

In the Supreme Court of the United States

19-6227

(INDEX NO.)

IN REVIEW OF:

DOCK. NO. 18cv12064(LLS)(SDNY), 19-1392(2ND CIR. CT.)

ORIGINAL CESTUI QUE STEVEN TALBERT WILLIAMS

Supreme Court, U.S.
FILED

MAY 15 2019

OFFICE OF THE CLERK

v.

UNITED STATES OF AMERICA, et al.

ON PETITION FOR PEREMPTORY WRIT OF MANDAMUS;

IN RE.: CESTUI QUE STEVEN TALBERT WILLIAMS v.

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STEVEN TALBERT WILLIAMS

CESTUI QUE, Pro Sé Litigant

(Currently Displaced)

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Fitted Fables, D.B.A.

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OCTOBER 9, 2019



CERTIORARI QUESTIONS

1. 28 USC 1915(e)(2)(B)(i) and 18 U.S.C. §402 (dismissal for “frivolous[ness];” U.S. Const. Am. 6, 10):
 - a. Whether the “ORDER” (Appendix A, dated March 22, 2019) of HON. LOUIS L. STANTON was unconstitutionally provided to delay trial and lache upon naming all defendants and exhibits? U.S. Const. Am. 6, 10; 18 U.S.C. §402.
 - b. Whether the “ORDER OF DISMISSAL” (“Dismissal,” Appendix B, Doc. “4” of Dock. No. 18cv12064(LLS)(SDNY); see Appendix X) of HON. STANTON, for “frivolous[ness]” (28 USC 1915(e)(2)(B)(i)), was unconstitutionally provided, and to issue sanctions for discriminatory and retaliatory contempt of court processes (18 U.S.C. §402), claimed to have induced a delay of trial and laches by the court to provide summonses to defendants after CHIEF J. HON. COLLEEN MCMAHON granted the In Forma (Doc. “6” of Dock. No. 18cv12064(LLS)(SDNY); Appendix C) under 28 USC 1915(e)(2)(B)(i) (a claim of postfiling delayed review, under Fed. R. Civ. P. 4(a). See Question 3)?
2. J. Code 1.3 (C. 1) (“[a] position to gain... differential treatment of any kind.”) (judicial estoppel, collateral and promissory, treasonous rebellion, under U.S. Const. Art. 3 §3, U.S. Const. Am. 5, 13 §3, 14 §§1, 4):
 - a. Was HON. STANTON’s Dismissal executed in aid of (18 U.S.C. §§2, 3) *UBS AG, Pershing, LLC* and *FMR* (“Fidelity,” formerly *Correspondent Services Corporation*) (as alleged financial institutions of PLAINTIFFS’ alleged custodial and irrevocable beneficial trust), as well as other securitized investments, including highlighted facts related to: (i) *District Attorney’s Office of New York County* (collaterally through the trial of *PEOPLE v. STEVEN WILLIAMS*, Dock. No. 2012NY089333(NYCC). U.S. Const. Am. 5, 14 §1); (ii) the *New York Police Department* officers of the *Metropolitan Transit Authority* (collaterally through trials of the *Transit Adjudication Bureau*. U.S. Const. Am. 5, 14 §1), who previously utilized the financial assets of the *New York State Department of Transportation*, the dwelling of 2 Rector Street, within the community of *Peter Cooper Village/Stuyvesant Town* (“PCV/ST”); (iii) the investments of *UBS AG* in *Pershing Square Holdings Group, LLC*’s Initial Public Offering; and (iv) the *Commercial Mortgage-Backed Security* investments of PCV/ST, *WACHOVIA BANK COMMERCIAL MORTGAGE TRUST 2007-C30* (claimed a conspired act to evict PLAINTIFF to rid the community of rent stabilized tenants in order to raise dwelling unit prices to market-rate values; a claimed act of Domestic Housing Terrorism. U.S. Const. Art. 3 §3; U.S. Const. Am. 14 §4), to further aid in subversion of PLAINTIFFS’ life within impoverishment (U.S. Const. Am. 13 §3); all executed to gain the non-pursuance of PLAINTIFFS’ redress within the federal court system, under J. Code 1.3 (C. 1)?
 - i. If so, will sanctions for contempt (18 U.S.C §402) be enforced against HON. STANTON for such an act?
3. Fed. R. Civ. P. 4 and 28 U.S.C. §1915 (“postfiling delayed review”): should a granted In Forma (Doc. “6” of Dock. No. 18cv12064(LLS)(SDNY); Appendix C) provide for authorization to proceed upon a complaint, and the issuance of summonses to defendants, which cannot be disregarded without examination of evidence (especially for antitrust claims)?
4. Validating antitrust claims (enforced under the *Sherman Antitrust Act* and *Clayton Act*):
 - a. Should PLAINTIFFS’ “COMPLAINT” (“Comp.”, Appendix D, Doc. “2” of Dock. No. 18cv12064(LLS)(SDNY), filed December 20, 2018) presenting claims under the *Sherman Antitrust Act* and *Clayton Act* be justifiable for the Court to enforce the standards of Plausibility, Parallelism and the alleged mandatory procedure to prove the existence of a contract (as delineated within the trials of *ASHCROFT v. IQBAL* (“Matter of Iqbal”), 556 U.S. 678 (2002), *BELL ATLANTIC CORP. v. TWOMBLY* (“Matter of Twombly”), 550 U.S. 544, 555 (2007) (“[a] reasonable expectation that discovery will reveal evidence of an illegal agreement” (*Id. at 1965*),]” Matter of Iqbal citing Matter of Twombly) and *ERICKSON v. PARDUS*, 127 S. Ct. 2197 (2007)) and should such claims be a common procedure of the judicial government for proving antitrust offenses?
 - i. If so, will sanctions for contempt (18 U.S.C §402) be enforced against HON. STANTON for laching upon a pursuit to seek evidence of a contract under Fed. R. Civ. P. 16 or Fed. R. Civ. P. 26?



5. 28 U.S.C. §1927:

a. If sanctions are enforced against HON. STANTON for an unconstitutional dismissal, and antitrust claims are proven to have been escheated, should such provide for the enforcement of additional sanctions under 28 U.S.C. §1927?

6. U.S. Const. Am. 1, 5, 14 §1 and 18 U.S.C. §§241, 371, 1001(a):

a. Should S.D.N.Y.'s PRO SÉ INTAKE UNIT's personal classification of PLAINTIFFS' Comp.'s case type as "440 Civil Rights" (evidenced on the "CIVIL DOCKET." *Id.* at p.1; Appendices E and AA; filed by S.D.N.Y.'s Pro Sé Intake Unit's "rdz" and "sc") be seen as unconstitutional (under U.S. Const. Am. 1, 5, 14 §1 and 18 U.S.C. §§241, 371, 1001(a)), when PLAINTIFF factually stated the matter concerned the Sherman Antitrust Act and Clayton Act within the Comp. and "NATURE OF SUIT & DIVERSITY OF CITIZENSHIP" (Doc "g" of Dock. No. 18cv12064(LLS)(SDNY); Appendix F)?
i. If so, will sanctions for contempt (18 U.S.C §402) be enforced against the employees of S.D.N.Y. for such an act?

