

No. \_\_\_\_\_

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

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**Andrew U. D. Straw,**  
*Petitioner,*  
**v.**  
**Indiana Supreme Court,**  
*Respondent.*

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**On Petition for a Writ of Certiorari  
to the Seventh Circuit U.S. Court of Appeals  
RE the case at 17-3596 (7th Cir.)**

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**PETITION FOR A WRIT OF CERTIORARI**

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## QUESTIONS PRESENTED

Whether administrative actions taken after an illegitimate attorney disciplinary proceeding done without a proper and unconflicted hearing can be opposed as ADA retaliation.

The Indiana Supreme Court's hearing officer was hired by the Court of Appeals below during my appeal in *Straw v. Indiana Supreme Court, et. al.*, 17-1338 (7<sup>th</sup> Cir.). Whether this hiring and the bias and favoritism of the Court of Appeals and District Court in favor of the defendant below presents due process violations against me.

The 7<sup>th</sup> Circuit has abused me and accused me of making frivolous filings when all I was doing is opposing that Court hiring my appellee and favoring him and his co-appellees, including the defendant below in this case. Whether opposing the hiring of my appellee in *Straw v. Indiana Supreme Court* is frivolous or if the bias and favoritism of the Court below is a serious ethical and constitutional problem such that I deserve relief in the form of my motions being GRANTED until it is resolved, and I am totally satisfied. *Cf.*, Magna Carta (1215) Article 61 relief. My appellee started working for the 7<sup>th</sup> Circuit as a bankruptcy judge on June 15, 2017, the anniversary of the Magna Carta being signed by the King of England. My appeal was denied on July 6, 2017, 3 weeks later.

## 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, Indiana Supreme Court, violated my civil rights by suspending my law license with no hearing, and when I took the matter to the 7<sup>th</sup> Circuit, the Court of Appeals *hired* the Indiana Supreme Court hearing officer and 3 weeks later *favored* every one of my appellees.

Respondent Indiana Supreme Court suspended my law license indefinitely and provided no legitimate hearing because the hearing officer was conflicted, invited conflict, and relishes the fruits of his conflict with his 7<sup>th</sup> Circuit judge job that will pay him \$2.6 million. I have been denied justice and he was rewarded for engaging in what the Virginia State Bar called “a drive-by shooting.”

## 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 Indiana Supreme Court is a state entity and covered by both ADA Title II and ADA Title V and the regulations at 28 C.F.R. § 35.134. The defendant state court has used a conflicted hearing officer and imposed suspension on my law license for no good reason, and those bad reasons include retaliating against my own ADA complaint in 2014. I used to work for this Court and broke both my legs and my pelvis driving there to work and have experienced retaliation since 2001. The worst violation of my rights was when the hearing officer of the Indiana Supreme Court got himself hired to be a judge during the middle of my appeal against him and the Indiana Supreme Court. All equity flows in my favor and the Court of Appeals has consistently acted abusively toward me both before and after hiring my appellee.

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 and Medicaid because I seem unable to get justice as a lawyer and citizen from any court in the 7<sup>th</sup> Circuit. The dishonesty I am fighting is intense in the courts all throughout the 7<sup>th</sup> Circuit, like a dishonesty infection that rages against justice. The 7<sup>th</sup> Circuit must not create a new ethics regime that allows them to hire the appellees in front of them.

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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.

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## 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 after the Court of Appeals HIRED the Indiana hearing officer, James R. Ahler, in *Straw v. Indiana Supreme Court, et. al.*, 17-1338 (7<sup>th</sup> Cir., cert. denied 1/8/2018). The decision below on review here to protect me against retaliatory actions after the Indiana discipline case was closed is *Straw v. Indiana Supreme Court*, 17-3596 (7<sup>th</sup> Cir.) and this final ORDER also denying me IFP status was done on January 29, 2018.

