
IN THE
SUPREME COURT OF THE UNITED STATES
TERM, 2018

MICHAEL S. WILSON - PETITIONER

v.

RONALD GAETZ, ET AL. - RESPONDENTS

ON PETITION FOR A WRIT OF CERTIORARI TO
UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT
219 S. DEARBORN ST.
CHICAGO, IL 60604-1874

PETITION FOR WRIT OF CERTIORARI

MICHAEL S. WILSON #R06115
LAWRENCE CORR CTR.
10930 LAWRENCE RD.
SUMNER, IL 62466

QUESTIONS PRESENTED

WHETHER APPELLANT'S CONSTITUTIONAL RIGHT AS A PARENT/FATHER TRANSLATES INTO A CONSTITUTIONAL RIGHT TO ACCESS THE COURTS VIA ACCESS TO LAW LIBRARY?

WHETHER THE DISTRICT COURT ERRED BY FORCING APPELLANT TO PLEAD BEYOND WHAT IS REQUIRED UNDER "SUMMARY JUDGMENT"?

WHETHER THE DISTRICT COURT ERRED IN ITS FAILURE TO REVIEW ALL DOCUMENTS PRIOR TO DECISION, IN ACCORDANCE WITH COURT RULES?

WHETHER THE APPELLATE COUNCIL FAILED TO RULE UPON EACH OF THE CAUSES: "WHETHER DEFENDANTS UNLAWFULLY HINDERED ACCESS TO THE COURTS?"

WHETHER THE PANEL PROPERLY REVIEWED ALL PRESENTED ISSUES IN CASE.

WHETHER THE PANEL PROPERLY SCRUTINIZED THESE PRESENTED ISSUES IN THE CASE?

WHETHER THE COURT ERRED IN PROCEEDING WITH RULING WITHOUT AN ORAL ARGUMENT?

WHETHER PANEL'S FAILURE TO HOLD ORAL ARGUMENT IS A "DUE PROCESS" VIOLATION?

LIST OF PARTIES

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:

1) DONALD GAETZ, EX-CAO (UNMARRIED) OF PINCKNEYVILLE CORR. CTR. AND EX-DEPUTY DIRECTOR OF SOUTHERN ILLINOIS FOR ILLINOIS DEPT OF CORR.

2) MICHELLE CREWS, EX-LAW LIBRARIAN OF PINCKNEYVILLE CORR. CTR.

TABLE OF CONTENTS

OPINIONS BELOW

JURISDICTION

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

STATEMENT OF THE CASE

REASONS FOR GRANTING THE WRIT

CONCLUSION

INDEX TO APPENDICES

• APPENDIX A

FINAL JUDGMENT & OPINION BY THE UNITED STATES COURT OF
APPEALS FOR THE SEVENTH CIRCUIT (4pgs)

NOTICE OF MANDATE (2pgs)

8

• APPENDIX B

OPINION BY THE UNITED STATES DISTRICT COURT (8pgs)

ORDER FINDING MOT (1pg)

ORDER ON PLAINTIFF'S MOTION TO ALTER &/OR AMEND
JUDGMENT (5pgs)

• APPENDIX C

PETITION FOR REHEARING & UNITED STATES COURT OF APPEALS
DENIAL (15pgs)

• APPENDIX D

FURTHER CASE CITES FOR "STATEMENT OF THE CASE"
AUTHORITIES FOR "RIGHT TO ACCESS COURTS" (4pgs)

TABLES OF AUTHORITIES CITED

CASES:

PAGE NUMBER(S):

• CASEY V. LEWIS, 834 F. Supp. 1553, AFFIRMED 43 F.3d 1261,
CERT. GRANTED 115 S.Ct. 1997, 514 U.S. 1126, 131 L.Ed.2d 999,
REVERSED 116 S.Ct. 2174, 518 U.S. 343, 135 L.Ed.2d 606, ON REMAND
91 F.3d 1365, VACATED 91 F.3d 1365.

