

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Cristial Sattenwhite — PETITIONER
(Your Name)

vs.

Frisch's Restaurant Inc — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

Cristial Sattenwhite
(Your Name)

2140 Selim Ave apt 8
(Address)

Cin. OH 45215
(City, State, Zip Code)

513-544-9186
(Phone Number)

QUESTION(S) PRESENTED

Question(S) Presented

1. Did Frisch's Restaurant Inc., operate business that fall under statues and regulations which protect an invitee/ social guest from becoming harmed on their property due to negligence?
2. Did Charles Black the manager of Frisch's Restaurant act out of scope of practice by not implementing duty to rescue seeing that invitee/social guest Mrs.Satterwhite had become injured and needed aid from receiving electric shock on the property?
3. Whether Charles Black manager of Frisch's Restaurant Inc., which acted as the Respondeat Superior on behalf of Frisch's Restaurant Inc., act in Bad faith by one establishing that help was on the way to care for the injured invitee/ social guest, and by establishing an agreement with invitee when filing out incident report that Liberty Mutual Insurance would compensate for any damages and inconvenience that solely receiving the electric shock may have caused which violates petitioners human rights ?
4. Did Frisch's Restaurant Inc., have any signs to warn of hazards that may be dangerous to the invitees / social guest to the property, that hazards does not appear to be obvious in place?
5. After depositions was taken by any expert witnesses, does Summery of judgement violates petitioners rights to a trial?
6. Whether Charles Black knew that there was a danger when operating the steam table on high which was let known obvious danger to invitees/ social guest as steamtable was being shut off which red flagged invitees/ social guest of the mechanical negligence on behalf of Frisch's, which having no preventative maintenance to prove any preventative measures was taken to secure the safety of invitees/ social guests?
7. Did Frisch's act unconstitutional by intimidating attorneys off of the case which caused petitioners attorneys not to enter concrete evidence into the lower courts Which hurt petitioners judgement?
8. Was Mrs. Satterwhite's human rights violated?
9. Whether the award of \$ 33,000,000 for punitive damage , mental damage, loss of potential income, loss of consortium, pain and suffering is owed to Mrs.Satterwhite and family?

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:

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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 A to the petition and is

- ☐ reported at Supreme Court of Ohio; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the Court of Common Pleas Hamilton County Ohio court appears at Appendix B to the petition and is

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

TABLE OF AUTHORITIES CITED

CASES

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Bazer v. Rees 553 U.S 35(2008)

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JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

☐ 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 Dec 6, 2017.
A copy of that decision appears at Appendix C.

☐ A timely petition for rehearing was thereafter denied on the following date: 1st District Court of Appeals, and a copy of the order denying rehearing appears at Appendix C.

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

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Constitutional and statutory provisions involved

- Universal human right article 3 “ the right to life, we all have the right to life and live it safely.”
- Universal human rights article 5 “ no one shall be subjected to torture, or to cruel inhuman or degrading treatment or punishment
- Universal human right article 10 “ have the right to trial”
- West law Insurance “ duty to settle or pay
- David M. V. Provident life & accident insurance company 878f 3d 504
- 76 Jur:3d premises liability 31 under ohio law host owe social guest a standard of care that falls between that owed to business invites, on the social guest are those on the premises presumably giving possessor some personal benefit
- Plank -Greer v. Tannerite sports llc. 103f supp 3d 886(Nd Ohio 2015)
- Respondeat superior – A legal doctrine most commonly used in tort thst hold an employer or principle legally responsible for the wrongful act of an employee or agent, if such act occur within the scope of employment or agency (Let the master answer
- Article 14&16 right to trail
- Bad faith-intentional dishonest act by not fulfilling legal or contractual obligations, misleading another, entering into agreement without the intention or means to fulfil it , or violating basic standards of honesty in deàling with others
- Codes of ordinance section 1101-63 dangerous and unsafe premises (4) those which are a hazard to safety, health or general welfare of the occupants or the public.