## JURISDICTION

The relevant judgment below was entered on January 29, 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 7<sup>th</sup> Circuit decision done on January 26, 2018. The deadline is April 29, 2018. 28 U.S.C. §2101(c). Original jurisdiction in the Courts below is primarily under Titles II and V of the ADA. The 14<sup>th</sup> and 5<sup>th</sup> Amendment violations of the Court of Appeals below, maliciously calling my filings “frivolous” when I opposed their violating me by HIRING my appellee and benefiting all defendants, must be reversed.

## CONSTITUTIONAL PROVISIONS AT ISSUE

U.S. Const., Amendments V, XIV    App’x at A9, A10

## 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. 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-A15.

This case is about stopping the retaliatory and discriminatory actions, of which there have been several.

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. James R. Ahler is ethically bankrupt, and injured me while seeking appointments to higher positions. He attacked me apparently because others promised him he would be rewarded for this dishonest act. He was in fact rewarded. In February 2018, Ahler has also come onto my Facebook timeline and made his presence known with a "like."

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 7<sup>th</sup> Circuit hired him while he was still my appellee, then denied me justice exactly 3 weeks later. *See*, App'x at A11. (7<sup>th</sup> Circuit press release)

This violated the ethical rule not to favor a party or be biased in any way. It violated my 5<sup>th</sup> 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 because he clearly wrote a biased report to help himself get appointed to a higher office.

The 7<sup>th</sup> 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 5<sup>th</sup> & 14<sup>th</sup> 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. *Straw v. Indiana Supreme Court, et. al.*, 1:16-cv-3483-SEB-TAB (S.D. Ind.) (Dkt. 1-22). 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 A12, A14.

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 5<sup>th</sup> and 14<sup>th</sup> Amendments 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 addressed. When this court finally denounces what Indiana did and compensates my law licenses, perhaps then Indiana will rightly lose.

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

To interfere with this poisoning justice over a couple of abusive federal judges spouting “frivolous” is **obscene**. The 7<sup>th</sup> Circuit spouts frivolous as a weapon and that Court has injured me also. My family lost their appeal for lack of prosecution. The 7<sup>th</sup> 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.<sup>2</sup> At the bottom of this article about me, it mentions that I was studying the relationship between disability, bar admission,

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

<sup>2</sup> Comm’n on Disability Rights “Spotlight” Lawyer with Disabilities:

[http://www.americanbar.org/groups/disabilityrights/initiatives\\_wards/spotlight/straw\\_a.html](http://www.americanbar.org/groups/disabilityrights/initiatives_wards/spotlight/straw_a.html)

and attorney discipline, and the violations of me fit this perfectly. The ABA was prescient in 2014.

Indiana's discipline was unlawfully imposed on me and no federal court would protect me. Now, after the discipline case was decided over a year ago, I want the retaliation acts surrounding this decision to end and be compensated. The discipline was ADA violation. All the damages from this need to be compensated. It's not just an ADA matter, but also a due process matter under the 14<sup>th</sup> Amendment.

Indiana's discipline boils down to retaliation, since I complained just days before the ADA Coordinator retaliated. The administrative actions after the discipline was decided are separate and must be stopped because they injure me even more.

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 or allow further administrative retaliations 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 A12.

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 (7<sup>th</sup> Cir. 7/6/2017). James R. Ahler's Seventh Circuit hiring notice is in the attached Appendix. App'x at A11.

## 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 state 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.
- IV. When no federal court would review the Indiana discipline, no federal court should be defending that unlawful and discriminatory discipline in any federal court, including the retaliation that happened later. 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. The 7<sup>th</sup> Circuit has clearly indicated that it thinks hiring litigants during an appeal is OK.

## CONCLUSION

This case is about protecting me from my former employer's discrimination and its collateral retaliatory damage.