pg(s) No. 3; 7

• JOHN L. V. ADAMS, 969 F.2d 228

pg(s) No. 3

• M.L.B. V. S.L.J., 117 S.Ct. 555 (1996)

pg(s) No. 4; 7

• SANTOSKY V. KRAMER, 455 U.S. 745, 102 S.Ct. 1388, 71 L.Ed.
2d 599

pg(s) No. 4; 7; App. A#4

• DAVIS V. DAVIS, 2017 U.S. Dist. LEXIS 31944 (S.D. TEX. 2017)

pg(s) No. 5

• MC COY V. GOLAND, 598 F.Supp. 310, 27 PAGE & HOUR CAS. (GND)
276

pg(s) No. App. A#1

TABLES OF AUTHORITIES CITED

CONTINUED...

CASES:

PAGE NUMBERS:

* MAY V. SHERHAN, 226 F.3d 876

pg(s) No. App. D#1

* WHALEN V. COUNTY OF FULTON, 126 F.3d 400

pg(s) No. App. D#1

* BARRETT V. U.S., 798 F.2d 545

pg(s) No. App. D#1

* ZAR V. SOUTH DAKOTA Bd. OF EXAMINERS OF PSYCHOLOGISTS,
976 F.2d 459

pg(s) No. App. D#1

* SCHEELER V. CITY OF ST. CLOUD, MINN., 402 F.3d 826
REHEARING AND CERT. DENIED 126 S.Ct. 1026, 163 N.E.2d 855
REHEARING DENIED, 126 S.Ct. 1459, 164 L.Ed. 2d 153

pg(s) No. App. D#1

* GALAZO V. CITY OF WATERBURY, 303 F.Supp. 2d 213

pg(s) No. App. D#1

* STERLING V. WOOD, 68 F.3d 1124

pg(s) No. App. D#1

TABLES OF AUTHORITIES CITED

Continued

CASES: PAGE NUMBERS:

• MALIK V. MACK, 15 F. Supp. 2d 1047

pg(s) No. App. A #1

• KLINGER V. NEBRASKA DEPT. OF CORRECTIONAL SERVICES, 902
F. Supp. 1036, REVERSED 107 F.3d 609

pg(s). No. App. A #1

• BENJAMIN V. JACOBSON, 923 F. Supp. 517

pg(s) No. App. A #2

• ARCE V. WALKER, 58 F. Supp. 517

pg(s) No. App. A #2

• BRADLEY V. HALL, 911 F. Supp. 446, AFFIRMED 64 F.3d 1276

pg(s) No. App. A #2

• PLATT V. BROCKTON BOROUGH, 476 F. Supp. 2d 467

pg(s) No. App. A #2

• MUHAMMAD V. HILBERT, 906 F. Supp. 247

pg(s) No. App. A #2

• HARRELL V. CITY OF JACKSONVILLE, 976 F. Supp. 777 REVERSED 169
F.3d 428

pg(s) No. App. A #2

TABLES OF AUTHORITIES CITED

CONTINUED

CASES: PAGE NUMBER(S):

* GENTRY V. DUCKWORTH, 65 F.3d 555, REHEARING DENIED.
pg(s) NO. App. A#2

* BELL-BEY V. WILLIAMS, 87 F.3d 832, 1996 Fed. App. 0190 P.
pg(s) NO. App. A#2

* GLOVER V. JOHNSON, 75 F.3d 264, 1994 Fed. App. 0048 P.,
REHEARING DENIED, CERTIORARI DENIED 117 S.Ct. 67, 519 U.S. 814, 134
L.Ed. 2d 28
pg(s) NO. App. A#2

* HAMPTON V. HOOS, 104 F.3d 1281, 1997 Fed. App. 0059 P.
pg(s) NO. App. A#2

* ALLAN V. SEIVERLING, 229 F.3d 220
pg(s) NO. App. A#3

* O'KEEFE V. VANDERBEEK, 82 F.3d 322
pg(s) NO. App. A#3

* DEVILLE V. EDDIE, 74 F.3d 210
pg(s) NO. App. A#3

TABLES OF AUTHORITIES CONT
CONTINUED

CASES:

