

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

James P. Arlotta — PETITIONER
(Your Name)

vs.

Cook Moving Systems Inc. et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Western District of New York

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

PETITION FOR WRIT OF CERTIORARI

James P. Arlotta

(Your Name)

P.O. Box 111

(Address)

Lackawanna, NY 14218

(City, State, Zip Code)

716-395-6103

(Phone Number)

QUESTION(S) PRESENTED

- 1.) How have the Supreme Court of the United States docket # 16-1466 and Western District of New York case # 1:17-cv-624, (appealed to the U.S. Court of Appeals for the Second Circuit docket #17-4084 become the conjunctural-antithesis of pendent jurisdiction?
- 2.) Regarding the Pro-Se Litigant-Appellant's petition, how is docket #16-1466 case comparison, (against 14-4084 U.S. Court of Appeals for the Second Circuit,) not of the same caliper through specific contextual-statutorial introspection?
- 3.) Does the high court's docket #16-1466's questions presented compare in complicity to the cases mentioned in question number one of this Pro Se Litigant-Appellant; as those cases address united States Codes' 18 § 242, and 42 § 1983...had any state actor(s) intervened on behalf of Mr. Janus...what if any civil right(s) of Mr. Janus been violated?

* 28 U.S.C. § 2101 (e), An application to the Supreme Court for a writ of certiorari to review ~~the judgement~~ a case before judgement has been rendered in the court of appeals may be made any time before judgement.

LIST OF PARTIES

- ☐ All parties appear in the caption of the case on the cover page.
- ☒ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:
- International Brotherhood of Teamsters Local 264
35 Tyrol Drive
Cheektowaga, NY 14227

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IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

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

OPINIONS BELOW

☐ For cases from **federal courts**:

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

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☐ is unpublished.

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

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

☐ For cases from **state courts**:

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

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

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

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

JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was None as of this date and time.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

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

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

☐ For cases from **state courts**:

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

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

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

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1.) 28 USC § 1915 (d) Proceeding in forma pauperis, The officers of the court shall issue and serve all process, and perform duties in such cases. Witnesses shall attend as in other cases, and the same remedies shall be available as are provided by in law for other cases, (e)(1) The court may request an attorney to represent any person unable to afford counsel. This Pro Se Litigant-Appellant was granted In Forma Pauperis, but not the other parts of his statute.

2.) 28 USC § 2101 (e) An application to the Supreme Court for a writ of certiorari to review a case before judgement has been rendered in the court of appeals may be made at any time before judgement. this Pro Se Litigant-Appellant's case docket #17-4084 in the U.S. Court of Appeals for the Second Circuit has not yet rendered judgement.

3.) 29 USC § 157 Rights of employees as to organization, collective bargaining etc..., as Supreme Court of the U.S. docket #16-1466 Janus v. American Federation, this Pro Se Litigant-Appellant question(s)' how Mr. Janus's case, (or his "civil right(s)" for that matter,) has illustrated a judicial review of such "violation(s)".

4.) 29 USC § 158 (a), (b) (2), and (c), unfair labor practices by employer. In contrajection of Arlotta v. Cook Moving Systems Inc. et al., and Janus v. American Federation, docket #16-1466, what unfair practice(s)' had Mr. Janus supposedly endured? How had, according to this subsection, (b) (2), and the subsequent, the American Federation violated any of the remainder of this statutes' paragraphed section(s)'?

5.) 29 USC Chapter 11 Subchapter II § 411 (a) Bill of Rights: constitution and by-laws of labor organizations...had Mr. Janus', (since he only pays an "agency-fee,") had any of part (a) of this statute violated against him; as Mr. Arlotta had against him?

6.) 29 USC § 412 Civil Action for Infringement of Rights, where in any of the lower courts' had this statute's violation(s)' been established in docket #16-1466? Notice how Arlotta v. Cook Moving Systems Inc. et al., had not been properly addressed by the Western District of New York case# 17-cv-624.

7.) 29 USC § 415 Information of members to provisions of this chapter, was Mr. Janus made aware, and informed that such information was READILY AVAILABLE TO HIM, that chapter 11 Labor-Management Reporting and Disclosure sec(s) 411-415 involved Mr. Janus also? As Mr. Arlotta's union shop-steward never availed himself to Mr. Arlotta that such information existed?

8.) 18 USC § 242 Deprivation of Rights under color of law, was at any time, Mr. Janus not afforded the protection and aide of any state actor(s)' regarding his "legal dispute?" Mr. Arlotta had reported matters' to the "authorities," to no avail and him BEING IGNORED...WITH NO STATE ACTOR(S)' INTERVENING FOR MR. ARLOTTA.

9.) 42 USC § 1983 Civil action for deprivation of civil rights, was at any time, Mr. Janus not afforded the intervention of state actor(s)'? Had the state actor(s)', (if not informed,) violated Mr. Janus' civil rights at any time before, during, or after the progression of his suit; as Mr. Arlotta's civil rights were in fact violated by numerous local, county, state, and federal agencies at different times by their state actor(s)'?