STATEMENT OF THE CASE

Statement Of Case

On Tuesday January 14th, 2014 at or around 8:00 in the morning, Mrs. Satterwhite and Mother were invitees/ social guest to Frisch's Restaurant Inc. Located at 4765 Montgomery road Cincinnati, Ohio 45212. Mrs. Satterwhite ordered the breakfast buffet. Mrs. Satterwhite was 7 months pregnant when she encountered an electric shock from the breakfast buffet. Mrs. Satterwhite made a plate set the plate at the table and went back for a bowl of grits. Mrs. Satterwhite noticed that food was fresh hot and steamy. Mrs. Satterwhite began to scoop grits with fully metal spoon from buffet and received an electric shock. During the time of the electric shock Mrs. Satterwhite right hand held the fully metal spoon and left hand was down on metal trim around the buffet along with bowl. By Mrs. Satterwhite being seven months pregnant her stomach was significantly large in size which caused Mrs. Satterwhite lower abdomen to also touch trim on the buffet. Mrs. Satterwhite had on 9 rings on her had 2 anklets 1 necklace 2 bracelets and has 11 body piercings which allowed the current to travel quickly, Mrs. Satterwhite also had on a peach colored sweat suit with a white cami underneath and a pair of white air force 1 gym shoes. The electric shock caused Mrs. Satterwhite to become incontinent losing control of her urine publicly. After becoming shocked for about 1 second to 2 seconds long Mrs. Satterwhite told Frisch's Restaurant manager Charles Black. Charles Black then shut off buffet and while doing so stated that the buffet should not be turned up so high. Charles Black began offering regrets and offer to call for an ambulance. While Mrs. Satterwhite awaiting for the ambulance Charles Black filled out an incident report and told Mrs. Satterwhite that Liberty Mutual Insurance would contact her and compensate for damages from the electrocution, and to call them if she hasn't heard from them by noon that day.

After waiting a significant amount of time Mrs. Satterwhite's mother decided to drive Mrs. Satterwhite to seek medical attention due to the amount of pain Mrs. Satterwhite was experiencing. Mrs. Satterwhite went was found to be having labor pains being placed on bed rest on January 14th, 2014, Mrs. Satterwhite remained in labor January 28th, 2014 up until February 24th, 2014, where Mrs. Satterwhite delivered via emergency c-section prematurely. The electric shock left a burn on Mrs. Satterwhite Lower abdomen which is described in a full narrative by her treating neurologist which he also indicate that it is pain producing, which is the width of the metal trim of the buffet. Mrs. Satterwhite has statements from gynecologist stating Mrs. Satterwhite was having a normal pregnancy up until electric shock which resulted in Mrs. Satterwhite premature labor. Narrative from pain management physician explaining Mrs. Satterwhite's treatment options.

Mrs. Satterwhite has undergone massive treatments which includes therapy, Laser treatment, epidurals, medications and now awaiting a spinal cord stimulator to help ease the traumatic pain Mrs. Satterwhite feels pains radiating from the burn site down on her abdomen down to her legs and feet. Mrs. Satterwhite quickly turned from being a healthy happy pregnant newly wed to a disabled wife and mother. Mrs. Satterwhite has bilateral leg weakness which allows her to walk but not for a long length of time. From the accident Mrs. Satterwhite also suffer with anxiety, major depression disorder, and PTSD. Mrs. Satterwhite now rely on bath aids such as shower chairs to do a basic service like shower

herself. In fear of Mrs. Satterwhite losing her legs from poor circulation the doctors have moved Mrs. Satterwhite out of her wheelchair to a walker to promote walking. Mrs. Satterwhite refers to her wheelchair on harder days.

Prior to the accident Mrs. Satterwhite was an S.t.n.a for Horizon health care. Mrs. Satterwhite have given quality care to residents for 11 years prior to her accident. Mrs. Satterwhite also worked as a model and independent artist, which Mrs. Satterwhite is unable to return to work and unable to return to the work force. This accident has destroyed the life of Mrs. Satterwhite and husband and intermediate family. Mrs. Satterwhite has permanent nerve damage that effect the quality of life for Mrs. Satterwhite. Mrs. Satterwhite has statements from expert treating physicians that her injury is solely from an electrical burn due to electric shock which was a result from Frisch's restaurant Inc. Buffet. Mrs. Satterwhite went into Frisch's Restaurant a Healthy new mother and left out a disable mother and wife with the impression from Frisch's Restaurant Inc. Manager Charles Black that Frisch's would compensate her for all and any damages through the insurance company Liberty Mutual. Mrs. Satterwhite has all evidence to support her claim but attorney Jason Rappaport did not enter into court for being intimidated off of the case which was reported to the lower courts. Frisch's has tried to conceal the evidence by one intimidation , and by two erasing and editing some of the surveillance footage but the electric shock is still shown. The truth of the matter is Frisch's Restaurant Inc., under Insurance law acted in bad faith by failure to settle or pay after Charles Black acted as "Respondeat Superior" and making in good faith agreement that Frisch's was liable for the electric shock caused by hot and cold buffet and Liberty Mutual would cover damages.