PAGE NUMBERS:

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pg(s) No. App. D#3

• ABDUL-AKBAR V. DEPT OF COM., 910 F. Supp. 984, Affirmed
111 F.3d 125, Cert. Denied 118 S.Ct. 144, 522 U.S. 852, 139 L.Ed.
2d 91

pg(s) No. App. D#3

• MILES V. EVANS, 591 F. Supp. 623

pg(s) No. App. D#3

• ENSOR V. NICHOLAS, 847 F. Supp. 109

pg(s) No. App. D#3

• JOHNSON V. KSIA PRINCIPAL ADMR AND STAFF, 804 F. Supp. 173

pg(s) No. App. D#3

• WADE V. BRADY, 460 F. Supp. 2d 224

pg(s) No. App. D#3

• BEYANT V. PUTMAN, 885 F. Supp. 371

pg(s) No. App. D#3

TABLES OF AUTHORITIES CITED

CONTINUED

CASES: PAGE NUMBERS:

• McLoey V. GORDA, 255 F. Supp. 233

pg(s) No. App. A #3

• Smith V. O'CONNOR, 901 F. Supp 644

pg(s) No. App. A #3

• ~~ABDUL-AKBAR~~ ABDUL-AKBAR V. McKELVIE, 239 F.3d 307 (3rd Cir 2001)

pg(s) No. 7; App. A #4

✍

• BOODIE V. CONNECTICUT, 401 U.S. at 376, 91 S. Ct. at 785

pg(s) No. 7; App. A #4

• Holloway V. HORSLEY, 23 F.3d 944, Sugg. For RETRAILING
END STATE DENIAL, 32 F.3d 548.

pg(s) No. App. A #4

STATUTES & RULES:

- 705 ILCS 405/1 et. seq. JUVENILE ACT OF 1984
pg(s) No. 2; 4
- RULE 54 OF THE FED. RLES. OF CIV. PRO
pg(s) No. 5; 8

OTHER:

- UNITED STATE CONSTITUTION, ARTICAL 4 SECTION 2, C1.1;
AMENDMENT 1, 5, 8 & 14.
pg(s) No. 3

1) The

Supreme Court of the United States

Term, 2018

Period for writ of certiorari

Periods Below

for Federal Courts Cases:

The opinion of the United States Court of Appeals appears at Appendix A to the petition and is incorporated.

The opinion of the United States District Court appears at Appendix B to the petition and is incorporated.

Jurisdiction

The date on which United States Court of Appeals decided my case was November 9th of 2017.

A timely petition for rehearing was denied by the United States Court of Appeals on the following date:

December 14th of 2017, and a copy of the order denying

rehearing appears at Appendix C.

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- UNITED STATES CONSTITUTIONAL AMENDMENT 1
... "RIGHT TO PETITION GOVERNMENT FOR A REDRESS OF GRIEVANCES."
- UNITED STATES CONSTITUTIONAL AMENDMENT 14 Sec. 1
... "NO STATE MAY DEPRIVE NOR DEPRIVE TO ANY PERSON WITHIN ITS JURISDICTION THE EQUAL PROTECTION OF THE LAWS."
- JUVENILE COURT ACT (705 ILCS 405/10 et. seq.)
"RESPONDENT (PARENTS) RIGHT TO ACCESS IN TERMINATION OF PARENTAL RIGHTS PETITION BY STATE" [4. A RESPONDENT HAS THE RIGHT TO BE HEARD AND TO PRESENT EVIDENCE MATERIAL TO THE PROCEEDINGS].

STATEMENT OF THE CASE

• On March 28, 2014 Appellant filed Amended Complaint and in this Amended Complaint I put forth that from March 7, 2012 until December of 2012 After Initial Request and Subsequent Requests to get into the Law Library I was not afforded any Access. This is 9 months of denying me Access to Law Library.

