

19-6593

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Supreme Court, U.S.
FILED
OCT 30 2019
OFFICE OF THE CLERK

NO.-----

IN THE

SUPREME COURT OF THE UNITED STATES

DESHAY DAVID FORD PETITIONER

NO: 19-55397

D.C. NO. 2:19-cv-00522-PSG-SK

VS. RESPONDENT (S) CENTRAL DISTRICT OF
CALIFORNIA

TIMOTY P. WHITE, CHANCELLOR, DR.,
STATE UNIVERSITY OF CALIFORNIA, GARY
KINSEY, DR. PROGRAM DIRECTOR OF DOCTORAL
DEGREE IN EDUCATIONAL LEADERSHIP

ON PETITION FOR WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ON PETITION FOR A WRIT OF CERTIORARI

DESHAY DAVID FORD

ORIGINAL

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1409 HALESIA LANE

OXNARD, CALIFORNIA 93030

TELEPHONE NUMBER: 805-827-9987

QUESTION (S) PRESENTED

1. Violation of the Petitioner's Constitutional and Civil Rights to prevent the Petitioner from filing a law suit against the Respondent (s) which was purposely driven .
Dr. Gary Kinsey director of Program of Educational Leadership did not have no black males nor females on his Administrative staff and no black males and females Professors on his Doctoral Degree programs as instructors.
Dr. Erica Beck President of Channel Islands University Did not have any black males nor females on her Administrative Staff at the University. Both Dr. Kinsey and Dr. Beck encouraged and maintained white racist supremacy staff.
 - A. Law Suit against the Respondent (s) were purposely driven denying the Appellant admissions to a Doctoral Degree Program Respondents in their administrative positions maintain a policies denying black men and women opportunities of employment
 - B. Violation Petitioner's right to access to the United States district Court
 - C. Violation of Petitioner's Right of Free Speech under First Amendment under Constitution, and the Petitioner's Right to petition the Government for a redress of grievance.
 - D. Violated Petitioner's Rights to due Process and Equal Protection Under the 14th. Amendment

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QUESTION (S) PRESENTED

- E. Violated Petitioner's Rights under 42 U.S.C. : 1981
- F. Violation of 42 U.S. C. : 1981 denial of Access to the
The U.S. District Courts.
- G. Granting U.S. Judges authority to Arbitrarily deny Forma Pauperis
without establishing a clear policies and procedures
for U.S. Judges to utilize in denial of forma Pauperis
- H. Granting U.S. Judges dictatorial authority to deny access
to the U.S. district Courts by allowing Judges to deny
access to fair and impartial trials to poor, black, brown
disable people by alleging that their complaints are
frivolous , lack good faith, and have no merit, and
no substantial legal questions.

Petitioner is a citizen of the United States of America pursuant to the
Constitution and the Bill of Rights . He has the rights to bring lawsuits ,
defend lawsuits , give evidence , have access to courts ,and the same
Protections as white citizens (42U.S.C. :1981)

This case represents a historical disturbing systematic patterns in both
State and U.S. Courts in denying Pro Se citizens , poor blacks, browns,
disable citizens their rights to bring lawsuits in forma Pauperis . A
majority of states have vexatious litigant laws to allegedly to deny

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Pro Se litigants from bringing lawsuits that have merit without first obtaining permission from an administrative law judge (Judge Philip Gutierrez, U.S. District Judge, Central District, California) to review the case (D. C. No. 2:19-cv-00522-PSG-SK). Petitioner have been labeled a vexatious litigant in U.S. District Court Central district of California (Judge Philip Gutierrez). Petitioner have filed complaints regarding racial discrimination in the denial of job's opportunities as a result of race being an African-American male. A reasonable observer presented with the facts and data concerning the denial of access to the courts in the U.S. jurisdictions would be convinced that the U.S. courts are engaging in systematic campaign to deny the access to the U.S. courts to poor and destitute Litigants from black, brown, disable citizens who cannot afford attorneys and filed their lawsuits in Pro Se. The United States' Constitution when it was enacted in 1787 made slavery legal in the New Republic (Article IV, Section 2, Provision 3, : No person Held to service or labor in one state, under the laws thereof, escaping into another , shall , in consequence of any laws or regulation therein, be discharged from such service or labor , but shall be delivered up on Claim of the party to whom such service or labor may be due. George Washington , Thomas Jefferson could keep their slaves.

In 1857 Chief Justice Roger B. Taney ruled in the Dred Scott's Decision that Black People were not citizens and they were property under the Constitution of 1787 (Article IV, Section 2, Provision 3). In 1215 the The English Barons force King John to accept the Magna Carter and under the British common Law the English's Court granted access to the courts to poor English citizens . The English courts did not place obstacles in the way of poor English citizens from having access to justice and trials in the Royal Courts of England. In the Case of Somerset V. Stewart , 1772, Lord Mansfield decision in the Somerset and Stewart Case was that the British common Law prohibited slavery. Therefore, Somerset was not a slave under the English Common Law. Therefore , all of the Founding Fathers who met in Philadelphia in 1787 who were slave holders had to free their property who were African slaves. In 1833 the British empire Abolished all slavery throughout the British Empire. The Petitioner who is a descendant of slaves was denied access to the U.S. district Court by Judge Gutierrez and denied his request to proceed In forma Pauperis in clear violation of the Petitioners' rights under the 8th Amendment,, the 14 Th Amendment, clauses of Equal Protection, and Due Process of Law. In the Rhodes V. chapman 's decision the Court held that the Federal Courts emphasized that the U.S. Courts have a duty

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to remedy Constitutional violations. In the case of
Neitzke V. Williams , 490, U.S. 319, (1989) ,Justice Marshall
delivered the opinion of the court, “ The question presented
Is whether a complaint filed in forma Pauperis which fails to
State a claim under Federal Rule of Civil Procedure 12 (b) (6)
Is frivolous within the Meaning of 28 U.S.C. : 1915 (d). Judge Marshall;
the Answer , “ We hold, is NO .” In the case of Neitzke V. Williams,
490, U.S. 319,(1989), The court held that a complaint filed in forma
Pauperis is not automatically frivolous within the meaning of :1915 (d)
because it fails to state a claim. Therefore, the judgment of the court of
Appeals is accordingly, Affirmed. Judge Gutierrez alleging that the
Petitioner lawsuit (19-55397,), No. 2:19-cv-00522 PSGSk ,
was frivolous, lack merit, lack good faith, no substantial
legal question , and Judge Gutierrez dismissed the Petitioner’s
lawsuit was a clear violation of the Appellant’s rights to due Process
and Equal Protection under the 14th Amendment , First Amendment,
of Freedom of Speech. As an African-American and a descendant
of American’s slaves my legal rights to access the Courts for a hearing
was clearly violated by Judge Gutierrez denying my request to proceed
in forma Pauperis and to label my lawsuit as frivolous and without merit
was a clear effort to deny the Petitioner access to the U.S. district Court.