7. U.S. Const. Am. 5, 14 §1; 18 U.S.C. §§241, 371, 1513; 44 U.S.C. §§3507(e)(3)(B), 3512:

a. Are the actions by HON. STANTON to provide an dismissal be seen as retaliatory promissory and collateral discriminatory judicial estoppel (under U.S. Const. Am. 5, 14 §1; 18 U.S.C. §§241, 371, 1513; 44 U.S.C. §§3507(e)(3)(B), 3512); collaterally associated to the trials of: *CESTUI QUE STEVEN TALBERT WILLIAMS v. UNITED STATES, ET AL.*, 15-cv-5114(LAP)(SDNY), 16-189cv(ALK)(DJ)(BDP)(2nd Cir. Ct), 137 U.S. 1611(No. 16M111, 2017); *Estate of Linda Paula Streger Williams*, File No. 2013-3538(SCNY); *PEOPLE v. STEVEN WILLIAMS*, Dock. No. 2012NY089333(NYCC); *MARYLAND v. WILLIAMS, STEVEN T.*, No. ID00283543 (M.C. Dist.Ct., 2012); and *ST OWNER LP v. EUGENE WILLIAMS*, Index No. 52069/12(Chan)(JHS)(NYHC)?
i. If so, will sanctions for contempt (18 U.S.C §402) be enforced against the employees of S.D.N.Y. for such an act?

8. U.S. Const. Art. 3 and the "pendent jurisdiction" rule):

a. Should PLAINTIFFS' claims involving collateral estoppel from circuit courts of New York State (namely: *Estate of Linda Paula Streger Williams*, File No. 2013-3538(SCNY); *PEOPLE v. STEVEN WILLIAMS*, Dock. No. 2012NY089333(NYCC); and *ST OWNER LP v. EUGENE WILLIAMS*, Index No. 52069/12(Chan)(JHS)(NYHC)) be jurisdictionally enforced within the Federal Courts under U.S. Const. Art. 3 and the "pendent jurisdiction" rule?

i. If so, will sanctions for contempt (18 U.S.C §402) be enforced against the employees of S.D.N.Y. for such an act?

ii. Alternatively, U.S. Const. Art. 3 §3; U.S. Const. Am. 14 §4, are questioned for whether named defendants of this certiorari aided in antitrust offenses (under 18 U.S.C. §§2, 3) upon validation of claims of PLAINTIFFS' driver's license and Mrs. Linda Paula Streger Williams (PLAINTIFFS' mother's) Social Security Numbers being allegedly exposed to the public by the local and federal court system (a matter of national security if his alleged trust's funds were utilized to fund of terrorist organizations)?

iii. Further, upon validation of aiding antitrust claims as accessories after the fact (see subdivision (ii) above), will the Court provide for further questioning upon Fed. R. App. P. 27, L.R. 27(d), (g), (i) and L.R. 40.2 of the *Local Rules and Internal Operating Procedures of the Court of Appeals for the Second Circuit*, local statute 22 NYCRR 500.20(d) (for collateral claims of pendent jurisdiction), the recently provided dismissals of *CESTUI QUE STEVEN TALBERT WILLIAMS v. UNITED STATES, ET AL.*, 18cv12064(LLS)(SDNY), 19-39(JAC)(PWH)(JMW)(2nd Cir. Ct.) and *CESTUI QUE STEVEN TALBERT WILLIAMS v. UNITED STATES, ET AL.*, 18cv12064(LLS)(SDNY), 19-240(JAC)(PWH)(JMW)(2nd Cir. Ct.) (see Appendices G, H and I. U.S. S.Ct. Rule 14.1(i)(vi)) and what delineates "an adequate, alternative mean[] of obtaining relief" when judicial officials cite "*Cheney v. U.S. Dist. Ct. for D.C.*, 542 U.S. 367, 380-81 (2004)" for a reason to dismiss reconsideration motions?

A. Upon affirmation of a justified reconsideration by PLAINTIFF (see Appendix I. U.S. S.Ct. Rule 14.1(i)(vi)), will the Court see just to provide a sua sponte order to reopen the above trials (Dock. Nos. 19-39 and 19-240), by writ of error, in question of Fed. R. Civ. P. 60?



9. Fed. R. Crim. P. 60(b) and 28 C.F.R. Part 0, Subpart K (*Scott Campbell, Stephanie Roper, Wendy Preston, Louarna Gillis, and Nila Lynn Crime Victims' Rights Act*):
 - a. Should PLAINTIFFS' antitrust claims have provided for immediate adjudication, under the doctrines of plausibility, parallelism and proof of a contract for being reported as a crime victim (under Fed. R. Crim. P. 60(b) and 28 C.F.R. Part 0, Subpart K), due PLAINTIFF providing proof of account information of the "*Mrs. Linda Paula Streger Williams' (Decedents) Individual Retirement Acct. (IRA) trust (Pershing, LLC & UBS Acct.#: x7439 – EIN#: x8899 – Treas. (IRS) form SS-4#: x6766 and evidence of a W-9 form*" (Comp. at 5)?
 - i. If so, will sanctions for contempt (18 U.S.C §402) be enforced against the employees of S.D.N.Y. for such an act?
10. Fed. R. Civ. P. 5(d)(4) and 18 U.S.C §402 (U.S. Const. Am. 1; U.S. Const. Am. 10; U.S. Const. Am. 13 §3; 18 U.S.C. §§2, 3):
 - a. Were PLAINTIFFS' "*Motion For Fed. R. Civ. P. 60(a), (b)(1) to (b)(6), (d)(1) to (d)(3) (Coram Nobis/Coram Vobis)*: *Cestui Que Steven Talbert Williams v. United States, 137 U.S. S.Ct. 1611(2017) (15 U.S.C. §26; Fed. R. Civ. P. 5(d); 5 U.S.C. §§552(b)(7), 552a(l)(1); 49 U.S.C. §30301(d)(7))*" (Appendix J. U.S. S.Ct. Rule 14.1(i)(vi)) hidden in the filings of Doc. "8" of Dock. No. 18cv12064(LLS)(SDNY) in opposition of Fed. R. Civ. P. 5(d)(4), and, if so, will sanctions for contempt (18 U.S.C §402) and advocacy offense (U.S. Const. Am. 1; U.S. Const. Am. 13 §3; 18 U.S.C. §§2, 3) be enforced against the employees of S.D.N.Y. for such an act?
 - i. If so, will sanctions for contempt (18 U.S.C §402 and U.S. Const. Am. 10) be enforced against the employees of S.D.N.Y. for such an act?
11. Fed. R. Civ. P. 5(d)(4), Fed. R. Crim. P. 42 and 18 U.S.C §402 (U.S. Const. Am. 1; U.S. Const. Am. 10; U.S. Const. Am. 13 §3; 18 U.S.C. §§2, 3):
 - a. Were PLAINTIFFS' two documents of a "*Petition For Permission To Appeal To The United States Supreme Court*" (Appendix K) and "*Affidavit In Support Of Complaint, Part IV*" (Appendix L) missing from the filings of 18cv12064(LLS)(SDNY) in opposition of Fed. R. Civ. P. 5(d)(4) and Fed. R. Crim. P. 42, and, if so, will sanctions for contempt (18 U.S.C §402 and U.S. Const. Am. 10) and advocacy offense (U.S. Const. Am. 1; U.S. Const. Am. 13 §3; 18 U.S.C. §§2, 3) be enforced against the employees of S.D.N.Y. for such an act?
12. Fed. R. App. P. 3(b)(2) ("*separate timely notices of [ap]peal, the appeals may be joined or consolidated by the court of appeals*"), 18 U.S.C §402 and U.S. Const. Am. 10:
 - a. Was PLAINTIFF denied the right to file two notices of an appeal under Fed. R. App. P. 3(b)(2), where one appeal was allegedly sought for a class action remedy (see the CIVIL DOCKET's "*Appeal Remark as to 8 Notice of Appeal... (tp) (Entered: 01/03/2019)*;" Appendix M)?
 - i. If so, will sanctions for contempt (18 U.S.C §402 and U.S. Const. Am. 10) be enforced against the employees of S.D.N.Y. for such an act?
13. U.S. Const. Art. 1 §8 Cl. 7 (postal fraud); U.S. Const. Am. 1, 4, 6, 10; 18 U.S.C. §1001(a) and 18 U.S.C §402 (U.S. Const. Am. 1; U.S. Const. Am. 13 §3; 18 U.S.C. §§2, 3):
 - a. Was PLAINTIFFS' federal mail for Dock. No. 18cv12064(LLS)(SDNY) sent to "*General Delivery Services 333 1st Avenue NY, NY 10003*" (see the CIVIL DOCKET note, "*(Entered: 12/27/2018)*," by "*aea*;" Appendix N) (the address to a trucking company, no longer in service, however, across the street from the community of PCV/ST) and not to the U.S.P.S.'s "*General Delivery*" office in a conspired discriminatory and retaliatory manner of contempt (18 U.S.C §402) and postal fraud (U.S. Const. Art. 1 §8 Cl. 7) to deprive PLAINTIFF of his requested right to receive federal mail of the court and to falsify information (under 18 U.S.C. §1001(a)) in order to delay trial under U.S. Const. Am. 1, 4 and 6?
 - i. If so, will sanctions for contempt (18 U.S.C §402 and U.S. Const. Am. 10) be enforced against the employees of S.D.N.Y. for such an act?



