious state court where I used to work and have experienced discrimination for **17 years**. I will keep bringing cases until I get justice, and as time goes on, other ADA cases I have filed have been undermined by this Indiana violation of me that has not been properly addressed. When this court finally denounces what Indiana did and protects my 4 federal law licenses, perhaps then Indiana will rightly lose.

I also lost my ABA membership.¹ My losing the Indiana license and 4 district court licenses was used against me at the 11th Circuit to prevent me from representing my family members, suffering from the poisoning from Camp LeJeune. *Straw v. United States*, 16-17573-GG (11th Cir.); 17-7536, ___U.S.__(on pet. for cert.).

¹ *Straw v. ABA*, 1:17-cv-5714-RPP (N.D. Ill.)

To interfere with this poisoning justice over a couple of abusive federal judges spouting “frivolous” is **obscene**. My family lost their appeal for lack of prosecution. The 7th Circuit and the Indiana Supreme Court caused this. *Straw v. U.S. Court of Appeals for the Seventh Circuit*, 2:18-cv-00028 (N.D. Ind.)

STATEMENT OF THE CASE

The ABA honored me for being its “Spotlight” disabled lawyer for January 2014.² At the bottom of this article about me, it mentions that I was studying the relationship between disability, bar admission, and attorney discipline, and the violations of me fit this perfectly. The ABA was prescient in 2014.

No judge asked for me to be punished and I have never received any sanction from April 1999 until February 14, 2017. No client of mine made any complaint. No opposing counsel has ever made any complaint. The only person to make a complaint here was the Indiana Supreme Court **ADA Coordinator**, who worked for my old boss.

² Comm’n on Disability Rights “Spotlight” Lawyer with Disabilities:
http://www.americanbar.org/groups/disabilityrights/initiatives_wards/spotlight/straw_a.html

This so-called ADA Coordinator complained that I complained. She violated me and disrupted my ADA career and violated my health privacy.

Indiana's discipline boils down to retaliation, since I complained just days before the ADA Coordinator retaliated.

Rule 3.1 and its comments encourage law reform. What Indiana did was completely self-serving, vicious malice poured onto a disabled lawyer *who used to work for them* who tried to use the ADA. That Court's Board of Law Examiners agreed with me in 2006 that its law license encumbrances appeared to violate Title II of the ADA. In 2006, I was successful in getting those encumbrances removed. I started this as a ***successful ADA Title II complainant*** against the Indiana Supreme Court.

People with disabilities need lawyers with disabilities. If the federal courts will not punish Indiana, will not even review the hateful manner in which I was treated, they should at least not encourage Indiana in its malice by imposing that malice reciprocally without genuine analysis.

Indiana's faithless and false discipline has been heard quite enough. My side needs to be heard. Virginia State Bar called Indiana's discipline a "drive-

by shooting” after the *only bona fide hearing* in the United States on this subject. Virginia is the only state bar or court anyone should listen to. *In Re Straw*, 17-000-108746 (VSB, Disciplinary Board, June 20, 2017). App’x at A9.

Nobody else besides VSB gave me a real hearing using an impartial and fair tribunal. The Indiana hearing officer did not give me a real hearing because he was conflicted then, and his conflicts only grew when **the Seventh Circuit hired him to be a judge on June 15, 2017** and made him a millionaire from U.S. Treasury funds right before **favoring him and the other appellees in my appeal on July 6, 2017.** *Straw v. Indiana Supreme Court, et. al.*, 17-1338 (7th Cir. 7/6/2017). James R. Ahler’s Seventh Circuit hiring notice is in the attached Appendix. App’x at A8.

REASONS FOR GRANTING THE WRIT

- I. Supreme Court Rule 10(c): “a United States court of appeals has decided an important question of federal law that has not been, but should be, settled by this Court, or has decided an important federal question in a way that conflicts with relevant decisions of this Court.”
- II. Disabled lawyers like me, evidenced in this case, need strong constitutional protections

when there is an established long history of disability abuse in the federal courts. *Cf. Tennessee v. Lane*, 541 U.S. 509 (2004)

- III. The U.S. Supreme Court has taken strong positions on the importance of law licenses as a constitutional matter, and the U.S. District Court below has simply ignored the process needed to avoid miscarriages of justice, and a miscarriage has happened here.
- IV. When no federal court would review the Indiana discipline, no federal court should be imposing that unlawful and discriminatory discipline in any federal court. Virginia State Bar said Indiana's discipline was a "drive-by shooting." The Indiana hearing officer was **hired by the 7th Circuit while he was my appellee** and that makes everything he did illegitimate and unusable against me, especially by the 7th Circuit.