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THE UNITED STATES COURT VIOLATE

RIGHTS OF AMERICAN CITIZENS RACE, CLASS PREJUDICE

In the case of Buck V. Bell , 274, U.S. 200, (1927) was a Supreme court's ruling written by Justice Oliver Wendell Holmes, Jr. in which Justice Holmes held that a state permitting Compulsory sterilization of the unfit , including the intellectually disabled, for the protection and health of the state " did not violate the due Process Clause of the 14th Amendment. Oliver Wendell Holmes further stated that " Society must protect itself from the " Imbecile and the intellectually Inferiors." Judge Holmes's statement concerning Ms. Buck's mental Intelligence was clearly prejudice, bias, class racism toward

the poor, and vulnerable citizens in our society . I feel that Judge Gutierrez manifested similar prejudice toward Mr. Ford a poor Black 71 years old poor citizen. In the case of Korematus V. United States, 323,U.S. 214 (1944), Justice Hugo Black Wrote the Majority opinion, he " stated because of the military urgency in the Situation demanded that all citizens of Japanese ancestry be Segregated from the West Coast temporarily and placed in Concentration camps as a result of they being a security threat to the security of the nation. President Carter commissioned an investigation in 1977 and the commission determined that the Japanese Community was not a security threat. The reason they were Placed in concentration camps were as a result of their race. The Supreme court engaged in clear racism against the Japanese

Community for the clear purpose of taking their land and property. The Supreme court Placed a hold on capital punishment throughout jurisdictions in the United States in 1972 In the case of Furman V. Georgia, 408, U.S. 238, (1972), the court held that the imposition of death Penalty in these cases constituted cruel and unusual punishment and violation of the constitution. The courts' jurisdictions throughout the U.S. was executing black and brown men as a result of their race, culture, and being poor and destitute. The Petitioner believes that the courts denying poor black, brown, disable, and poor people access to the U.S. District Courts is a clear violation of their rights under the 14th Amendment, and First Amendment rights to Due process, Equal protection, and the First Amendment Rights to freedom of Speech. The denial of access to the U.S. District Court by Judge Gutierrez was a violation of the petitioner's rights under the 42U.S.C. :1981 denial of access to the U.S. courts by Judge Gutierrez.

THE SUPREME COURT HAS HISTORICALLY
ESTABLISHED LEGAL PRCEDURE FOR CASES
REGARDING FORMA PAUPERIS AND WHAT IS
FRIVOLUS LAWSUITS

In the case of Gideon V. Wainwright, 373, U.S. (1963), is a land mark case U.S. Supreme Court History. The Supreme court unanimously ruled that states are required under sixth Amendment of the U.S. constitution to provide attorneys to defendants in criminal cases who are unable to afford their own attorneys. The Supreme Court established a procedure to address a major problems that poor people could not afford attorneys as a result of their poverty.

All citizens regardless of their race, color, economic status have legal rights to access the the courts. Under 42 U.S.C. :1981 , All persons within the jurisdictions of the U.S. shall have the same rights in every state and territory make and enforce contracts, be parties, give evidence , and have equal benefits of the laws and proceedings and access to the all courts.

In the case of Miranda V. Arizona, 384, U.S. 436, (1966) , this case was a land mark decision in that the Supreme court ruled that a suspect in police custody muse be informed of their rights to

Consult with an attorney before and during questioning. They must be informed of their rights against self-incrimination. In this historical case the Supreme Court established a legal

Procedure for poor accused to have an attorney when they are too poor and in poverty to afford legal counsel. The Petitioner was too poor to afford an attorney and he had to file his case in Pro Se Litigant. The poor should not be prevented from addressing their grievance as a result of their poverty.

U.S. District Judges should be provided with clear rules and legal language wherefore, they can apply to the lawsuits before them ,wherefore they can decide a legal issue without violating the Petitioner's rights under the 14th amendment, clauses of Equal Protection, and Due Process of Law, First Amendment, rights to free speech, 42 U.S.C. : 1981, the 1964 Civil right Acts, racial discrimination against litigants of color, black, brown, nationality, culture, disabilities, sex, age, and economic condition (poor white people).

In America of 2019 as a poor black man I am still a slave. I do not have any rights under the white Constitution of 1787 (Article IV, Section 2, Provision 3). Black people are murdered everyday in the U.S by the white police departments. Judge Gutierrez dismissed my lawsuit without granting me a hearing to ascertain whether or not my case had merit. Judge Gutierrez he arbitrarily and capriciously dismissed my lawsuit without giving me a chance to present my case to determine whether or not my lawsuit had merit, frivolous, lack good faith, and presented a substantial question of law. The Defendants are all rich white men with outstanding lawyers. I am a poor descendant of black slaves with no legal rights as recognized by Judge Gutierrez and the rich white men that Judge Gutierrez was making an extra efforts to assist them with their case. The U.S. District Courts are the only institutions in society that can provide justice for the poor. The poor do not have the funds to obtain access to the courts without the financial help through the process of forma Pauperis. The Petitioner did not file his lawsuit for the purpose of just filing a lawsuit. The Petitioner as a black man applied to a doctoral degree program at the State University of California where the decision-makers were all white people .

Dr. Gary Kinsey do not have no black males and females on his administrative staff. Dr. Kinsey do not have any black males and females professors teaching in his doctoral program. Dr. Erica Beck President of Channel Islands University do not have any black males and females on her administrative staff. The lack of black males and females on their staff raised the question of racial discrimination in employment and selection of their administrative staff composition . I knew that an all white interviewing panel was not going to admit a black man into a doctoral degree program.