The fact that it is 2018 and this issue remains unresolved and Frisch's has all medical records to support the claim further more express the intent on not to compensate Mrs. Satterwhite and Husband. Mrs. Satterwhite was indeed hurt on Frisch's Restaurant Inc. Premises by mechanical negligence from equipment intended for public use. Frisch's Restaurant Inc., has failed to provide logs and records of mechanical checks or preventative logs for measures taken to insure the safety to there invitees. Being a social guest Mrs. Satterwhite acted in normal means to insure her safety while on Frisch's Restaurant Inc., premises. With no fault of Mrs. Satterwhite to cause such an action as electric shock. Mrs. Satterwhite new of no potential dangers by signs posted of possible electric shock which would have altered her decision of using the buffet and Frisch's had a duty to warn.

By Mrs. Satterwhite being injured on Frisch's Restaurant Inc. Premises by Frisch's Restaurant Inc. , equipment it is solely Frisch's Restaurant Inc.,just responsibility to compensate Mrs. Satterwhite for pain and suffering, for her mother having to witness her daughter and grandchild get electric shocked, for her husband's for loss of love and wifely responsibilities, for loss potential wages , relocation due to immobility and financial hardships, and inconvenience of time and lack of income.

Raymond Decker Jr. Attorney for Frisch's Restaurant Inc., has made it clear to the lower courts that Frisch's has no records of maintenance for equipment used at Frisch's which under regulations does not support a safe environment of invitees, licensee, trespasser or social guest. Which if anything has proof of mechanical equipment being outdated by twenty plus years with no mechanical checks and or records and outdated warranty to the equipment. Thus furthermore shows the irresponsibility of negligence by the owner and or management of Frisch's Restaurant Inc. Cristial Satterwhite is owed the right of a trial by expert witness testifying under oath in a deposition. Taken by attorney for Frisch's Inc. And Mrs. Satterwhite which supports her claim. Not a motion for summary of judgement. Being that

REASONS FOR GRANTING THE PETITION

Mrs. Satterwhite was physically fit to work as a s.t.n.a and can't return to the work field shows that Mrs.Satterwhite had no previous conditions or problems which prevented her from working prior to this accident.

Reasons For Granting the Petition

I move that the court grant this petition in favor of Mrs.Satterwhite on several grounds, Bad faith on behalf of Frisch's Restaurant Inc., That Frisch's manager Charles Black insured Mrs. Satterwhite social guest/invitee would compensate for pain and suffering and any damages made on behalf of Frisch's Restaurant Inc., through their insurance Liberty Mutual. I also ask that you grant this petition on behalf of Mrs. Satterwhite and family because Frisch's failed to maintain a safe environment for social guest and invitees which it is a duty owed by Frisch's to maintain a safe environment which ultimately resulted in Mrs. Satterwhite becoming injured. I ask that you see that their manager insured compensation and with so acted as Respondeat Superior, for the injury sustained at and by Frisch's. I ask for justice where deception has hidden the truth. I am asking that you grant this petition because Mrs. Satterwhite was a normal citizen until becoming permanently injured depending on medications, surgeries or procedures for every day functions. I ask that you grant this petition because Frisch's Restaurant Inc., has a face just as well as Mrs. Satterwhite and this company has taken from Mrs. Satterwhite something that she can not get back which is her health, her mental health, her financial stability, freedom , and time lost due to immobility.