From the onset of this claim, At no Judicial Level did the Courts take up the issue of "Abuse of Discretion" which Court Rules of Multiple, State the same Protections i.e. See Casey v. Lewis, 834 F. Supp. 1553, Affirmed 43 Fed 1241, Cert. granted 115 S.Ct. 1997, 514 U.S. 1124, 131 L.Ed.2d 999, Reversed 116 S.Ct. 2174, 518 U.S. 343, 135 L.Ed.2d 404, or Remand 91 Fed 1365, vacated 91 Fed 1345. "Requests that a Constitutional Right to Access to Courts that is Adequate, Effective, and Meaningful." (See Appendix for further info.)

For the Access to be Adequate, Effective, and Meaningful the Courts have created a basic standard with Court Rules of Multiple, State the same Standards, i.e. John L. v. Adams 969 F.2d 228 "No Civil Actions Not Involving Constitutional Rights or Civil Rights, States may not erect barriers that impede incarcerated persons' Right of Access to Courts. U.S.C.A. Court. Art. 4 § 2, Cl. 1, Amend 1, 5, 8, 14. (See Appendix for further info.)

The Courts instead focused on what they took the case to be. At every Judicial Level I made it clear that I was impacted for 9 months from even seeing the inside of the Law Library.

• Further, The Court ignored the fact that through this denial there was a ~~denial~~ "FUNDAMENTAL HUMAN INTEREST" ~~was~~ INVOLVED, AS THIS WAS A "PARENTS RIGHT TO KEEP INTACT HIS FAMILY (FATHER-CHILD RELATIONSHIP)." SEE M.L.B. v S.L.J., 117 S.Ct. 555 (1996) AND SARTOSKY v. KRAMER, 455 U.S. 745, 102 S.Ct. ¹³⁸⁸ ~~71~~, ⁷¹ L.Ed.2d ⁵⁹⁹ ~~600~~ "THE INTEREST OF PARENTS IN THEIR RELATIONSHIP WITH THEIR CHILDREN IS SUFFICIENTLY FUNDAMENTAL TO COME WITHIN THE FINITE CLASS OF LIBERTY INTERESTS PROTECTED BY THE FOURTEENTH AMENDMENT." (SEE APPENDIX FOR FURTHER CITES)

THE COURT KEPT SAYING I HAVE NO RIGHT TO ACCESS FOR THE ABOVE. THE COURTS KEPT STATING/RULING/JUDICIALLY THAT NO CASES COULD BE FOUND TO PREVAIL IN MY CLAIM AND THAT I FAILED TO SHOW THEM THIS RIGHT THAT I INSISTED I HAD. AFTER REFERENCE TO CASE LAW AND THE STATUTE RIGHTS IN ILLINOIS LAW (SEE 705 ILLCS 405/14.SEC.) THE COURTS STILL DENIED IT AS CLEAR PROOF.

I ARGUED CLEARLY AND PROVIDED WHAT PROOFS WERE AVAILABLE AND WAS CONSTANTLY REPELLED. DURING THE PROCESS OF THIS CASE, I WAS IN JUVENILE COURT AND WOULD UPON RECEIVING DOCUMENTS FROM JA CASE (14-JA-190/191), I WOULD PROPERLY FILE THEM IN ACCORDANCE WITH "NEW EVIDENCE" CLAUSE OF FED. RES. OF CIV. PRO. [LOOSELY PUT "WRITTEN EVIDENCE IS/WAS NOT AVAILABLE IT MAY BE FILED UPON ITS AVAILABILITY, WITHOUT DELAY."] I WOULD IMMEDIATELY FILE AND THE COURT WOULD DENY ITS ENTRY. ONCE I CALLED THEM ON THIS DENIAL OF ENTRY OF NEWLY FOUND EVIDENCE, IT WOULD BE ENTERED (WITH EXCEPTION OF SOME WHICH WAS NOT ENTERED STILL). THE EVIDENCE THAT WAS ALLOWED WAS MISINTERPRETED BY THE COURT AND I CLEARLY POINTED THIS OUT. ULTIMATELY, MULTIPLE PIECES OF EVIDENCE (COURT DOCUMENTS) WERE NOT ACCEPTED NOR