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ii. Furthermore, was such above act to send federal mail from the District Court to an address not "normally" used by the Court for pro sé litigants without a stable dwelling in aid of antitrust offenses (under 18 U.S.C. §§2, 3, U.S. Const. Art. 3 §3 and U.S. Const. Am. 14 §4)?

14. Fed. R. Civ. P. 3 and Fed. R. Crim. P. 3, seeking a revising of the federal rules:

- Should federal courts provide a response to a filed complaint within a fourteen (14) day period? See "Exhibit 46" [highlighting omitted] of the forthcoming "Motion For Injunctive Relief Sanctions Upon Hon. Louis L. Stanton & Pro Sé Intake Unit" [highlighting omitted] ("Injunction," previously filed within Dock. No. 19-1392(2nd Cir. Ct.), entitled "Slip Law Draft Of Federal Rules Of Civil Procedure, Rule 3.1, By Cestui Que Steven Talbert Williams" [highlighting omitted] (see Appendix O).

15. Fed. R. Civ. P. 12(e), (f)(1)

- Should the "STRIKE ORDER" (Doc. 104 of Dock. No. 19-1392(2nd Cir. Ct.) (Appendix P), striking the filing of the Injunction and other supporting documents (including PLAINTIFF's "Letter To Chief Clerk Ms./Mrs. Kathleen O'Hagan: Validation Of Filing An Affidavit (Doc. 82)," Doc. 88 of Dock. No. 19-1392(2nd Cir. Ct.) (Appendix Q) and "Motion To Strike Defectiveness (Doc. 84)" Doc. 89-1 of Dock. No. 19-1392(2nd Cir. Ct.) (Appendix R) (both filed on June 3, 2019, prior to the Appellate Court requesting clarification of PLAINTIFF's strike motion, and again on June 10, 2019 (see PLAINTIFF's "CERTIFICATE OF SERVICE" for June 10, 2019, Doc. 98-1 of Dock. No. 19-1392(2nd Cir. Ct.); Appendix S. U.S. S.Ct. Rule 14.1(i)(vi))), have been provided, whether or not enforced under Fed. R. Civ. P. 12(e) or Fed. R. Civ. P. 12(f)(1)?

16. U.S. Const. Art. 1 §8 Cl. 17; U.S. Const. Art. 1 §10, 6 §2; U.S. Const. Am. 11; Fed. R. Civ. P. 11; Fed. R. Civ. P. 54; Fed. R. Civ. P. 65; 48 C.F.R. §2815; 28 U.S.C. §651, et seq.; 5 U.S.C. §555(b); The Adequate Remedy Rule; and Economic Benefit Doctrine (in coordination with seeking waiver of immunity via mandamus, as a "preliminary" semi-safe harbor, or quasi-public good), seeking a revising to constitutional laws and acts of Congress:

- Should revising to constitutional laws and acts of Congress commence to establish a new doctrine to allow a U.S. citizen to obtain sovereign immunity through a settlement, structured or qualified, as such may additionally benefit the U.S. Government not only economically (as a party of interest to a contractual agreement, or treaty), but for society as a whole? See Injunction at "Exhibit 45," [highlighting omitted] an "Act to Immunize an Individual from Tax liability within Sovereignty" (shortened title: "Individual Tax Immunity Act") (Appendix T).

17. Seeking a revising to 42 U.S.C. §2000d and Titles VI and VII of the *Civil Rights Act of 1964*, as amended (specifically §601):

- Should a revising to 42 U.S.C. §2000d, Titles VI and VII of the *Civil Rights Act of 1964* and other constitutional laws and acts of Congress commence to include the term "socioeconomic status" or "economic status" and to review the establishment of an act of Congress for "Deprived Economic Status" (see Appendix U, entitled "Slip Law Proposal: Deprived Economic Status")?

18. *The Declaratory Judgment Act*, 28 U.S.C. §§ 2201-2202 (seeking a sua sponte 28 U.S.C. §1296(b) motion):

- Whether a vacate is justified for a dismissal provided after a granted In Forma and before summonses or acquiring supporting documentation and evidence under *The Declaratory Judgment Act*, 28 U.S.C. §§ 2201-2202? See a forthcoming "Motion To Vacate Dismissal Order Of Hon. Lois L. Stanton, In Re.: Cestui Que Steven Talbert Williams v. United States, 18cv12064(LLS)(SDNY)."



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DISCLAIMER #1 HIGHLIGHTED NOTATIONS

The asterisk symbol “ * ” is referenced as being disclaimer notations addressed to the court, appearing in a scaling format where “ * ” symbolizes notation #1, “ ** ” symbolizes notation #2, and so on (separated with a “ / ” after every five, “ ***** ”), yet starts anew with each individually titled document, similar to that of each “FOOTNOTE” (wherein each is presented as “*Red*”).