CONCLUSION

This case is about protecting me from my former employer's discrimination and its collateral damage in the suspension of my Western District of Wisconsin federal law license. Indiana's interference with me has now expanded into reciprocal discipline in the U.S. District Court below and 3 others. *Straw v. U.S. District Court*, 17-2523 (7th Cir.) (SDIN suspension); 17-7499, ___U.S.___ (pet. for certiorari); *Straw v. U.S. District Court*, 17-3550 (7th Cir.) (WIWD

suspension, the case here); *Straw v. U.S. District Court*, 18-1117, 18-1118 (7th Cir.) (ILND); *Straw v. U.S. District Court*, 2:18-cv-00043 (N.D. Ind.) (INND)

None of these courts or the Court of Appeals³ below have insisted that real, unconflicted hearings before a **fair tribunal** or other types of due process must be given to protect me. Even the Virginia State Bar hearing has been absolutely ***ignored*** in favor of Indiana and its dishonest hearing officer, **hired by the Court of Appeals while he was my appellee** as I challenged his bogus hearing, which was replete with ADA violations and unlawful omissions and falsehoods. App'x at 9.

Virginia State Bar says that **I proved** by clear and convincing evidence that no discipline was appropriate given the facts, and this absolutely precludes reciprocal discipline somewhere else because it is impossible for another place to conclude the opposite under full faith and credit. App'x at 12.

Virginia says that **I PROVED** by clear and convincing evidence that no discipline was warranted, and this is much more in my favor than merely

³ *Straw v. U.S. Court of Appeals for the Seventh Circuit*, 2:18-cv-00028 (N.D. Ind.)

showing a state fell short of this standard. *In Re Straw*, 17-000-108746 (VSB, Disciplinary Board, 2017) <http://www.vsb.org/docs/Straw-062217.pdf>

After due deliberation, the Board reconvened and stated its finding that the **Respondent had proven, by clear and convincing evidence**, that his conduct was not conduct that would have resulted in disciplinary action in the Commonwealth of Virginia. VSB ORDER, at *4. App'x at 9, 12.

Indiana did not even mention the standard being used. *In Re Straw*, 68 N.E.3d 1070 (Ind., 2/14/2017). Indiana's chief justice repeated over and over that my cases were frivolous when no federal judge in the four federal cases issued any Rule 11 sanction, not even a ***private*** formal reprimand.

The federal judges decided against discipline in all four cases, and Indiana inflated this total lack of discipline to 180 days of suspension without automatic reinstatement. I will not apologize for aggressively using the ADA with facts and law before irascible and WRONG federal judges. Therefore, all 5 of these licenses are *de facto* disbarments, with my license in Virginia in active and good standing status. It is bizarre how this is the result, but understandable in the context of discrimination by the Indiana

Supreme Court and the other courts in the 7th Circuit. It is understandable when the 7th Circuit dishonestly hired my *appellee*, James R. Ahler, the Indiana Supreme Court hearing officer.

Then, four U.S. District Courts, including the one below, inflated the false and misleading Indiana discipline even in those courts that did not impose any sanction in the original 4 ADA cases. I have done NOTHING in the Western District of Wisconsin to merit any punishment. This is wholly Indiana's long, cold, slimy arm of injustice reaching up to Wisconsin to injure me with its fangs and venom.

And of course, my Indiana hearing officer tossed all caution to the wind when he applied to the 7th Circuit to be a judge while I was suing him on appeal before the 7th Circuit. This should have meant the end of the Indiana discipline and anything reciprocal also.