The United States Supreme Court in the 1896 case of Plessey V. Ferguson ,163, U.S. , 537(1896), the Supreme court up held the Constitutionality of racial segregation laws for public facilities were equal in quality a “doctrine that came to known as “ Separate But Equal.” The facilities in the U.S. were not equal. The states did not fund the Negroes schools at the same rate they funded the white public schools. In 1954 in the Case of Brown v. The Board Of Education, Topeka ,Kansas the Supreme Court ruled that the Separate But Equal Doctrine was unconstitutional . The Supreme Court established a process to make public education equal. The Supreme Court fulfilled their Mandated of Constitutional duty by establishing a procedure that all courts and jurisdictions in the U.S. can utilized in establishing Equal Justice in establishing equal public facilities In every public school in the U.S.

The Supreme court must establish a legal procedure that all of the Judges in the Courts throughout the U.S. can utilize in forming their decisions regarding Pro Se litigants ‘s request for Forma Pauperis and for the Judges applying the Supreme Court’s legal established procedure for rending decisions regarding denial of granting Forma Pauperis, and deciding whether or not the litigants lawsuits are frivolous, lack merit, good faith, and have a substantial question of law.

The British’s Common Law and Magna Carta provided access to the royal Courts to all English Citizens . All British’s citizens could have access to the courts although , they did not have the funds to pay for the access. In in the U.S. poor ,black, brown, and disable U.S. citizens who live in poverty cannot access the U.S. Courts. The U.S. is the only Democratic Country that poor citizens

are denied access to the courts as a result of their poverty. The U.S. Courts have established a policy that deny access to the courts to poor people.

In the British's case of *Somerset V. Stewart*, 1772, in Lord Mansfield ruled that there was a prohibition against slavery in the British's common Law. Lord Mansfield's decision

had the historical effect of making slavery illegal throughout the British's Empire. The American's Colonies were part of the British's Empire in 1772. All of the Founding Fathers were owners of thousands of African-Slaves. George Washington, Thomas Jefferson, James Madison, and Andrew Jackson (President began a policy of racial extermination of Native People, 1836, Trail of Tears) had on their plantations thousands of black people as slaves. The Revolutionary War of 1776-1781 was a war about the preservation of the institution of slavery of people of African race.

When the Founding Fathers met in Philadelphia in 1787 they wrote a Constitution that protected the rights of white men to own and preservation of their rights to buy and sell their property which was black slaves. They placed a provision in the new Constitution of 1787 for the specific Purpose for the preservation of the institution of slavery (Article IV, Section 2, provision 3, "If your property run away to another state George Washington, Thomas Jefferson had a Constitutional rights as the owner of the property which were slaves, to go to the free state and Obtain their property and return their property to Virginia a slave state." Roger B. Taney the North Carolina Chief Justice of the Supreme Court (R. B. Taney, owned hundreds of slaves on his North Carolina Plantation) held in the *Dred Scott* Case of 1857 that *Dred Scott* was property and he was not a citizen of the New Republic which was consistent with the New Constitution of 1787, Article IV, Section 2, Provision 3. The specific purpose of the new Constitution of 1787 was the protection of the rights of Rich white Men. The Constitution of 1787 did not grant any rights to my descendants who were slaves to George Washington, Thomas Jefferson, James Madison, and their white racist descendants Dr. Gary Kinsey, Dr. Erica Beck, and Dr. Timothy P. White (*Dred Scott*, 1857, *Furman v. Georgia*, 1972,

Plessey V. Ferguson, 1896, and Buck V. Bell, 1927,) .African-Americans and Latinos have been subjected to white racist murder (Young white man drove 600 miles from Dallas, Texas to El Paso, Texas and murdered 22 Latino People as a result of their color or race, August 22, 2019) lynching, killing and murdering by white racist police officers all over the U.S. daily. The Constitution of 1787 was specifically written for the purpose of granting exclusive rights to the white man and his white

White woman's rights not for the protection of people of color. Dr. Gary Kinsey, Dr. Timothy P. White, and Dr. Erica Beck were provided rights under the Racist Constitution of 1787. The Petitioner was not provided any rights under the Constitution of 1787. Dr. Timothy P. white, Dr. Gary Kinsey, and Dr. Erica Beck all of these white privileged people benefitted from the white Racist, apartheid, segregated system and the Petitioner is subjected to denial of opportunities to improve his life by being admitted into a doctoral program. The Defendants denied the Petitioner admissions to a doctoral program as a result of his age , race, and sex. The Petitioner was interviewed for the doctoral program on 2/7/2018 by an all white racist Interviewing Panel. Dr. Kinsey, Dr. Beck did not have any black males nor females on their administrative staff. Dr. Kinsey and Dr. Beck both made a racist decisions to not hire black persons for their administrative staff. Judge Gutierrez in his rush to dismiss the Petitioner's lawsuit he did not grant a descendant of slaves the opportunity for a hearing before he dismissed the descendant of slave's lawsuit on March 7,2019. Poor descendants of slaves are denied access to the U.S. courts in violation of their rights under the 14th amendment, and First Amendment rights to Free Speech in the U.S. court by the Judges alleging that their lawsuits are frivolous, lack merit, good faith, and lack substantial legal questions. The denial of access to the U.S. district Court is a clear case of Institutional Racism by the Judges

to deny black, brown, disable people access to the U.S. District Courts in violation of their rights under the 14th amendment, and the First Amendment rights of Free Speech (Discrimination in the U.S. courts, Buck V. Bell, 1927, Korematus V. U.S. 1944, Furman V. Georgia, 1972, where Judges were Prejudice and bias toward the Petitioners).

THE LEGAL QUESTION BEFORE THE SUPREME COURT IS WHETHER OR NOT THE PETITIONER A DESCENDANT OF SLAVE HAVE A CONSTITUTIONAL RIGHT UNDER

THE 1787 CONSTITUTION A RIGHT TO ACCESS THE COURTS IN AMERICAN?

The denial of the Petitioner's his 14th Amendment , and First Amendment Rights to Due Process, Equal Protection, and Free Speech rights the Supreme Court will have CROSS THE RUBICON AND THEIR NO WAY BACK (DENIAL OF DESCENDANTS OF SLAVES ACCESS TO THE U.S. COURTS WILL BE THE BEGINNING OF THE END OF THE THE REPUBLIC (JULUIS CAESAR CROSSING THE RUBICON MARKED THE END OF THE Roman REPUBLIC).