The forgoing text of each notation and FOOTNOTE is represented in “*italics*” and single spaced in the minimum text size of 12 pts.

- * *Normal text size for the body of all documents has been set to 12 pts.*
- ** *A personalized numbered header is provided on all documented pages, excluding the title page. Each page is additionally numbered separately at the bottom, while introduction pages are numbered as Roman numerals. This format is presented as a necessary precaution in light of claims surrounding identity theft, internet intrusion and mail fraud.*
- *** *References to appendices appear in “Purple.”*
- **** *References to accompanying documents appear in “Blue.”*
- ***** *References to exhibits appear in “Brown.”*
- *****/* *As is customary universal procedure of the UNITED STATES court system, the plaintiff name appears in bold “Green,” while the defendant name appears in bold “Red.”*



PART A – PARTIES

PART A.1 – PLAINTIFF

1. **CESTUI QUE STEVEN TALBERT WILLIAMS (“PLAINTIFF,” Pro Se):**

- a. (Last known residence)
449 E. 14th St. Apt. 7d
New York, NY 10009b.
- b. (Currently Displaced)
General Delivery (U.S. Postal Service)
371 9th Ave, New York, NY 10001

PART A.2 – PRIMARY DEFENDANTS

2. **UNITED STATES DEPARTMENT OF JUSTICE (“U.S.D.O.J.”):**

a. **UNITED STATES ATTORNEY GENERAL (“U.S.A.G.”)**

(28 U.S.C. §§503, 515(a); 28 C.F.R. §0.5):

i. **MR. WILLIAM PELHAM BARR**

950 Pennsylvania Avenue, NW Washington, DC 20530-0001
(tel.: (202) 514-2000)

b. **NEW YORK STATE ATTORNEY GENERAL (“N.Y.A.G.”):**

i. **MS./MRS. LETITIA JAMES**

Office of N.Y.A.G., The Capitol Albany, NY 12224-0341 (tel.: (518) 776-2000)

c. **SOUTHERN DISTRICT COURT OF THE STATE OF NEW YORK (“S.D.N.Y.”) (including ASSIGNMENT COMMITTEE or ADMINISTRATIVE APPOINTEE):**

i. **HON. CHIEF J. COLLEEN**

MCMAHON

500 Pearl Street NY, NY 10007

(tel: (212) 805-0136)

ii. **HON. LOUIS L. STANTON**

(address unknown)

iii. **PRO SÉ INTAKE UNIT**

500 Pearl Street, Rm. 200 NY, NY 10007 (Temp. at 40 Foley Sq., stated above) (namely docketing clerks, evidenced on the “CIVIL DOCKET” [highlighting added] of Dock. No. 18cv12064(LLS)(SDNY) (Appendix B), “rdz[...]mro[...]tp[...] and]aea[]” [highlighting and emphasis added] and other filing clerks, determined upon investigation for an exhibited filing of a Fed. R. Civ. P. 60 motion by the PRO SÉ INTAKE UNIT, stamped on January 2, 2019, as such may be in relation to a replacement title page for the aforementioned evidenced filing on January 3, 2019, docketed by “sc.” [highlighting and emphasis added]) (see ¶37, 38 of this mandamus).

f. vi.



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| <i>Reed v. City of Arlington,</i> 650 F.3d 571 (5th Cir. 2011) | M. 10 |
| <i>Rowlett v. Anheuser-Busch,</i> 832 F.2d 194, 206, 44 EPD Par. 37,428 (1st Cir. 1987) | M. 8 |
| <i>Sandin v. Conner,</i> 515 U.S. 472, 484 (1995) | M. 6 |
| <i>Tam, M.D. v. Eighth Jud. Dist. Ct. of the State of Nevada,</i> No. 66346 (2015) | M. 3 |
| <i>Town of Castle Rock v. Gonzales,</i> 545 U.S. 748, 125 S. Ct. 2796, 2810, 162 L. Ed. 2d 658, 2005 U.S. LEXIS 5214 | M. 6 |



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United States, et al., 18cv12064(LLS)(SDNY), 19-1392(2nd Cir. Ct.)

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*An American Bar Association publication,
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*A Yale Law Journal (42 Yale L.J. (1933)),
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Of "Liberty" and "Property,"

By Henry Paul Monaghan, 62 Corn. L. Rev. 405, 409, 443 (1977) M. 6

Punitive Damages – Recent Cases

*A Newyorkinjurycasesblog.com publication,
by Mr. John Hochfelder, September 15, 2016)* M. 8

JURISDICTION

Jurisdiction is invoked under:

U.S. S.Ct. Rule 20.3, 33.2(b), 34; Fed. R. Civ. P. 11(c), 16, 37, 42, 54(c), FRAP. 15.1, 16(a), 19, 21(a); Fed. R. Crim. P. 60(b)(2); 5 C.F.R. §1201.43; 5 U.S.C. Ch. 5, Subch. I, §500, et seq. (see *Administrative Procedure Act and Ethics in Government Act of 1978*); 18 U.S.C. §§3173, 3174, 3771(d)(3); 28 U.S.C. §§158(d)(2)(A)(ii), (d)(2)(A)(iii), Ch. 16, Ch. 51, 1251(a), 1253, 1254(2), 1361, 1391(e), 1404(a), 1631, 1651(a), 1657, 1927, Ch. 158, Ch. 161