I ask that you grant this petition so that others in the same situations as far as negligence, premises liability, bad faith can see justice will prevail. I ask that you grant this petition after viewing the statements made treating physicians that support my case and claim. I ask that you grant this petition so that companies like this see that its is repercussions for deception, and rules broken. I ask that you grant this petition because of the hardships that Mrs.Satterwhite have and had to face dealing with the Permanent injury caused by Frisch's Restaurant Inc., due solely to their negligence which has effected Mrs. Satterwhite and family's lives. Some of the challenges of Mrs. Satterwhite's day to day life consist of steps, standing , any out door trips consist of walking, carrying my 3 yr old daughter house hold chores which husband does now after working.I'm asking that you grant this petition for there to finally be closure and justice to Mrs. Satterwhite and family, everyday Mrs.Satterwhite awaken there is a constant reminder of the visual scar that is on Mrs.Satterwhite abdomen and the pain to follow evidence of an electric shock/electrocution that took place at Frisch's Restaurant Inc., located at 4765 Montgomery Road Cincinnati , Ohio 45212 on January 14th,2014. Mrs. Satterwhite lives with a constant reminder of how Frisch's stole her life, and changed her life . I am asking that you grant this petition for justice for Mrs.Satterwhite and family, because it is not lawful for a social guest or invitees to become injured on the premises and there are no signs to alert invitees or social guest of harm or danger. In this case the buffet is outdated because models from 2005 and newer are installed with a fail system on the ground to insure safety if a surge was to occur which a statement from a expert electrician is enclosed.

This case deserve to be granted due to the disruption of counsel withdraw miss guidance from attorney and deceit done on behalf of Frisch's Restaurant Inc. Which attorney spoke of intimidation upon withdrawal, Which resulted in favor upon Frisch's. By Frisch's restaurant not ordering regular mechanical inspection and maintenance. For equipment that is publicly and in daily used it did not show prevention it does not allow the employees to know to warn the fact that Charles Black stated that it should not have been on high shows that there are some restrictions when operating the buffet. The fact that Frisch's failed in not only proving that they have had maintenance to machines that are 20 plus years old have failed in warning there employee, social guest and any other invitee of potential dangers. The type of irresponsibility shown in management of failure to maintain and or the CEO has proven that they intentionally use equipment past warranties without renewals and use past maintenance check dates. Cleaning of the equipment does not account for mechanical checks. If prevention was present then the table should be able to function on all settings. The indications that the manager made of the steam table being on high proves that the manager knew that a danger was present counsel for Frisch indicated that they had no regular maintenance on the equipment because it is maintenance free but to ensure the safety of the public precautions should have been taking instead of usage daily for years without a check to insure safety which Frisch s failed to do or prove but have all evidence of the injury.

Mrs.Satterwhite was a person that gave back to society by volunteering and caring for the elderly Frisch's has taken that ability away from society and Mrs.Satterwhite. Mrs.Satterwhite the petitioner ask that you except the documents under consideration .Mrs. Satterwhite has hired attorneys that failed to represent her by withdrawing and she asked that she not be penalized for the miss guidance by counsel. Mrs. Satterwhite wouldn't hold evidence from the court for fear it would hurt her case that was work done on behalf of her previous counsel. When the case transferred hands Mrs. Satterwhite was under the influence by withdrawing counsel that the evidence was turned over to Frisch's Restaurant Inc., as well as the court's which was instructed to do by the lower courts. Which led to Mrs.Satterwhite filing the motions she did after being instructed to file for summery of judgement while her counsel was still owed a duty to Mrs.Satterwhite which the attorney's knew with no evidence the verdict would be in favor of Frisch's restaurant. Under the claim and settlement practice (c) settlement duties; duty to settle or pay establish that Frisch's Restaurant has a duty to settle or pay. With Frisch's Restaurant having all medical records it becomes reasonably clear that the damages support the claim. I ask that you grant this petition because in the agreement made by manager Charles Black to work with liberty mutual insurance, Liberty mutual insinuated that they cover each claimant injured up to ten million dollars and that they would contact me back after they receive the records with a settlement offer and then denied the claim after receiving the medical records, Which proves that Mrs.Satterwhite received and electric shock. I ask that you grant this petition because this is a prime example of right verses wrong, and Frisch's have no records insuring their establishment is safe. There are several mistakes done on behalf of Frisch's inc. That Mrs.Satterwhite should not have to pay for. Mrs. Satterwhite human rights was violated under the universal declaration of human rights article 3 Mrs. Satterwhite's the right to life we all have the right to life, and live in freedom and safety. Mrs.Satterwhite the victim had been violated by Frisch's by not keeping Mrs. Satterwhite's safe and exposing her to danger without warning. Article 10 insures that we have the right to a trial. Mrs. Satterwhite rights was stolen by misguidance from former attorney done in favor of Frisch's restaurant Inc. And by Frisch's restaurant inc. For suggesting summery of judgement which violates and takes away the right to a trial. Mrs. Satterwhite lives with torture daily by knowing that her pain is real that Frisch's restaurant caused it and it is permanently effecting Mrs.Satterwhite's life and family. Which is against her universal human rights article 5 which states no