NOR REVIEWED, FOREGOING MY RIGHT FOR "ALL EVIDENCES TO BE REVIEWED DURING "SUMMARY JUDGMENT" SEE, DAVIS V. DAVIS, 2017 U.S. DIST. LEXIS 31944 (S.D. TEX. 2017) QUOTE FROM P.L.N. (PRISON LEGAL NEWS) QUOTING DAVIS, "FAILURE TO PROPERLY REVIEW PLAINTIFF'S SUMMARY JUDGMENT EVIDENCE" "THE DISTRICT OPPOSED OLD SUMMARY JUDGMENT DOES NOT REFLECT CONSIDERATION, DOES NOT REFLECT WHAT CONSIDERATION, IF ANY, WAS GIVEN TO PLAINTIFF'S SUMMARY JUDGMENT EVIDENCE, "THE COURT OF APPEALS WROTE "THE CURRENT RECORD DOES NOT REFLECT WHETHER THE MAGISTRATE JUDGE CONSIDERED PLAINTIFF'S EVIDENCE AND DREW REASONABLE INFERENCES IN THEIR FAVOR, AS REQUIRED IN DECIDING A MOTION FOR SUMMARY JUDGMENT"

LIKE THE CASE OF DAVIS, I TOO ATTEMPTED TO ENTER EVIDENCE (WHICH WAS PROCEDURALLY ALLOWED) AND NOT ONLY DID THE MAGISTRATE JUDGE (AND TRIAL JUDGE) NOT REVIEW OR REFER TO THEM, HUNDREDS OF PAGES WERE DENIED ENTRY (AS MOOT). I CLEARLY PETITIONED THE COURT TO FOLLOW "SUMMARY JUDGMENT" RULES EVEN THROUGH TO THE APPEAL, TO NO AVAIL.

• THROUGH THE WHOLE CYCLE OF THIS CASE THERE WAS A CLEAR AND DANGEROUS LACK OF THE COURT UNDERSTANDING MY POINTS AND EVEN THE "CRUX" OF MY CLAIM. THREE JUDGES AT THREE LEVELS OF SCRUTINY WAS GUILTY OF THIS AND EVEN AFTER CLEARLY POINTING OUT THE COURT'S FAILS WITH CASE FILE THAT CLEARLY SHOWS THE ERROR. THIS WAS OUBOLINE "JUDICIAL MALFECEPTE" WHICH PREJUDICED MY CASE, WITH THE HISTORY OF SUCH ISSUES, AN ORAL ARGUMENT SHOULD HAVE TAKEN PLACE BUT, THE APPEAL WAS DECIDED WITHOUT THIS VIOLATING MY DUE PROCESS PROTECTION.

• AT THE HEART OF THE PROBLEM IS A COURT THAT FAILED TO

ADHERE TO ITS OWN RULES. I CLEARLY ATTEMPTED TO SHOW THE VIOLATIONS AND I DID THIS AT EVERY LEVEL OF THE LITIGATION. THE COURTS FAILED TO SEE PAST ITS OWN AGENDA OF HON. SCALIA AND HIS LEADS OPPOSITION.

- I ASSERTED AND PROVIDED PROOF THAT FOR 9 MONTHS I HAD NO ACCESS TO LAW LIBRARY.

- I ASSERTED AND PROVIDED PROOF OF RETALIATORY ACTIONS AGAINST ME FOR FILING (a) GRIEVANCES (b) 1983's.

- I ENTERED ALL DOCUMENTS (EVIDENCES) IN STRICT ADHERENCE OF THE LAW AND COURT RULES.