It appears nothing is so important as making sure **James R. Ahler** gets his reward for misrepresenting my actions and inflicting the maximum damage. So, Ahler applied for that plum judge job to help him escape my righteous appeal, and he will be paid over \$2.6 million from the U.S. Treasury over the next 14 years. I presume I will obtain no justice at all, as the last 4 years have shown.

If this case stands for anything, it should stand for the U.S. Supreme Court disapproving of a court of appeals hiring the litigants before that court and favoring the chosen ones with the appeal still pending!

Bias and favoritism are 5th Amendment procedural due process issues of the highest order in a civil case. These violations are so severe, I am asking compensatory and punitive damages for ruining my law career in the Midwest.

I want compensation for the procedural due process violation of not providing me a hearing and favoring my appellee, the Indiana hearing officer, by hiring him and making him a millionaire while shoving my face in the dirt after I broke both legs and my pelvis for the Indiana Supreme Court with abuse the reward for my sacrifice. *Bivens v. Six Unknown Agents*, 403 U.S. 388 (1971); *Carey v. Piphus*, 435 U.S. 247 (1978); *Ex Parte Garland*, 71 U.S. 333, 379 (1867) (One does not hold a law license merely “as a matter of grace and favor.”); *In Re Ruffalo*, 390 U.S. 544 (1968); *In Re Ming*, 469 F.2d 1352 (1972) *Supreme Court of N.H. v. Piper*, 470 U.S. 274, 281 (1985) (“The opportunity to practice law is a ‘fundamental right’ which falls within the ambit of the Privileges and Immunities Clause.”).

After what happened to me, how can I trust any judge in the Midwest? No one has stood up for me and my rights. I want my full compensation for these outrageous ethical violations that are so severe, they violate the 5th Amendment. I need compensation so I can start anew elsewhere without having lost any time. I cannot be expected to move when I own no vehicle, have no money, own no real property, and the reason for my destitute state is Midwest judges being dishonest toward me, violating my disability rights.

I want federal judges to stop stealing my justice from me. **STEALING**, because it is criminal what has happened to me, always losing, at least 50 times by my count getting ripped off with a biased and unreasonable “**DENIED.**” The 7th Circuit is not a court to me. It is a circus of self-interested judges favoring other self-interested judges at the state level and they injured me so many times unjustly.

Congress should abolish the 7th Circuit and impeach all its judges. The 7th Circuit hiring my *appellee* is enough to justify this result. The entire circuit court supported these violations of me, including reciprocal suspension in the district courts.

After 4 years of continual losses before district courts and the circuit court being proven **biased** against me, I don't want their law licenses, only

compensation. I have renounced my law license in the Western District of Wisconsin because I cannot practice before dishonest judges and against dishonest lawyers who allow this travesty to continue and benefit from it.

I don't have years of my life to dedicate to fighting them when losing costs me so much time and effort. My life is likely to be shorter because I was born on the Superfund site known as Camp LeJeune Marine Corps base. I ask for respect for that sacrifice.

I am disabled from public service to the Indiana Supreme Court and the U.S. Marine Corps. www.andrewudstraw.com I suffer enough without having to struggle against a dishonest legal system that refuses to enforce disability law and abuses me with false “frivolous” and unjust “DENIED.”

I should have won every case I brought to court because I had the facts and the law favored me. Now, disabled people in the Midwest are going to suffer without me to protect their rights. Other lawyers are afraid to use the ADA because the Courts are biased and hostile and will destroy you if you use the ADA to “eliminate discrimination,” like I attempted to do.

Look at me and my suffering in poverty because courts discriminate. Courts ***HIRE MY APPELLEES***, I am so disfavored. I will not go through this again. **I WILL NOT.**

As a disability rights leader, I can tell this Court the lower courts are oppressors of disability rights and should not have immunity when they are on campaigns of terror against disabled lawyers, including those whose disabilities come from **public service to 400+ state courts** and the **U.S. Marine Corps, which also killed my mother.** That's me.

I cannot depend on the federal or state courts in the Midwest because there is a constant stream of injustice I have experienced, and no judge so far is willing to buck the trend. A disabled lawyer needs judges who will uphold the law, not ***always*** finding illegitimate and abusive excuses to perpetuate discrimination and allow retaliation by state courts.