African-Americans have been in the U.S. for four hundreds years. We have been subjected to lynching, killing, murdering, racial genocide, extermination, holocaust, denial of job opportunities, denial right (2019 voter id in All of the Sothern States) mass incarceration, police racial profiling, and racism in the Criminal Justice System. African slaves build the White House the Washington Mall, and Lady Liberty on the top of the Capital Building. Slaves built George Washington's home and the home of Thomas Jefferson (Furman v. Georgia, 1972) . France Scott Key the South Carolina Lawyer who wrote the National Anthem was a racist supremacy . Key's career as an attorney was devoted to the preservation of the Institution of slavery. Washington and Jefferson and the rest of the Founding Father enacted a Constitution in 1787 that ratified and enacted legal protection for the racist Institution of slavery (Article IV. Section 2, and provision 3, which guaranteed Washington and Jefferson that they had legal protection to keep their property which was their slaves. America is the only nation in history that all of their

symbols that represent their democracy were built by black slave laborers.

The great legal question before the United States Supreme Court is will the court deny access to the U.S. Courts to the descendants of African Slaves?

This court therefore, must act to hear this cases.

THE QUESTIONS PRESENTED ARE:

(A). Violating Petitioner's Constitutional Civil Rights under the First Amendment Free Speech,

14th Amendment Rights to Due Process and Equal Protection, and 1964 Civil rights Acts that prohibits discrimination in race, age, sex, as a result of the Petitioners color being a black male.

(B) Violation Petitioner's Access to the United States district Courts, which guaranteed Under the 14th Amendment, First Amendment, the fifth Amendment, deprived of Due process of Law and denied opportunity for inquiry of witnesses and the presentation of evidence.

(C) Violating the Petitioner's right to access the U.S. District Courts.

(D) violating the Petitioner's due Process rights

(H) Violating the Petitioner's right under 42 U.S.C. : 1981, Rights to Access the U.S. Court

(E) Violating the Petitioner's requests to Forma Pauperis under the 14th Amendment, Clauses of Due Process and Equal Protection.

(F) Violating the Petitioner's rights by demanding that a poor black man without the financial means to pay \$605.00 filing fee to access the U.S. district Court (NAACP V.

Button, 1963) the court ruling that a civil right group could not be barred from soliciting People to serve as litigants in Civil Rights cases. The Court declared litigants may well be the the sole practical avenue open to a minority to petition for a redress of grievance. 28U.S.C.

Section 1915 (d) allows a District Court to dismiss an In forma Pauperis action , if it is

PARTIES TO THE PROCEEDING

Petitioner, Deshay David Ford an individual , citizen of the United States filed a lawsuit as an indigent and a poor destitute American living on social security and a small income. The Petitioner filed his lawsuit In forma Pauperis as a result of not being able to afford to Pay the filing fee. The Petitioner is a black American who was granted his rights under The Constitution of 1787 as a result of the enactment of the 14th Amendment in 1865. Petitioner was also provided the rights to request that he file his lawsuit under 42U.S.C. 1981 Which provided the all Americans are granted the right to access the U.S. courts,

the right to present evidence, to sue, give evidence, to be a parties to lawsuits. In 1865 The Republican Congress enacted the 14th Amendment which granted citizenship to the Black people who were subjected to slavery by George Washington, Thomas Jefferson, James Madison, and all of the New Republic Founding Fathers who were all slave owners at the time of enactment of the Constitution of 1787 . The 14th Amendment granted citizenship to all of the black people who were slaves in the American's Institution of slavery. The 14th Amendment clauses of Equal Protection and due Process of Law provide the slaves the rights to access the U.S. Courts in all Jurisdictions .The Purpose of the 14th Amendment as envisioned by the Republican's Congress was that the 14th Amendment would provide the right to trials and access to the U.S. Courts for all of the black people who were subjected to the Institution of slavery.

Judge Gutierrez violated the Petitioner a descendant of slaves his right to access the U.S. district Court, under the 14th Amendment, Equal Protection, and Due Process of Law, also Violated his rights to free speech under the First Amendment of the Constitution .

... to include the Petitioner's request that he file his lawsuit under 42U.S.C. 1981 to question the

RELATED CASES

1. NAACP V. Button, 371, U.S. 414, (1963)
2. Cruz V. Betó, 405, U.S., 319, 321, (1972)
3. Neitzke V. Williams, 490, U.S. ,319, (1989)
4. Heffron V. International Soc. For Krishna Consciousness, Inc. ,452, U.S. 640, 649 (1981)
5. Somerset V. Stewart, 1772
6. Watson V. Ault, 525, F.2d, 886, 891, (5th Cir. 1976)
7. Adkins V. E.I. Du Pont de Nemours and Co. 335,U.S. 339, 5th Cir (1948)
8. Bracy V. Gramley, 520, U.S. 899, S.C.T. (1997)
9. Gideon V. Wainwright ,372, U.S. 335 (1963)
10. Miranda V. Arizona, 384, U.S. 436, (1966)

11. Plessey V. Ferguson, 163, U.S. 537, (1896)
12. Brown V. board of Education Topeka, 347, U.S. ,483, (1954)
13. Buck V. Bell, 274, U.S. (1927)
14. Madrigal V. quilligan,639,F.2d, 789(9th. Cir. 1981)
15. Korematsu V. United States, 323, U.S. 214, (1944)
16. Dred Scott V. Sandford, 60 U.S. 393, (1857)
17. Furman V. Georgia, 408, U.S. 238 (1972), No. 69-5003
18. Truax V. Corrigan, 257, U.S. 312, (1921)
19. Griffin V. Illinois, 351, U.S., 12 (1956)

- 20. Mayer V. Chicago, 404, U.S., 189,92, SCT. ,410, 30 L. Ed 2d, 372, (1971).
- 21. Norvell V. Illinois, 373,U.S. 420, 83, S.C. ,1366,10L Ed 2d 456, (1963)
- 22. Douglas V. California, 372, U.S. 353, 83, SCT. 814, 9L Ed 811, (1963)
- 23. People V. Brown, 55 Cal. 2d64, 71, 357 2d(Concurring Griffin V. Illinois, (1956)
- 24. Eskridge V. Washington, 357,U.S. ,214,78 S.CT. 1061, 2L Ed 1269, (1958)
- 25. Bearden V. Georgia, 461, U.S. 660, 103, S.CT.,2064, 76L. Ed, 221, (1983)
- 26. Windsor V. MCveigh, 93, U.S. 274, 277, (1876)
- 27. Baldwin V. Hale, I Wall, 223, (1964)
- 28. Hovey V. Elliott, 167, U.S. 409, (1897)
- 29. Mullane V. Central Hanover Tri. Co. ,339,U.S. 306 (1950)
- 30. Hammon Packing Co. V. Arkansas, 212, U.S. 322, 351, (1909)

- 31. Armstrong V. Manzo, 380, U.S. 545, 557, (1965)
- 32. Mullane V. Central Hanover Tri. Co. Supra., Covey V. town of Somers, 351, U.S. (1956)
- 33. Griffin V. Illinois, 351, U.S. 12, (1956)

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INDEX TO APPENDICES

1. APPENDIX A, United States Ninth Circuit court of Appeals , September 20,2019 ,
 28 U.C.S.C. : 1915 (e) (2), dismissed appeal as frivolous and all motions are moot,
 "Dismissed."(NO. 19-55397), D.C. 2:19-cv-00522-PSG-SK .