**STATUTES AND RULES/
 CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

| | | | |
|-------------------------------------|-------------------------------------|---|---------------------------------|
| U.S. Const. Art. 1 §5 | 15 (M. 9) | 28 U.S.C. §1253 | 5, 8 (M. v, 2) |
| U.S. Const. Art. 1 §8 Cl. 3 | 15 (M. 9) | 28 U.S.C. §1254(2) | 5, 8 (M. v, 2) |
| U.S. Const. Art. 1 §10 Cl. 1. | 15 (M. 9) | 28 U.S.C. §1361 | 5, 8 (M. v, 2) |
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| U.S. S.Ct. Rule 20.3 | 5, 7 (M. v, 1) | 28 U.S.C. §1927 | 5, 8 (M. v, 2) |
| U.S. S.Ct. Rule 33.2(b) | 5, 7 (M. v, 1) | 28 U.S.C. Ch. 16 | 5, 8 (M. v, 2) |
| U.S. S.Ct. Rule 34 | 5, 7 (M. v, 1) | 28 U.S.C. Ch. 51 | 5, 8 (M. v, 2) |
| Fed. R. Civ. P. 11(c) | 5, 8 (M. v, 2) | 28 U.S.C. Ch. 158 | 5, 8 (M. v, 2) |
| Fed. R. Civ. P. 16 | 5, 8 (M. v, 2) | 28 U.S.C. Ch. 161 | 5, 8 (M. v, 2) |
| Fed. R. Civ. P. 37 | 5, 8 (M. v, 2) | 18 U.S.C. §2 | 5, 7 (M. v, 1) |
| Fed. R. Civ. P. 42 | 5, 8 (M. v, 2) | 18 U.S.C. §3 | 5, 7 (M. v, 1) |
| Fed. R. Civ. P. 54(b), (c) | 5, 8 (M. v, 2) | 18 U.S.C. §241 | 5, 7 (M. v, 1) |
| Fed. R. Civ. P. 60 | 10 (M. 4) | 18 U.S.C. §371 | 5, 7 (M. v, 1) |
| Fed. R. Crim. P. 60(b)(2) | 5, 8, 16 (M. v, 2, 10) | 18 U.S.C. §401 | 11 to 13, 17 (M. 5 to 7, 11) |
| Fed. R. App. P. 15.1 | 5, 8 (M. v, 2) | 18 U.S.C. §1031(c) | 11 to 13 (M. 5 to 7) |
| Fed. R. App. P. 16(a) | 5, 8 (M. v, 2) | 18 U.S.C. §1341 | 11 to 13 (M. 5 to 7) |
| Fed. R. App. P. 19 | 5, 8 (M. v, 2) | 18 U.S.C. §1505 | 11 to 13 (M. 5 to 7) |
| Fed. R. App. P. 21(a), (b)(1) | 5, 8, 17 (M. v, 2, 11) | 18 U.S.C. §1513 | 11 to 13 (M. 5 to 7) |
| 28 C.F.R. §0.5 | 10 (M. 4) | 18 U.S.C. §2521 | 9 (M. 3) |
| 28 C.F.R. §50.15(a) | 16 (M. 10) | 18 U.S.C. §3173 | 5, 8 (M. v, 2) |
| 5 C.F.R. §1201.43 | 5, 8 (M. v, 2) | 18 U.S.C. §3174 | 5, 8 (M. v, 2) |
| 42 U.S.C. §1981 | 12 (M. 6) | 18 U.S.C. §3771(d)(3) | 5, 8 (M. v, 2) |
| 42 U.S.C. §1981a(b)(3) | 14 (M. 8) | 5 U.S.C. §500, et seq. | 5, 8 (M. v, 2) |
| 42 U.S.C. §1983 | 13, 14 (M. 7, 8) | 5 U.S.C. §601 | 17 (M. 11) |
| 31 U.S.C. §5103 | 15 (M. 9) | 5 U.S.C. Ch. 5, Subch. I | 5, 8 (M. v, 2) |
| 28 U.S.C. §158(d)(2)(A)(ii), | 5, 8 (M. v, 2) (d)(2)(A)(iii) | CRM §1725 | 11 to 13 (M. 5 to 7) |
| 28 U.S.C. §503 | 10 (M. 4) | CRM §1727 | 11 to 13 (M. 5 to 7) |
| 28 U.S.C. §515(a) | 10 (M. 4) | IRM §5.17.5.14(3) | 16 (M. 10) |
| 28 U.S.C. §1251(a) | 5, 8 (M. v, 2) | <i>Antitrust Civil Process Act</i> | 11 to 13 (M. 5 to 7) |
| | | <i>Administrative Procedure Act</i> ... | 5, 8 (M. v, 2) |
| | | <i>Civil Rights Act of 1991, §102</i> ... | 5, 14 (M. v, 8) |
| | | <i>Ethics in Government</i> | |
| | | <i>Act of 1978</i> | 5, 8 (M. v, 2) |
| | | <i>Sherman Antitrust Act</i> | 11 to 13 (M. 5 to 7) |



SUPREME COURT
OF THE UNITED STATES

CESTUI QUE STEVEN TALBERT WILLIAMS
PLAINTIFF

v.

UNITED STATES OF AMERICA, et al
DEFENDANT

Clerk's Office: 1 First Street, NE Washington, DC 20543

Steven Talbert Williams, PRO SÉ
AGVA, 341 9th Ave. N.Y.C. 10001

**IN RE., CESTUI QUE
STEVEN TALBERT WILLIAMS**

Index #: (TBD)

Date: July 9, 2019

**PETITION FOR PEREMPTORY WRIT OF MANDAMUS; IN RE., CESTUI QUE
STEVEN TALBERT WILLIAMS V. UNITED STATES, ET AL. (SANCTIONS UPON HON.
LOUIS L. STANTON & PRO SÉ INTAKE UNIT, S.D.N.Y.)**

I, CESTUI QUE STEVEN TALBERT WILLIAMS ("PLAINTIFF," Pro Sé), in reference to the accompanying "*Petition For Writ of Certiorari*," as well as the associated documents of "*Petition For Waiver Of Sovereign Immunity (Sanctions Upon Hon. Louis L. Stanton & Pro Se Intake Unit, S.D.N.Y.)*" (Immunity Petition) and "*Motion For Preliminary Summary Judgment: Sanctions Upon Hon. Louis L. Stanton & Pro Sé Intake Unit*," currently filed in the appellate mandamus action of *Cestui Que Steven Talbert Williams v. United States, et al., 18cv12064(LLS)(SDNY)*, present this mandamus to order the Second Circuit Court and **SOUTHERN DISTRICT COURT OF THE STATE OF NEW YORK's ("S.D.N.Y.")** to proceed with the issuance of sanctions upon HON. LOUIS L. STANTON and employees of S.D.N.Y.'s **PRO SÉ INTAKE UNIT** (namely *rdz, mro, tp, aea* and *sc*) for claims involving contempt and conspired retaliatory promissory and collateral discriminatory estoppel (U.S. Const. Am. 5, 14 §1; 18 U.S.C. §§241, 371) (see *Appendix A*), claimed perpetrated in aid of subversion of **PLAINTIFFS'** life in impoverishment, as an accessory after the fact (U.S. Const. Am. 1; 18 U.S.C. §§2, 3) of antitrust claims of Dock. Nos. 19-39 and 19-240 of the Appellate Court, to profit from claims of the illegal reinvested assets of **PLAINTIFFS'** alleged beneficial trust ("Trust LPSW," managed by **PERSHING, LLC, UBS AG and FMR, LLC**); as such claimed illegally reinvested assets are evidenced as being illegally reinvested into the rent stabilized community of *Peter Cooper Village/Stuyvesant Town* ("PCV/ST," of **PLAINTIFFS'** beneficial real property of a claimed illegal eviction), where the *Assets Under Management* of **UBS AG** (with use of Trust LPSW) were reinvested into the *Initial Public Offering* of **PERSHING SQUARE HOLDINGS GROUP, LLC** and further reinvested into the prior trust of PCV/ST (**WACHOVIA BANK COMMERCIAL MORTGAGE TRUST 2007-C30**, including affiliated tranches and foreign **BONDHOLDERS**). U.S. S.Ct. Rule 11, 20.3, 33.2(b), 34;