Give me the right to oppose disability discrimination in federal court without retaliation, without constant accusations of "frivolous" which are abusive in themselves and deserving of punishment, without Indiana violating me and the federal courts helping it to do so reciprocally, as here.

Using “frivolous” as a means to repeal a civil rights law judicially is absolutely worthy of impeachment. The law already supports me. 42 U.S.C. §§ 12132, 12203; 28 C.F.R. § 35.134. <http://www.ada.gov/reg2.htm>

Give me the right to oppose discrimination with the district courts not only stripping my law licenses, but also banning my use of the CM/ECF systems and in the case of the Northern District of Illinois, banning me from using the district court **altogether** for one year with NO due process, no hearing. *In Re Straw*, 1:17-cv-7717 (N.D. Ill.) (NDIL suspension); *In Re Straw*, 1:17-cv-7500 (N.D. Ill. “Executive Committee” secret star chamber stripped my right to file any case for one year); *Straw v. U.S. District Court*, 18-1117, 18-1118 (7th Cir.).

Give me the *In Forma Pauperis* that the 7th Circuit has already had approved for me in another case last year. *Straw v. U.S. District Court*, 17-2523 (7th Cir., 12/21/2017), 17-7499, ___U.S.___ (on petition for certiorari). The only true reason I am being denied *IFP* below is because I challenged Chief Judge Diane Wood and her hiring of my appellee, hearing officer James R. Ahler. Ethics is not optional, and its absence creates 5th Amendment due process violations.

Chief Judge Diane Wood of the 7th Circuit is a civil rights violator. She used her position as chief judge and chair of the 7th Circuit Judicial Council to injure me and retaliate when I complained about her and her corrupt colleagues who hired my *appellee* and consistently favor my opponents, **EVERY TIME**. *In Re Andrew U. D. Straw*, 07-17-90039 (7th Cir. Jud. Council, 1/8/2018) (Imposing a financial burden on me if I file any future ethical complaints about the corrupt 7th Circuit or its corrupt chief judge).

They act like I am an idiot, but I am not. US OPM found me to be qualified to be the general counsel of the U.S. Access Board and my disability law experience makes me more qualified to decide these issues than the judges saying **DENIED** over and over.

This is my CV: www.andrewstraw.com

I don't want this WIWD license back. I cannot practice law around such people. I want full compensatory and punitive **damages** in the amount of \$5 million per license (x5) plus all the consequential damages, which I calculate at **\$56,500,000** total.

It would also warm my heart to see this Court punish **Hon. Diane Wood** severely for defending her own ethical violations and threatening me with

financial penalties when she knew I have been in poverty because judges and courts in the Midwest have stripped me of my rights wholly and completely.

I want Wood to be **punished** along with any other circuit judge who supported the violence to my civil rights. I would like to see this Court remove **Hon. James R. Ahler** from his plum job as a federal bankruptcy judge in Hammond, Indiana. He got that job through ethical violations. Please do it and say publicly that he is being fired for discriminating against me and cheating on the appeal by getting hired by the Court of Appeals. *Straw v. Indiana Supreme Court, et. al.*, 17-1338 (7th Cir. 7/6/2017)

I am suing the Court of Appeals for its 5th Amendment violations against me. The lower courts will not give me justice, and if this Court wishes to review that matter with this one, I agree. *Straw v. U.S. Court of Appeals for the Seventh Circuit*, 2:18-cv-00028 (N.D. Ind.)

Say it like it is. VSB said using an ADA Coordinator to attack a disabled ADA lawyer is a “**drive-by shooting.**” Appx. at 9. **James R. Ahler** held the gun and Indiana pulled the trigger on Valentine’s Day 2017. I am the bleeding victim crying out to you for help against WIWD’s reciprocal attack.

**CERTIFICATE OF TRUTH AND
CORRECTNESS**

I, Andrew U. D. Straw, certify that my statements and factual allegations above and any in the attached appendix are true and correct to the best of my knowledge, information, and belief under penalty of perjury. **Date: February 19, 2018**

Respectfully submitted,
Andrew U. D. Straw
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