2. Appendixes B, United States District Court , Central District of California,
 March 7,2019 ,the dismissal would be with prejudice as this would be second time
 Plaintiff failed to pay the filing fee as ordered (Dismissal with prejudice) (19:00cv-522-
 PSG-SKx), Dismissed on March 7,2019, by Judge Philip S. Gutierrez.

CONTINUATION APPENDIXES

3. Appendixes, C, United States District Court , Central district of California.
 On March 1,2019, Court denied Plaintiff Deshay David Ford 's request to proceed in forma
 Pauperis and ordered him to pay the filing fee within 30 days or the case would be dismissed.
 Currently before the Court Plaintiff's second request to proceed in forma Pauperis for
 Reconsideration of the Court's order denying in forma Pauperis status. Dismissal would be with
 Prejudice this second time Plaintiff failed to pay the filing fee as ordered. (2:19-cv-00522-PSG-SK)

4. Appendixes D,, Judge Philip s. Gutierrez , denying second requests to proceed in forma Pauperis.

It was recommended by Magistrate Judge Steve Kim that the request to proceed in proceed

In Forma Pauperis be denied, for inadequate showing of indigency ,further ordered that

Plaintiff shall pay the filing fees in full within 30 days or this case will be dismissed,

2/6/2019, (2:19-cv-00522-PSG-SK)

5. Appendixes E, U.S. Court of Appeals, Ninth Cir
Filed on October 15,2019, Mandate Court issued pursuant to Rule 41 (a)

Of the Rules of Appellate Procedure (No. 19-55397, D.C. 2:19-00522-PSG-Sk

6. Appendixes F, , Dr. Ronald Perelman, Medical Evaluation , work's

Injury on 9/26/2018.

Appendixes B, Since then, Plaintiff has filed two more requests in forma Pauperis , a renewed Motion for Reconsideration , and a motion to disqualify Judge Philip S. Gutierrez ; See DKts. # 23-25,30.

Plaintiff 's motions to disqualify was referred to Judge John A. Kronstadt, who denied the Motion. See DKts. #28-29.(March 1,2019)

Having read and considered Plaintiff's moving papers, the Court Denies Plaintiff's renewed

Requests to proceed in forma Pauperis (DKts.#23,30) and motion for reconsideration (Dkt# 25).

because the due date for paying the filing fee has passed and Plaintiff has not yet paid, the Court Dismisses the case with prejudice. Accordingly, Defendants Timothy White and Gary Kinsey 's motion to dismiss (Dkt. #11) is Rendered Moot and the hearing set for April 8,2019 is Vacated. This order closes the case. The Clerk is directed not to accept any More filings in this case. IT IS SO ORDERED.

The Court previously denied Plaintiff in forma Pauperis is status in an earlier case raising the Same claims as this case and later dismissed the case without prejudice when Plaintiff failed To pay the filing fee. See No. CV18-7637PSG (SKx), DKts. # 7,17 .

TABLE OF AUTHORITIES CITED

1. Truax V. Corrigan, 257, U.S. 312 (1921)

Chief Justice William Taft the Law abridged the Due Process Clause of the 14th Amendment by depriving the owner of his property and violation of Equal Protect. Petitioner Ford was deprived of his rights to access the Court and his rights to a trial and property a doctoral degree to earn a living.

2. Griffin V. Illinois, 351, U.S. 12, (1956), alleviate discrimination against those who are unable to meet the cost of litigation in the Administration

OF CRIMINAL JUSTICE.

3. Mayer V. Chicago, 404, U.S. 189, 92, Sct. 410, 30L. Ed2d (1971) ,Illinois legislature Authorized free transcripts for indigents.
4. Norvell V. Illinois , 373, U.S. , 420, 83, S.C.1366, 10L. Ed 2d,456, (1963), Court held That it was a violation of 14th Amendment to deprive a person because of his

- Indigency any rights of appeal afforded all other convicted Defendants.
5. Douglas V. California ,372, U.S. 353,83, S.Ct. 814, 9L Ed (1963), , (Griffin v. Illinois, 351, (1956), People v. Brown, 55 Cal. 2d64, ,71, 357,, concurring, We held that a state may not grant appellate review in such away as to Discriminate against some convicted defendants on account of their Poverty.
 6. Eskridge V. Washington, 357, U.S. 214,78 S.Ct. 1061, 2L Ed 1269 , (1958), (Griffin V. Illinois, 351, U.S. (1956), Court held that a state denies a constitutional Right guaranteed by 14th Amendment if it allows all convicted defendants to have Appellate review except those who cannot afford to pay for the records of their trials.
 7. Bearden V. Georgia ,461, U.S. 660,103, S.Ct.2064,76L Ed, 221, (1983), over a century ago Justice Black declared that “ there can be no equal justice where the kind of trial a man gets depends on the amount of money he has (Griffin V. Illinois, 351, U.S. (1956).
 8. Windsor V. McVeigh, 93, U.S. 274,277, (1876) Baldwin V. Hale, 1 Wall, 223(1864), Hovey V. Elliot, 167, U.S. 409, (1897), the court voiced the doctrine that where ever one is assailed in his person or property, there he may defend.” The theme that “ due process of Law signifies a right to be heard in one’s defense.”
 9. Mullane V. Central Hanover, Tri. Co. 339, U.S. 306, (1950) , Hearing requires Due Process, Under the 14th. Amendment.
 7. Mullane V. Central Hanover, Tri. Co. 339, U.S. 309 ,(1950), The rights to a meaningful Opportunity to be heard within the limits of practicality muse be protected against denial By particular laws that operate to jeopardize it for particular individuals. (Griffin V. Illinois,

351, U.S. 12 (1956), It was the requirement of a transcript beyond the means of the indigent that blocked access to the judicial process.