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Fed. R. Civ. P. 11(c), 16, 37, 42, 54(c), FRAP. 15.1, 16(a), 19, 21(a); Fed. R. Crim. P. 60(b)(2); 5 C.F.R. §1201.43; 5 U.S.C. Ch. 5, Subch. I, §500, et seq. (see *Administrative Procedure Act* and *Ethics in Government Act of 1978*); 18 U.S.C. §§3173, 3174, 3771(d)(3); 28 U.S.C. §§158(d)(2)(A)(ii), (d)(2)(A)(iii), Ch. 16, Ch. 51, 1251(a), 1253, 1254(2), 1361, 1391(e), 1404(a), 1631, 1651(a), 1657, 1927, Ch. 158, Ch. 161. See the appellate docket associated to this matter at Dock. No. 18cv12064(LLS)(SDNY), 19-1392(JAC)(PWH)(JMW). See also the accompanying *Application To Justices Of The Supreme Court Of The United States, In Re.: Cestui Que Steven Talbert Williams v. United States, 18cv12064(LLS)(SDNY), 19-39(2nd Cir. Ct.), 19-240(2nd Cir. Ct.) & Imposed Sanctions Upon Hon. Louis L. Stanton & Pro Se Intake Unit, S.D.N.Y.* See also Immunity Petition. See also *Motion To Vacate Dismissal Order Of Hon. Lois L. Stanton, In Re.: Cestui Que Steven Talbert Williams v. United States, 18cv12064(LLS)(SDNY),* within the filings of the hyperlink. See also *Motion For Injunctive Relief: Sanctions Upon Hon. Louis L. Stanton & Pro Sé Intake Unit,* within the filings of the hyperlink, seeking relief amounts for sanctions and requesting an alternative dispute resolution where defendants will not have to merely perform community service obligations and where the UNITED STATES Government, and society at large, may benefit from numerous revolving real property and securitized accounts, contracted initially with the U.S. Department of Treasury. See also *WILBUR v. UNITED STATES, ex Rel. KADRIE*, 281 U.S. 206, 218 (1930), “to direct the retraction or reversal of action already taken[.]” See also the opinion by Hon. Chief Justice WARREN within *HON. HERBERT L. WILL, J., U.S. N. DIST. CT. OF ILLINOIS v. UNITED STATES*, 389 U.S. 90, 95, 88 S.Ct. 269, 19 L.Ed.2d 305 (1967):

“the writ has been invoked where unwarranted judicial action threatened ‘to embarrass the executive arm of the government in conducting foreign relations,’ Ex parte Republic of Peru, 318 U.S. 578, 588, 63 S.Ct. 793, 799, 87 L.Ed. 1014 (1943)[,]... where it was the only means of forestalling intrusion by the federal judiciary on a delicate area of federal state relations, State of Maryland v. Soper, 270 U.S. 9, 46 S.Ct. 185, 70 L.Ed. 449 (1926)[,]... and where a district judge displayed a persistent disregard of the Rules of Civil Procedure[]... La Buy v. Howes Leather Co., 352 U.S. 249, 77 S.Ct. 309, 1 L.Ed.2d 290 (1957)[,]... And the party seeking mandamus has the burden of showing that its right to issuance of the writ is ‘clear and indisputable. ['] Bankers Life & Cas. Co. v. Holland, 346 U.S. 379, 384, 74 S.Ct. 145, 148, 98 L.Ed. 106 (1953)[.] [highlighting and emphasis added]



In re.: *Cestui Que Steven Talbert Williams v. United States, et al., 18cv12064(LLS)(SDNY), 19-1392(2nd Cir. Ct.)*

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See also U.S. Attorneys Criminal Resource Manual §1064:

"18 U.S.C. § 2521... directs the court to proceed 'as soon as practicable' to the hearing and determination of such an action, and... other action as is warranted before final determination to prevent a continuing and substantial injury to the United States or to any person["]” [highlighting and emphasis added]

See also *EX PARTE UNITED STATES*, 287 U.S. 241, 245, 248, syll. n. 1, 4 (1932):

"[t]his Court has full power in its discretion to issue the writ of mandamus to a federal district court, although... this Court ha[s] ultimate discretionary jurisdiction by certiorari, [wherein] such power will be exercised only where a question of public importance is involved, or where the question is of such a nature that it is peculiarly appropriate that such action by this Court should be taken[... and whereby a] grand jury conclusively determines the existence of probable cause for the purpose of holding the accused to answer." [highlighting and emphasis added]

See also *PALMA v. U.S. INDUSTRIAL FASTENERS, INC.*, 36 Cal.3d 171, 177-180 (1984), citing “*People v. Turner, supra, 1 Cal. 143, 151[.]... 'notice of the application having been given, and copies of the papers served, the court may award either an alternative or peremptory mandamus, according to the exigency of the case.'*” [highlighting and emphasis added] See also *TAM, M.D. v. EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA*, No. 66346 (2015):

"[a] writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station or to control an arbitrary or capricious exercise of discretion.' *Humphries v. Eighth Judicial Dist. Court, 129 Nev., Adv. Op. 85, 312 P.3d 484, 486 (2013)* (quoting *Game Tech., Inc. v. Second Judicial Dist. Court, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008)*)[.]”



PART B – PRAYER FOR RELIEF

3. Damages are sought against U.S.D.O.J.’s ATTORNEY GENERAL, MR. WILLIAM PELHAM BARR (“ATT. GEN. BARR,” in his official capacity) in an amount no less than ONE HUNDRED MILLION DOLLARS, for contempt of conspired retaliatory and discriminatory estoppel, related to antitrust and subversion offenses (U.S. Const. Am. 1, 5, 11, 14 §1; 18 U.S.C. §§401, 1031(c), 1341, 1505, 1513; *Antitrust Civil Process Act*; *Sherman Antitrust Act*). See Immunity Petition. See *Criminal Resource Manual* (“CRM”) §§1725, 1727. See also a *Boston College Law Review* publication¹ (47 B.C.L. Rev. 773 (2006)), entitled “*Redefining Property Under the Due Process Clause: Town of Castle Rock v. Gonzales and the Demise of the Positive Law Approach*” (by Mr. Joel Hugenberger):

“[See Thomas W. Merrill, ‘*The Landscape of Constitutional Property*, 86 VA. L. REV. 885, 955-56 (2000)’], *supra* note 1, at 933 (stating that the Court has wrestled with how to avoid capturing too much or too little property for due process purposes)[,]... a ‘positivist trap’... seek[ing] to define [con]stitutional interests in positive law,....

“[I]n *Logan v. Zimmerman Brush Co.*.... [t]he Court held that... constitutional property is an entitlement grounded in state law that cannot be removed except for cause.[(*Id.* at ‘455 U.S. 422, 430 (1982)’)]...”

“*The Tenth Circuit cited DeShaney v. Winnebago County Department of Social Services*[, ‘489 U.S. at 195; *Castle Rock*, 307 F.3d at 1262,] a 1989 U.S. Supreme Court case holding that the state had no constitutional duty to protect an individual from third-party harm[’]...”

“*The three-judge panel held that the Colorado restraining order’s mandatory enforcement terms and limitation to specific protected persons [cre]ated a procedural due process property interest under the Fourteenth Amendment*[(*Castle Rock*, 307 F.3d at 1263, 1266)]...”

“*The court made clear that the mandatory [lan]guage of a law enforcement statutory provision standing alone could... not give rise to a constitutionally protected property interest*[’ (*Id.* at “1108-09”)]...”