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Mrs.Satterwhite was a person that gave back to society by volunteering and caring for the elderly Frisch's has taken that ability away from society and Mrs.Satterwhite. Mrs.Satterwhite the petitioner ask that you except the documents under consideration .Mrs. Satterwhite has hired attorneys that failed to represent her by withdrawing and she asked that she not be penalized for the miss guidance by counsel. Mrs. Satterwhite wouldn't hold evidence from the court for fear it would hurt her case that was work done on behalf of her previous counsel. When the case transferred hands Mrs. Satterwhite was under the influence by withdrawing counsel that the evidence was turned over to Frisch's Restaurant Inc., as well as the court's which was instructed to do by the lower courts. Which led to Mrs.Satterwhite filing the motions she did after being instructed to file for summery of judgement while her counsel was still owed a duty to Mrs.Satterwhite which the attorney's knew with no evidence the verdict would be in favor of Frisch's restaurant. Under the claim and settlement practice (c) settlement duties; duty to settle or pay establish that Frisch's Restaurant has a duty to settle or pay. With Frisch's Restaurant having all medical records it becomes reasonably clear that the damages support the claim. I ask that you grant this petition because in the agreement made by manager Charles Black to work with liberty mutual insurance, Liberty mutual insinuated that they cover each claimant injured up to ten million dollars and that they would contact me back after they receive the records with a settlement offer and then denied the claim after receiving the medical records, Which proves that Mrs.Satterwhite received and electric shock. I ask that you grant this petition because this is a prime example of right verses wrong, and Frisch's have no records insuring their establishment is safe. There are several mistakes done on behalf of Frisch's inc. That Mrs.Satterwhite should not have to pay for. Mrs. Satterwhite human rights was violated under the universal declaration of human rights article 3 Mrs. Satterwhite's the right to life we all have the right to life, and live in freedom and safety. Mrs.Satterwhite the victim had been violated by Frisch's by not keeping Mrs. Satterwhite's safe and exposing her to danger without warning. Article 10 insures that we have the right to a trial. Mrs. Satterwhite rights was stolen by misguidance from former attorney done in favor of Frisch's restaurant Inc. And by Frisch's restaurant inc. For suggesting summery of judgement which violates and takes away the right to a trial. Mrs. Satterwhite lives with torture daily by knowing that her pain is real that Frisch's restaurant caused it and it is permanently effecting Mrs.Satterwhite's life and family. Which is against her universal human rights article 5 which states no one shall be subjected to torture, or to cruel inhuman or degrading treatment or punishment. Which they didn't call for a ambulance after Mrs.Satterwhite. had became injured the manager made it seem as if she could afford a meal by stating that Mrs.Satterwhite that there are no free meals although Mrs. Satterwhite hadn't touched her food which Mrs. Satterwhite feel as if it is belittling.

Conclusion

In conclusion I believe that not only is Mrs. Satterwhite owed compensation but is owed an direct apology for the damage done to Mrs. Satterwhite and family. There is ample amount of evidence that support Mrs. Satterwhite's claim. Without prejudice is owed the right to a trial of rehearing. Mrs. Satterwhite has done all needed to comply with liberty mutual investigation with all evidence that reasonably support the claim. It is there duty to compensate . All evidence gathered are vital in this case showing that the accident indeed happen and it happened on behalf of Frisch's restaurant inc. Neglected property. The fact that Frisch's can not reproduce documents of services done to insure safety should be under consideration. The fact that experts are willing to back up these allegations should be taken under consideration as well. Which brings light to the accident that happened on January 14th, 2014. Mrs. Satterwhite and family is owed compensation for the devastating events that have taking place solely from the mechanical negligence of Frisch's Inc. I ask that the courts grant in favor of Mrs. Satterwhite personal injury in the amount of 33 million dollars for the permanent injury, the mental conditions as well as the potential to earn. And the quality of life of Mrs. Satterwhite and family.

The petition for writ certiorari should be granted.

Respectfully submitted,

Cristial R. Satterwhite ,prose

Date: 3-5-2018

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: 5-6-18