8. Miranda V. Arizona, 384, U.S. (1966), The poor and indigents must be informed of their rights to Incrimination, must informed their rights to consult with an attorney before questioning, make certain suspect understanding their rights, under the 14th Amendment Clauses of Due Process and Equal Protection. This is very true for the poor who cannot afford an attorney.
9. Brown v. board of Education of Topeka, 347, U.S. 483, (1954) Separate and Equal is a Violation of the poor minorities rights to Equal Protection and Due process of The law that they must have access to public facilities including access to the Courts.
10. Neitzke V. William, 490, U.S. 319, (1989), The question presented is whether a complaint filed In forma Pauperis which fails to state a claim under Federal Rule of Civil Procedure 12 (b)(6) Is automatically frivolous within the meaning of 28 U.S.C. : 1915 (d). The answer is, "NO".

Timbs V. Indiana U.S. No.-1091, Supreme Court, U.S. Supreme court, Associate Justice Ginsberg Held that Excessive Fines are a violation of the 8th Amendment through the 14th Amendment. Justice Ginsberg further stated that Excessive Fines has a hardship on the poor and indigents. A majority of the Justices concurred with her opinion. In Timbs V. Indiana, U.S. (2019).

11. Gideon V. Wainwright, Supreme Court, (1963) The poor accused could not afford legal counsel. Denial of attorneys to poor and indigent violation of their rights Due Process and Equal Protection 14th Amendment .

STATUTES AND RULES

1. 42 U.S.C. 1981, Petitioner's right to access the Courts should not be abridged.
2. 14th. Amendment Rights under the due Process and Equal Protection clauses
3. Cruz V. Beto, 405, U.S. 319, 321, (1972), To petition government for redress of grievance include access of the prisoners to the Courts.
4. Heffron V. International Soc. Krishna Consciousness, Inc. 452, U.S. 640, 649, (1981)
Warning of the more covert forms of discrimination that may result when arbitrary Discretion is vested in some government authority. U.S. district Judges in denying Informa Pauperis, and labeling complaints of the poor indigents as frivolous and Lack merit , good faith, lack a question of substantial law, And dismissing the lawsuits.
5. NAACP V. button, (1963) , poor minorities are denied access to the courts by barring Them from soliciting litigants in Civil rights cases for the purpose redressing their Grievances.
6. Beyer V. Cormier, 235, F.3d , 1039, 7th Cir (12/22/2000), We concluded that the district Court Relatively short dead line, the absence of a minimal extension, and the dismissal with Prejudice constituted an abuse of discretion by the district Court. The case was remanded For further proceedings.
7. First Amendment of Constitution: Congress shall make no laws respecting an establishment of Religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or the Press , or the right of the people peaceably to assemble, and to petition the Government for Redress of grievance. (Denial of Petitioner's right to free speech in the U.S. district Court

8. Fifth Amendment to Constitution, Nor be deprived of life, liberty,, or property, without Due process of Law. Petitioner was denied his legal right to a trial in the U.S. district Court.

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR THE WRIT OF CERTIORARI
PETITIONER RESPECTFULLY PRAYDS THAT A WRIT OF CERTIORARI ISSUE TO REVIEW THE
JUDGMENT BELOW.

OPINIONS BELOW

For Cases from federal courts:

Appendixes A,(2:19-00522-PSG-Sk

1. The opinion of the United States Court of Appeals appear at(Appendixes E)

The Petition and is Ninth circuit September 20,2019, Dismissed appeal on 28U.S.C. :

1915 (e)(2), As frivolous all motions are moot dismissed (cv-522-PSG(SKx)

Has been designated for publication but is not reported or published.

Appendixes B,

2. United States District Court Central Court of California March 7,2019,(Appendixes B)

Dismissed with prejudice this second time Plaintiff failed to pay the filing fee.

As ordered dismissed with prejudice. (Judge Philip S. Gutierrez, cv-00522-PSG (SKx).

Has been designated for publication but is not yet reported

Appendixes C, 2:19-00522-PsG-SK

3. U.S. district Court Central Court of California , on February 8,2019, J. Gutierrez ,
)

Denied request tp proceed in forma Pauperis and ordered him to pay filing fee

Within 30 days, Plaintiff's second request for in forma Pauperis,

Appendixes D (2: 19-00522-PSG-SK

4. United States District Court, C. California , second request to proceed in forma Pauperis.

It was recommended by Magistrate Judge Steve Kim that second In Forma Pauperis
Be denied. Further ordered that Plaintiff pay filing fee within 30 days; case will be
Dismissed on 2/6/2019.(Appendixes 4)

CONTINUATION OF :OPINIONS BELOW

Appendixes B ,2:19-00522-PSG-SK

5. United States district Court Central district California, Judge Gutierrez in his chambers,
Plaintiff's motions : Re: Motion to proceed in forma Pauperis deny request to proceed in
forma Pauperis, Motion for Reconsideration of motion to proceed in forma Pauperis
is denied. Plaintiff must pay fee no later than March 7,2019 , or case will be dismissed
with prejudice.(Appendixes C) 2:19-cv-00522PSG -Sk . Entered on March 7,2019.
6. Appendixes B, 2:19-00522-PSK-SK
United States District Court Central District California, Warning : Case closed :
The court dismisses the case with Prejudice by Judge Gutierrez. Having read Plaintiff's
Renewed request for in forma Pauperis the court denies Plaintiff's renewed request to

Proceed in Forma Pauperis the tie for paying the dues or filing fee the case is dismissed
With prejudice.

Appendix C, United States District Court, Central district of California, Judge Gutierrez
In his chambers dismissed the Plaintiff's case with prejudice on March 7,2019,
2:19-cv-00522-PSG-SK. Hearing set for April 8,2019 is vacated this order is CLOSED.

Appendix D, (Appendixes 1 see Appendixes 1, and 7 the same) The Ninth Circuit Court

of Appeals, dismissed the Plaintiff's case Pursuant to 28 U.S.C. : 1915 €(2) , dismiss this
Appeal as frivolous, All other pending motions are denied as moot.

JURISDICTION

This cases from Federal Courts

The date on which the United States court of Appeals decided my case
was September 20,2019 (2:19-cv-00522-PSG-Sk)

No Petition for rehearing was timely filed in my case.

Petitioner did not request an extension of the file the Petition of Writ Of Certiorari.

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

There were no cases from the State Courts.