- I SOUGHT REVIEW OF ALL ISSUES AND SOUGHT THE COURTS PROPER SCRUTINIZATION OF THE ISSUES.

- I ASSERTED THAT THE COURTS FORCED ME TO PLEAD BEYOND WHAT "SUMMARY JUDGMENT" REQUIRES

- I ASSERTED AND PROVIDED CASELAW SHOWING MY RIGHT TO ACCESS THE COURT WAS CONSTITUTIONALLY PROTECTED.

- I ASSERTED THAT THE COURT FAILED TO CORRECTLY GRASP MY CASE AND ITS FACTS, WITH ITS CONSTANT MISINTERPRETATIONS AND BLATANT INSERTIONS OF FACTS OR THEORIES NEVER PROVIDED BY ME.

THE HONORABLE COURT FAILED IN ALL THAT I PUT FORTH AS QUESTIONS FOR THIS COURT. THE RECORD WILL SHOW THESE. (SEE APPENDIX FOR VERIFYING DOCUMENTAL EVIDENCES.)

REASONS FOR GRANTING THE PETITION

THIS CASE IS A CASE THAT REVEALS A CONSTITUTIONAL FLAW IN THE WAY LOWER COURTS ARE UTILIZING AND INTERPRETING HOW SCALIA'S OPINION IN LEWIS V. CASEY (VS) NEAR CASES WHICH EXPAND ON HOW SCALIA'S OPINION. THE ARGUMENT IN THIS CASE IS A "PARENTAL RIGHTS TO ACCESS THE COURTS". THIS RIGHT IS BEING UNLAWFULLY ORDERED BY THE WAY THE LOWER COURTS VIEW LEWIS V. CASEY AS ABSOLUTE IN ITS OPINION, EVEN AFTER NUMEROUS COURTS HAVE EXPANDED THE PROTECTIONS TO INCLUDE "FUNDAMENTAL HUMAN INTEREST" IN BOBBIE V. CONNECTICUT 401 U.S.; ABRAHAM V. MCKELVIE, 239 F.3d 307 (3rd Cir. 2001); M.L.B. V S.L.J., 117 S.Ct. 505 (1996) AND SANDOZKY V. KRAMER, 455 U.S. 745 102 S.Ct. 1388, 71 L.Ed.2d 599. SUCH AS PARENTAL TERMINATION OF THEIR RIGHTS TO THEIR KIDS. NUMEROUS COURTS HAVE OPINIONED THAT NO GREATER RIGHT IS GIVEN THAN THE RIGHT OF A PARENT TO HIS/HER CHILD. ALSO, THE COURT HAVE ADVERSELY STATED THAT THE MOST SEVERE DECISION BY THIS INSTITUTION IS THE DECISION TO REVOKE AND SEVER A FAMILIES TIES. THIS IS SO SEVERE THAT MANY COURTS OPINIONED THAT "THE SEVERING THE RIGHT OF A PARENT TO HIS CHILD IS TO HAVE THE GREATEST OF PROTECTIONS."

THE LOWER COURTS DECISION IN THIS CASE SAYS THAT I AND OTHERS LIKE ME DON'T GET THE PROTECTIONS STATED ABOVE. FOR THE JUDGE'S DECISION TO THIS CASE TO STAND DENIES ALL PERSONS THE PROTECTIONS GUARANTEED BY THE CONSTITUTION SPECIFICALLY "WRITTEN FOR THE FOUNDATION OF FAMILY TIES AND

THE UNREVOKABLE RIGHT TO THE AMERICAN DREAM OF MARRIAGE AND CHILDREN.