United States Federal Constitution

10.) The Bill of Rights, at any time during Mr. Janus' progression of suit through the state and federal court system(s)'; had his FEDERAL CIVIL RIGHTS VIOLATED as Mr. Arlotta has in Arlotta v. Diocese of Buffalo et al., U.S. Court of Appeals for the Second Circuit docket # 17-2945, Arlotta v. Bank of America et al., docket # 17-2964 and Arlotta v. Cook Moving Systems Inc. et al., docket # 17-4084?

STATEMENT OF THE CASE

Regarding the current case up for decision by this court, docket 16-1466. In all aspects to the W.D.N.Y. case # 1:17-cv-624, currently awaiting ruling in the U.S. Court of Appeals for the Second Circuit, docket # 17-4084. This case is of **national importance**, as the very existence of organized labor, (be it in the public or private sectors,) is threatened by docket 16-1466.

However, the original and subsequently first amended complaint of *Arlotta v. Cook Moving Systems Inc. et al.*, furthers the importance of the fragile dichotomies of labor's unionization in capitalistic societies', circumspective to as the Vox website contributor P.R. Lockhart's exposition Feb. 26, 2018 "Unions have been a path to the middle class for African Americans, Janus v. AFSCME could change that." where Mr. Lockhart writes..."Due to the current balance of the Supreme Court, Janus is expected to prevail, dealing a blow to public sector unions by enabling what economists call "free-riding, opting out of paying dues while still receiving the benefits of the union's bargaining efforts."

In *Arlotta v. Cook Moving Systems Inc. et al.*, the chief judge **APPROVED AND GRANTED** *In Forma Pauperis*, but neglected to order the U.S. Marshals Service to serve process, and summons the parties to court. Nor had the defendants' responded to the complaint or its first amendment. Under 28 USC § 1915 (e) and according to the Pro Se Guidelines of the Western District of New York, revised December of 2017, page 8. .

* Write it here, 28 USC § 2101 (e) An application to the Supreme Court for a writ of certiorari to review a case before judgement has been rendered in the court of appeals may be made at any time before judgement.

REASONS FOR GRANTING THE PETITION

*According to 28 USC § 2101 (e), "an application to the Supreme Court for a writ of certiorari to review a case before judgement has been made in the court of appeals may be made anytime before judgement." Also, the Rules of the Supreme Court of the United States, adopted September 27, 2017, Effective November 13, 2017 page 6, rule #10 Considerations Governing Review on Certiorari, "a state court of last resort and U.S. court of appeals has decided an important federal question in a way that conflicts with relevant decisions of this court." In question specifically, Abood v. Detroit Board of Education, 431 U.S. 209 (1977). Evidenced through the current Supreme Court Case docket #16-1466, Janus v. American Federation. *

As the previous docket has not issued an opinion yet, in the furtherance and interests of justice. It would be a miscarriage for this highest and Supreme Court of the U.S.. To ignore the importance of dialogue and discussion regarding matters brought forth in Arlo-tta v. Cook Moving Systems Inc. et al.. Contraposed through a state and federal pendent jurisdictional inquiry. Giving measurement to variables heeding questions, where reason facilitates intelligible discourse in the attempted solutions to problems that don not or should not exists in the first place.

Rather than entertain the ignorance of Mr. Janus' assertions that he has conveyed his disdain of what he, (and the numerous amicus curiae briefs filed on his behalf,) "think," are irrational; with the irresponsible revenue allocation by a legislative body. Nor, as this Pro Se Litigant-Appellant hold's as his personal moral convictions', believe that this high court discount, "as did Mr. Janus' as he believes that if he should not receive a raise, neither should his fellow UNION DUE PAYING EMPLOYEES'. Like Mr. Janus has dictatorially taken over the American Federation as . . . *president*. Almost as Adolph Hitler did to Germany..except for Mr. Hitler...THERE WAS AN ELECTION BY THE PEOPLE OF GERMANY!"

Would this Pro Se Litigant-Appellant offend this highest court of the United States, in the United States if . . . *in Forma Pauperis* determination was like, "... *free riding?*" In the prudent conservation of time, money, and government resources, (since Mr. Janus is so adamant about no one at his work place receiving a raise,) may this Pro Se Litigant-Appellant petition this court for redress, and monetary compensation(s), from this Pro Se Litigant-Appellant's earlier federal district court cases'.

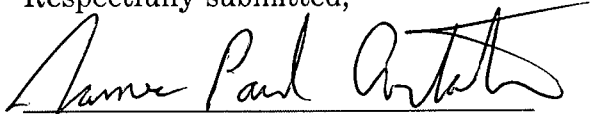
Through the furtherance of a national discourse of income inequalities, regardless of political party affiliation(s)' or ideology(s)'.

Our human condition warrants the dignity accorded every worker, every vocation, every duty or service performed that afford this country, nation, and the citizens of the United States; the highest standard of living in the free world. May this Pro Se Litigant-Appellant remind Mr. Janus that he would not enjoy the freedoms others' and he enjoys from the blood shed ,families destroyed, and beginning losses then eventual victories from ORGANIZED LABOR ORGANIZATIONS'.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: April 10th, 2018