CONSTITUTIONAL AND STATURY PROVISIONS INVOLVED

1. 42 U.S.C. : 1981, The Petitioner's right to Access the United States Federal Courts,

The Petitioner's rights to present evidence in court, sue , and a trial in the U.S. Courts.

2. The Petitioner's Rights under the 14th Amendment to Equal Protection, and Due Process which was abridged by the U.S. Judge in the U.S. district Court By denying the Petitioner's right to access the Court.
3. Violation of the Petitioner's Rights of Free speech under the First Amendment under the Constitution. The Rights to confront his The defendants and present evidence for a redress of his grievance.
4. Violation of the Petitioner's Rights under the 1964 Civil Rights Acts, Prohibits racial discrimination in public facilities (Access to the Courts), Sex, age, and race discrimination, the Petitioner is a 71 years old black Male.
5. Heffron V. International Soc. For Krishna, Consciousness, 452, U.S. 640, 649, (1981)

Warning of the more covert forms of discrimination that may result when arbitrary discretion is vested in some government authority Judge Philip S. Gutierrez that deny a poor black man access to the U.S. district Court.

6. Violation of the Rights of the poor and indigent persons under the rights Under the 14th Amendment, Clauses of Equal Protection, and Due Process of Law. Discrimination against people who are poor and indigents, and persons with disabilities. By denying them a legal right to access the U.S. Courts. By alleging that their complaints Ate frivolous, and lack merit, good faith, no substantial question of law.
7. Judge Gutierrez denied the Petitioner as legal right to secure or borrow the filing Fee, Beyer V. Cormier, 235, F. 3d 1039, 7th Cir. 12/22/2000, the absence of minimal

extension to borrow the filing fee and Judge Gutierrez dismiss the case with Prejudice.

8. Cruz V. Beto, 405, U.S. 319, 321, (1972), The right to petition the government for Redress and grievance in the U.S. Courts.
9. Violation of the Petitioner 's rights under the Fifth Amendment rights to not Be deprived of life, liberty, without process of law, Petitioner's right to Trial in the U.S. district Court was denied by Judge Gutierrez on March 7, 2019. Violation of the Petitioner's rights under the 1972, Education Act , Title IX, denying

a poor black man his protection under law that prohibits discrimination in educational Programs funded by the Federal Government, by denying him a hearing that Defendants Dr. Kinsey, White and Beck denied the Petitioner admissions to a doctoral Program in Educational Leadership as a result of his race, sex, and age.

Norvell V. Illinois , 373, U.S. 420, S.C. (1963), Court held that was a violation of 14th Amendment to deprive a person because of his indigency of any rights to appeal.

10. Mayer V. Chicago, 404, U.S. 189, 92, S.Ct. (1971) The court held that Illinois Courts provide the poor with free Transcripts. In Timbs V. Indiana, 2019, Associate Judge Ginsberg held that the poor was hurt by the Excess fines under The states giving actions of excess fines. The 14th Amendment extended Protection to citizens under the who had been given excessive fines. The 14th Amendment made action by the state a violation under the 8th Amendment Provision of excess fines. The poor and indigents could not afford to pay the Excessive fine imposed on them by the states.

11. The 14th Amendment provided the rights to access the courts to all descendants of Under the Due Process and Equal Protection clauses. The 1865 Congress goals were To provide all of the rights under the Constitution which were granted to white people to their former slaves under the 14th Amendment. The most important right was the rights to access the courts, present evidence, and sue to protect their rights under the Constitution of 1787.

STATEMENT OF THE CASE

The Petitioner on 11/115/ 2017 applied a Doctoral Program in Educational Leadership at the State University of Fresno, California. Dr. Gary Kinsey white male the Program Director continue a history of e-mailing the Petitioner that he had not completed submitting all of his documents (Transcripts and other documents). The Petitioner was contacted by Ms. Valeri Cirino-Paz as instructed by Dr. Gary Kinsey. The Petitioner felt that as result of Dr. Kinsey e-mailing the Petitioner he believed that his concern was about his race, sex, and age (Petitioner 71 years old) black male. Dr. Kinsey did not have no black males nor females on his administrative staff. Dr. Kinsey did

Have no black males nor females on his academic professors teaching at his Doctoral of Educational Leadership program. On or about January of 30,2018 the Petitioner filed a complaint of racial discrimination with The United States Department of Education Civil Right Office. I had also Informed Dr. timothy P. White the Chancellor of the State University

of California. Dr. white never contacted until I filed the complaint

With the OCR, U.S. Department of Education (NO: #09-18-2250).

The U.S. Department of Education gave me the right to file a lawsuit

of racial discrimination, age, sex, and race. On 2/6/2018 Ms. Valeri Cirino

Paez called me at my home at 9:30 P.M. to schedule and interview with

Dr. Kinsey and his all white Interviewing Panel for 2/7/2018 at 9:45 A.M. for the

morning of 2/7/2018. Ms. Paez informed me when she called my home at

9:30 P.M. that Dr. Kinsey had instructed her to call me to arrange an interview

for his Doctoral Program. When I filed my complaint with U.S. Department of

Education OCR Ms. Michele Logan-Stern, Deputy Attorney General of California

was the assigned investigator for State of California of my complaint.

Ms. Logan-Stern informed me after she had completed her investigation that

Dr. Kinsey's all white Interviewing Panel had a meeting 30 days before

Ms. Paez had called my home on 2/6/2018 and they had denied me admissions

to their doctoral program. When Ms. Paez called my home on 2/6/2018 the

all white Interviewing Panel had decided to deny me admissions on

January 6,2018. They had already denied me admissions when they interview me

on February 7,2018. I had asked Dr. Kinsey that I would like a person of African-

American race on the Interviewing Panel. When I reported for their interview on February 7, 2018 the Interviewing Panel were all white people. I asked Dr. Kinsey were they serious about granting me admissions to his Doctoral of Educational Leadership Program. Dr. Kinsey stated " that they were very serious about admitting me a black male who was 71 years old to program.

The Petitioner filed a complaint with U.S. Department of Education title IX of the Education Acts that prohibited racial discrimination in programs that received Federal funding, the 1964 Civil Rights Acts that prohibited racial discrimination,

Age, sex, (Petitioner 71 years old black male). Dr. Kinsey did not have no black males nor females on his administrative staff and he did not have no black males nor females on his professor teaching staff at his Doctoral Program in Educational Leadership. Dr. Kinsey , and Dr. Erica Beck at the State University at Channel Islands did not have no black males nor females on their staff.