FOOTNOTE 1: Source: “<http://lawdigitalcommons.bc.edu/bclr/vol47/iss4/4>.”



*In re.: Cestui Que Steven Talbert Williams v.
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"The Court [in 'Castle Rock, 125 S. Ct. at 2810 (citing O'Bannotti v. Town Court Nursing Ctr., 447 U.S. 773, 775 (1980))'] reason[ed] on two points: (1)... an 'ascertainable monetary value,' that the Court's 'Roth-type property-as-entitlement' cases [is]implicitly required; and (2) the alleged property interest arises only 'incidentally' out of a government function that government actors have always performed....

*"Sandin v. Conner established a standards-based approach to defining liberty [in]terests. [Id. at '484.'] Indeed, there are easier grounds for distinguishing property and liberty interests; 'new' liberty interests can be seen as freedom from state restraint or punishment, while 'new' property entails an entitlement to a particular government benefit[('Merrill, *supra* note 1, at 964-65; 2004 Term—Leading Cases, *supra* note 7, at 216.')].*

*"Merrill's final justification for a monetary value test is that it brings the due process definition of property more closely in line with the ordinary understanding of property, which, he argues, connotes something of value that enhances individual wealth[('Merrill, *supra* note 1, at 965')].*

*"See Sandin v. Conner[(Id.)]... (replacing the positivist approach to identifying procedural due process liberty interests with an atypical hardship standard)[,... where] 'all interests valued by sensible men' ('Henry Paul Monaghan, Of 'Liberty' and 'Property,' 62 CORNELL L. REV. 405, 443 (1977),... *supra* note 18, at 409; *infra* notes 263-283 and accompanying text.)]...*

"See ['Daniels v. Williams, 474 U.S. 327, 331 (1986),']... (writing that 'the Due Process Clause... was 'intended to secure the individual from the arbitrary exercise of the powers of government— (quot[ing] Hurtado['v. California, 110 U.S. 516, 527 (1884)], 110 U.S. at 527)); Roth, 408 U.S. at 577 (noting that a purpose of property in due process is to protect those claims upon which people rely)."

4. Compensatory and Punitive Damages are sought against **U.S.D.O.J.'s ATT. GEN.**

BARR in an amount no less than **TEN BILLION DOLLARS** (where subversion is seen as enslavement and attempted murder). See Immunity Petition.

5. Damages are sought against **HON. STANTON** (in his individual capacity. See Immunity Petition) in an amount no less than **ONE MILLION DOLLARS**, for contempt of conspired retaliatory and discriminatory obstruction claims related to antitrust offenses (U.S. Const. Am. 1, 5, 14 §1; 18 U.S.C. §§401, 1031(c), 1341, 1505, 1513; 42 U.S.C. §1981; *Antitrust Civil Process Act; Sherman Act*). See CRM §§1725, 1727.



6. Compensatory and Punitive Damages are sought against the **HON. STANTON** in an amount no less than THREE-HUNDRED THOUSAND DOLLARS, including costs and legal fees. See also 5 U.S.C. §552(b)(3), (b)(10), to:

"permit the individual who disagrees with the refusal of the agency to amend his record... establish appropriate administrative, technical, and physical safeguards to insure the security and confidentiality of records and to protect against any anticipated threats or hazards to their security or integrity which could result in substantial harm, embarrassment, inconvenience, or unfairness to any individual on whom information is maintained]." [highlighting and emphasis added]

7. Damages are sought against **rdz, mro, tp, aea** and **sc**, of S.D.N.Y.'s **PRO SÉ INTAKE UNIT** (in their individual capacities. See Immunity Petition), in an amount no less than ONE MILLION DOLLARS (per defendant), for contempt of conspired retaliatory and discriminatory obstruction claims related to antitrust offenses (U.S. Const. Am. 1, 5, 14 §1; 18 U.S.C. §§401, 1031(c), 1341, 1505, 1513; 42 U.S.C. §1983; *Antitrust Civil Process Act; Sherman Antitrust Act*). See CRM §§1725, 1727.

8. Compensatory and Punitive Damages are sought against **rdz, mro, tp, aea** and **sc**, of S.D.N.Y.'s **PRO SÉ INTAKE UNIT** in an amount no less than THREE-HUNDRED THOUSAND DOLLARS, including costs and fees. See *MARTINEZ v. VILLAGE OF MT. PROSPECT*, 92 F. Supp. 2d 780 (N.D. Ill. 2000), in "*Javier Martinez v. Village of Mt. Prospect, No. 96 C 6027... an eight person jury ruled... on both[] discrimination and official custom claims and awarded compensatory and punitive damages totaling almost \$1.2 million.*" See also ¶18 of a *U.S. Equal Employment Opportunity Commission* publication,² entitled "*Enforcement Guidance*:

FOOTNOTE 2: Source: "<https://www.eeoc.gov/policy/docs/damages.html>."



Compensatory and Punitive Damages Available under § 102 of the Civil Rights Act

of 1991" (dated July 14, 1992):

"When the Commission, or an individual, is pursuing a claim on behalf of more than one person, the damage caps are to be applied to each aggrieved individual... "The sum of punitive damages, future pecuniary losses, and nonpecuniary losses may not exceed the damage caps set forth in § 1981A(b)(3). Therefore, punitive damage awards under § 1981A typically will not be "grossly excessive" or 'shocking.' See Rowlett v. Anheuser-Busch, 832 F.2d 194, 206, 44 EPD Par. 37,428 (1st Cir. 1987) (punitive damage award of \$3 million ruled grossly excessive and reduced to \$300,000); Vance v. Southern Bell Telephone and Telegraph Company, 863 F.2d 1503, 1516, 48 EPD Par. 38,626 (11th Cir. 1989) (punitive damage award of \$2.5 million is 'high and rather shocking')."

See also a *Newyorkinjurycasesblog.com* internet publication,³ entitled "Punitive Damages – Recent Cases" (by Mr. John Hochfelder, dated September 15, 2016):

"Cardoza v. City of New York (1st Dept. 2016)... [the] jury awarded 49 year old William Cardoza pain and suffering damages for extensive hand injuries in the sum of \$2,500,000 (previously discussed by us here) as well as punitive damages in the sum of \$1,500,000 (\$750,000 against each of the two involved police officers). The trial judge vacated the award of punitive damages finding that there had been no showing by clear and convincing evidence..."

"The court stated that punitive damages are available in Section 1983 actions 'when a defendant's conduct is shown to be motivated by evil motive or intent, or when it involves reckless or callous indifference to federally protected rights of others.'" [highlighting and emphasis added]

See also *KONOVER PROPERTY TRUST, INC. v. WHE ASSOCIATES, INC.*, No. 2851 (opined by Thieme, J, 2002)

"the jury found that WHE was entitled to an award for prejudgment interest on each of these counts, awarding WHE prejudgment interest of \$206,550.00 on each count... The base amount awarded for damages on the detrimental reliance/promissory estoppel claim is double the amount awarded for each of the other two claims. It follows, therefore, that the prejudgment interest awarded for the detrimental reliance/promissory estoppel claim should also have been double the amount awarded for prejudgment interest awarded on the other counts..."