Indiana's interference with me has now expanded into reciprocal discipline in the U.S. District Court for the Western District of Wisconsin and 3 others. *Straw v. U.S. District Court*, 17-2523 (7<sup>th</sup> Cir.) (**SDIN** suspension); 17-7499, \_\_\_U.S.\_\_\_ (pet. for certiorari); *Straw v. U.S. District Court*, 17-3550 (7<sup>th</sup> Cir.) (**WIWD** suspension); *Straw v. U.S. District Court*, 18-1117, 18-1118 (7<sup>th</sup> Cir.) (**ILND**); *Straw v. U.S. District Court*, 2:18-cv-00043 (N.D. Ind.) (**INND**)

None of these courts or the Court of Appeals<sup>3</sup> below have insisted that real, unconflicted hearings before a fair tribunal or other types of due process must be given to protect me. The affidavit I made about James R. Ahler, the corrupt Indiana hearing officer, can be found at *Straw v. ABA*, 1:17-cv-5714-RPP (N.D. Ill.) (**Dkt. 40**). I incorporate that document by reference.

Even the Virginia State Bar hearing has been absolutely *ignored* in favor of Indiana and its

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

dishonest hearing officer, hired by the Court of Appeals while he was my appellee as I challenged his bogus *in-absentia* hearing, which was replete with ADA violations and unlawful omissions and falsehoods. App'x at 9.

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 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 A12

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. Even the Indiana reciprocal discipline rule does not impose any sanction short of another court imposing a sanction, and I was NEVER sanctioned.

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 7<sup>th</sup> Circuit.

It is understandable when the 7<sup>th</sup> Circuit dishonestly hired my *appellee*, James R. Ahler, the Indiana Supreme Court hearing officer.

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 (including the Indiana Supreme Court) with the appeal still pending!

Bias and favoritism are 14<sup>th</sup> and 5<sup>th</sup> Amendment procedural due process issues of the highest order in a civil case. These violations are so severe, I am asking full and complete damages for ruining my law career in the Midwest. The retaliations here have destroyed my reputation.

Due process is critically important regarding law licenses and constitutional violations are compensable. *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 5<sup>th</sup> Amendment and 14<sup>th</sup> 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. ALWAYS saying DENIED.

Congress should abolish the 7<sup>th</sup> Circuit and impeach all its judges. The 7<sup>th</sup> Circuit hiring my Indiana Supreme Court *appellee* is enough to justify this result. The entire circuit court supported these violations of me, including reciprocal suspension in the district courts and these retaliations I am opposing here.

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 for the damage.

I don't have years of my life to dedicate to fighting these violations 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 and expedited justice.

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.”

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.

Using “frivolous” as a means to repeal a civil rights law judicially is 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 (7<sup>th</sup> Cir.).



Give me the *In Forma Pauperis* that the 7<sup>th</sup> Circuit has already had approved for me in another case last year. *Straw v. U.S. District Court*, 17-2523 (7<sup>th</sup> 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 the Court and its hiring of my appellee, hearing officer James R. Ahler. Ethics is not optional, and its absence creates 5<sup>th</sup> Amendment due process violations.

Chief Judge Diane Wood of the 7<sup>th</sup> Circuit is a civil rights violator. She used her position as chief judge and chair of the 7<sup>th</sup> 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 (7<sup>th</sup> Cir. Jud. Council, 1/8/2018) (Imposing a financial burden on me if I file any future ethical complaints about the corrupt 7<sup>th</sup> 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](http://www.andrewstraw.com)

I don't want my Indiana license back. I cannot practice law around such people. I want full compensatory and punitive **damages**.

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)

The Indiana Supreme Court benefitted from Ahler getting hired by the 7<sup>th</sup> Circuit. All my appellees benefitted. That case should also be reviewed and reversed, but at a minimum, all equity flows to me now in *this case*. Cheating appellees who benefit from ethical and due process violations should lose every case after that.

I am suing the Court of Appeals for its 5<sup>th</sup> Amendment violations. The lower courts will not give me justice. 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.” App’x. at A12, A14, A15. 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 their vicious and unlawful attacks.

After serving over 400 courts and in the process breaking both of my legs and my pelvis, the only right answer is to GRANT all the disability law relief I ask. After the Indiana protective order database I invented in a White House and Harvard contest for e-government, I ask due respect, please, for my work to improve the judicial system in this country against domestic violence and sexual harassment.

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 24, 2018**

Respectfully submitted,

Andrew U. D. Straw

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