THIS CASE IS ACTUALLY SIMPLER THAN ALL THAT. I WAS CLEARLY DENIED ACCESS TO LAW LIBRARY FOR 9+ MONTHS. THIS IS FROM MARCH TO DECEMBER OF 2012 VIOLATING THE PROTECTIONS OF "NO UNLAWFUL HINDERANCE" GIVEN BY THE SUPREME COURT DECISIONS. THE LOWER COURT NEVER EVEN ADDRESSED THIS FACT (DENYING TO REVIEW THE CRUX OF MY CLAIM) FOR THIS DECISION TO STAND, WOULD SAY THAT THE PRISONS AND OTHER INSTITUTIONS ARE SAFE TO FLAT OUT "BAR" ONE'S ACCESS TO THE LAW LIBRARY FOR A EXCESSANT AMOUNT OF TIME. THIS IS NOT WHAT THE LAW INTERPRETES.

WHEN IT CAME TIME FOR COURT PROCEDURE, THE LOWER ~~COURT~~ COURT ON NUMEROUS OCCASSIONS VIOLATED ITS OWN RULES. NEW EVIDENCE WAS NOT ADMITTED AND THE LITIGATION THAT WAS ENTERED (AFTER PETITION BY ME PUTTING THEM ON THE SPOT) WAS NOT PROPERLY REVIEWED AND EVEN FACTS NOT EXISTANT CITED BY THE COURTS. FOR THIS TO STAND, WILL SAY TO OTHER JUDGES THAT THE FED RULES ARE NOT REALLY RULES BUT SUGGESTIONS. ALL THE EVIDENCE WAS NOT WEIGHED, VIOLATING COURT RULES. I WAS CONSTANTLY HELD TO THE STANDARD OF ONE FORMALLY TRAINED IN LAW AND LICENSED TO PRACTICE. WHEN IN REALITY, I'M ONLY LEARNING AS I GO. ISSUES OF JUDICIAL MALFEITISE IGNORED AND CONSTANT CONTINUED HINDERANCE BY ILLINOIS DEPT. OF CORRECTIONS FAILURE LAW LIBRARIES AND OTHER PROBLEMS IGNORED BY THE LOWER COURTS WHEN I PLEAD FOR HELP.

THIS CASE IS IMPORTANT TO THE PEOPLE OF THIS COUNTRY

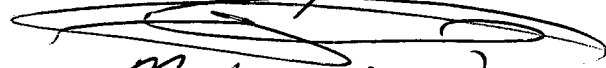
Most importantly for this reason, for the lower courts
 decisions to send says that it is ok to deny a final
 or partial bottom is disconnected (with their rights still
 intact) access to the law library and courts for months or
 longer. Even when doing so denied the child's right to be
 protected from domestic violence and sexual assault at the
 hands of their step parents by his biological parents. As
 was the case with my son. It says that the Americans in
 this case should not be held accountable for allowing
 the abuse to happen (even though the purposely kept me
 from the library (law) even after I told them my son
 was missing (kidnapped by mother) violating an order of
 protection 'order'.
 This lower court has failed to uphold our founding
 fathers ideals. A family (which is the heart of our
 country's constitution) was destroyed. A child was destroyed
 and the court does not review the evidence. The court
 didn't bind to rule on the true claim of "violating
 standards of law library access" set by many a court. I
 may be incarcerated but, I am still a citizen of this
 great country and am under the protection of the U.S. Court
 for the ruling to send says that I am not a citizen but
 a slave. My child is a citizen (free) and for the ruling to
 send says he is not a citizen but a slave.
 Does our constitution protect those whom violate
 its provisions or others. This ruling says (yes) it does
 it is clear that "fundamental human rights" is at

STAKE. IT IS CLEAR THAT A PERSON'S RIGHT TO ACCESS THE CARES
WITHOUT UNDUE HINDERANCE IS AT STAKE. IT IS CLEAR THAT
PARENTAL RIGHTS, CIVIL RIGHTS & FAMILY RIGHTS ARE AT
STAKE. THE RULING BY HON. NANCY J. ROSENSTADTAL DENIES
ALL THESE RIGHTS.

CONCLUSION

THE PETITION FOR A WRIT OF HABEAS CORPUS SHOULD BE
GRANTED.

Respectfully Submitted



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DATE: 3-1-18