"Only the prejudgment interest award for the detrimental reliance/promissory estoppel claim would be in need of adjustment..."

"[W]e leave it to the trial court to determine the effect on the total judgment[.]" [emphasis added]

FOOTNOTE 3: Source: "<https://www.newyorkinjurycasesblog.com/2016/09/articles/punitive-damages-1/punitive-damages-recent-cases/>"



9. All damage amounts are sought under the *Legal Tender Clause* of U.S. Const. Art. 1 §10 Cl. 1. 31 U.S.C. §5103. See *GWIN v. BREEDLOVE*, 43 U.S. (2 How.) 29, 38 (1844). See also *GRIFFIN v. THOMPSON*, 43 U.S. (2 How.) 244 (1844). See also a *Yale Lawa Journal* (42 Yale L.J. (1933)) publication,⁴ entitled “*THE GOLD CLAUSE IN PRIVATE CONTRACTS*” (by Mr. George Nebolsine):

*“The American doctrine was thus established that, in the absence of contrary agreement between the parties, an obligation to pay money is to pay that which the law shall recognize as money when the payment is to be made[. ‘See] *Metropolitan Bank v. Van Dyck*,[‘27 N. Y. 400 (1863).]”*

10. All sought after damage amounts, as referenced above, are contingent upon the acceptance of the accompanying *Alternative Dispute Resolution* (“ADR”) proposal, seeking the commencement of a contractual agreement, under the “*economic benefit doctrine*... [D]e *Ennis v. Commissioner*, 17 T.C. 465 (1951); *Johnson v. Commissioner*, 14 T.C. 560 (1950)]”⁵ (U.S. Const. Art. 1 §§5 (business), 8 Cl. 3, 3 §2, Cl. 1), to establish revolving real property fund and securitized investment accounts with the *United States Treasury Department* for “*a quasi-public good*,”⁶ where interest earned by the U.S. Government may recuperate any loss in monetary damage awards; an alternative remedy for convicted individuals, providing for a newly conceptualized moral reform program (as opposed to institutional reform), eliminating the use of a sought after *qui tam* (or other) administrative proceeding.

FOOTNOTE 4: Source: “<https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=3609&context=ylj>.”

FOOTNOTE 5: See a *Journal of Legal Education* (Vol. 65, No. 3, 2016) internet publication, entitled “*Postgraduate Legal Training: The Case for Tax-Exempt Programs*” (by Mr. Adam Chodorow and Mr. Philip Hackney)

Source: “<https://jle.aals.org/home/vol65/iss3/2>.”

FOOTNOTE 6: Source: “<https://www.law.cornell.edu/constitution-conan/amendment-11/state-sovereign-immunity#fn60>.”



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See accompanying *Alternative Dispute Resolution Proposal: Sanctions Upon Hon. Louis L. Stanton & Pro Se Intake Unit, S.D.N.Y.* (“ADR Sanctions Proposal”), within the above provided hyperlink. See also an *American Bar Association* (“ABA”) publication,⁷ entitled “*The Fifth Circuit Accepts Judicial Estoppel as a Basis for Discovery*” (by Ms./Mrs. Monique Sasson, dated June 24, 2013), quoting *REED v. CITY OF ARLINGTON*, 650 F.3d 571 (5th Cir. 2011), “*because judicial estoppel is an equitable doctrine, courts may apply it flexibly to achieve substantial justice.*”

11. Damage awards, as aforementioned, are sought jurisdictionally under Fed. R. Crim. P. 60 (as a victim of crime), where intervention by **U.S.A.G. BARR** (or deputy of) may expedite the proceeding in expectation of achieving a settlement (through the ADR Sanctions Proposal), which may provide for the assignment of a U.S. Magistrate and commencement of pretrial hearings to adjudicate upon axiomatic evidence within the Appellate Court, prior to being remanded to the *Supreme Court of the United States* for certiorari review and order nisi determination (see *Petition For Order Nisi : Hon. Louis L. Stanton & Pro Se Intake Unit, S.D.N.Y.*). See IRM §5.17.5.14(3), “*the Department of Justice provides representation of employees who were acting within the scope of their employment if it is in the interest of the United States to do so. 28 CFR § 50.15(a).*” See also “*Ex. Ord. No. 12866, Sept. 30, 1993, 58 F.R. 51735, as amended by Ex. Ord. No. 13258, Feb. 26, 2002, 67 F.R. 9385; Ex. Ord. No. 13422, Jan. 18, 2007, 72 F.R. 2763; Ex. Ord. No. 13497, §1, Jan. 30, 2009, 74*

FOOTNOTE 7: Source: “<http://apps.americanbar.org/litigation/committees/adr/articles/spring2013-062413-fifth-circuit-accepts.html>.”



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F.R. 6113" (Sec. 4) (5 U.S.C. §601), "to provide for coordination of regulations,

to maximize consultation and the resolution of potential conflicts at an early stage."

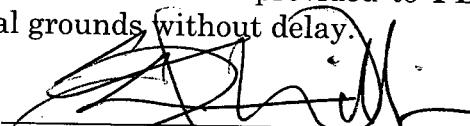
PART I – CONCLUSION

*"Federal courts derive their contempt power from 18 U.S.C. § 401... Contempt comes in two varieties, civil and criminal. The distinction between civil and criminal contempt lies in the purpose of the court's mandate. Civil contempt sanctions are designed to enforce compliance with court orders and to compensate injured parties for losses sustained.' *Downey v. Clauder*, 30 F.3d 681, 685 (6th Cir. 1994) (citations omitted). In contrast, '[c]riminal contempt sanctions . . . are imposed to vindicate the authority of the court by punishing past acts of disobedience.' *Id.* (citations omitted)."*

- CLAPPER v. CLARK DEVELOPMENT, INC., et al., No. 17-4056(U.S. App.Ct., 6th Cir., 2018).

This mandamus is sought for response from **U.S.D.O.J.'s U.S.A.G. BARR** and **N.Y.A.G. JAMES**, in their official capacities over **HON. CHIEF J. MCMAHON**, **HON. STANTON** and employees of **S.D.N.Y.'s PRO SÉ INTAKE UNIT** (rdz, mro, tp, aea and sc) as named defendants (Fed. R. App. P. 21(b)(1), "answer within a fixed time.").

WHEREFORE, the Court shall decide to set aside this mandamus, such notification shall be provided to **PLAINTIFF** with good cause shown, upon sufficient legal grounds without delay.


CESTUI QUE STEVEN TALBERT WILLIAMS (PLAINTIFF, Pro Sé)

October 10, 2019
July 9, 2019
(Date)

2:05 pm
(Time)

Certified Notary Public:

I, Kristin Cherise Bovell, certified notary public of the County of New York, due hereby certify this document as being authentic and have documented **PLAINTIFFS'** identification, as such belongs to the party named above, on this day of 9, in the month of July, of the year 2019.



(Signature)

KRISTIN CHERISE BOVELL
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires September 30, 2024
(Time)
11.