Dr. Kinsey, nor Dr. Beck had not made any efforts at securing black males and females for their Educational Programs. Both maintained clearly racial programs where they deliberately denied black males and females Job opportunities as a result of their race.

On January 19, 2019 the Petitioner filed his complaint at the U.S. District Court.

Judge Philip Gutierrez was assigned the Petitioner's lawsuit. The Petitioner filed his lawsuit

In Forma Pauperis as a result of him being retired and living on a small security of \$569.00 per month and a small retirement of \$ 760.00 per month. The Petitioner were surviving below the U.S. poverty line for a male who had a family of four people. The Petitioner requested to proceed in forma Pauperis. Petitioner submitted his documents for the U.S. Court outlining his lack of financial ability to pay the court filing fee. Judge Gutierrez denied the Petitioner's request to proceed in Forma Pauperis on 2/6/2019, (Appendixes C, Judge Steve Kim stated that the Petitioner " Inadequacy Showing of indigency poverty. On February 2,2019, Appendixes B, Judge Gutierrez gave the Petitioner 30 days to pay the filing fee. Appendixes B, Judge Gutierrez again gave the Petitioner 30 day to pay The filing fee and if not paid within 30 days case would be dismissed with Prejudice. Appendixes 8, Judge Gutierrez gave the Petitioner 30 days to pay the filing fee. If not paid case would be dismissed With Prejudice .On March 7,2019, Appendixes B, Judge Gutierrez dismissed the Petitioner's case with Prejudice. Judge Gutierrez never gave the Petitioner an opportunity to hear his complaint.

Judge Gutierrez alleged in his dismissal Appendixes ,B. March 1,2019, Judge Gutierrez stated in Petitioner's request to proceed in forma Pauperis is dismissed with Prejudice. Judge Gutierrez Stated that petitioner must pay the fee no later than March 7,2019. Judge Gutierrez stated In his dismissal that it was the second time Plaintiff had failed to pay the filing fee, therefore, his case is dismissed with prejudice. In the case of *Norvell V. Illinois*, 373, U.S. 420, SCt. The court held that it was a violation of 14th Amendment to deprive a person rights court. In *Griffin V. Illinois*, 351, U.S. 12, (1956), It was declared the a transcript was beyond the means of the indigent it would block their access to the Court. In the case of *Griffin V. Illinois*, 351, U.S. 12, (1956), The court begin to make efforts to alleviate discrimination against those who are unable to meet the costs of litigation in the criminal justice administration. In *Gideon V. Wainwright*, (1963) the United Supreme court held that the poor and indigents could not afford their Legal attorneys. Therefore, the Court held that Attorneys to be provided to the poor and indigents. In *Timbs V. Indiana*, 2019, Associate Justice Ginsberg ruled that the poor could not afford the Excessive Fines under the 8th Amendment. The 14th Amendment provide protection to poor

and indigents who cannot afford the Excessive Fines. Therefore the 14th Amendment made the 8th Amendment applicable to the actions of the State. In the *Brown V. Board of Education Topeka*, 347, U.S. 483, (1954), The court held that Public facilities cannot be denied to persons as a result of their color. Therefore, poor and indigents people cannot be denied access to the U.S. District Courts. In the case of *Neitzke V. Williams*, 490, U.S. (1998), The court stated " is whether a complaint filed In forma Pauperis is which fails to state a claim under Federal Rule of Civil Procedure 12(b)(6) is automatically frivolous within the meaning of 28 U.S.C. : 1915 (d) the Court's answer" We hold "NO". Judge Gutierrez denial of the Petitioner's request to proceed in forma Pauperis was a clear violation of the Petitioner's rights of Due Process and Equal Protection under the 14 Amendment. Judge Gutierrez violated the Petitioner's rights to free Speech under the First Amendment under the Constitution. Further Judge Gutierrez violated the Petitioner's rights under 42 U.S.C. 1981, his right to access the U.S. District Court. The British Royal Courts under the Magna Carta granted access to the Royal Courts to citizens who could not pay for the access to justice under the British's Common Law.

In the case of *Miranda V. Arizona*, 384, U.S. 436, (1966) the Court held that poor indigent people could not afford attorney during questioning they must be provided attorneys, and informed of their rights during custodial interrogation . The Court realized that poor and indigents litigants cannot afford attorney like the rich (Dr. Timoty P. White, Dr. Gary Kinsey, and Dr. Eria Beck). The Petitioner is a poor indigent litigants who could not afford the filing fee of the U.S. District Court. Judge Gutierrez denial of the Petitioner's request to proceed in Forma Pauperis and the Ninth circuit Court violated the rights of poor and indigent litigants to access the U.S. Court. The Petitioner further states that to give U.S. Judges the authority to declare Petitioners' Lawsuit as frivolous, lacking merit, good faith, and having no substantial legal questions is clearly dictatorial and arbitrary and without authority under the Constitution and the 14th Amendment, First Amendment 42U.S.C. " 1981, access to the courts, and the history of British's Common law in which our legal system was modeled.

REASONS FOR GRANTING THE PETITION

The Petitioner submit this petition to the Honorable Supreme Court for your legal Consideration of the following legal issues. (1) The poor and indigents litigants cannot afford obtain any justice in the American Legal System without some financial assistance from the United States District Courts and the Supreme Court. Poor people cannot access the legal system without the Judges in the District Court being able to apply a formula that the Supreme Court established. In the Gideon V. Wainwright(1963) the Supreme Court established a criteria that is followed Universally throughout all jurisdictions in the American Justice System. All poor indigent people who cannot afford an attorney the State and the Courts will appoint you an attorney. In the Case of Miranda V. Arizona U.S. (1966) the Supreme established a legal procedure that established the rights for all suspects who were in police custody. All persons must be provided an attorney if they could not afford an attorney. All persons must be informed of their legal rights against self-incrimination, must be informed of their rights under the Constitution. In the case of Griffin V. Illinois, 351, U.S. 12 (1956) this case marked a significance effort by the court to alleviate discrimination against those who are unable to meet the costs of litigation. In the case of Novell V. Illinois, 373,U.S. 420, 83, S.C. 1366,10 L Ed 456, (1963) , the court held that it was a Violation of the 14th Amendment to deprive a person because of his indigency of any rights of appeal . In the case of Neitzke V. Williams, 490, U.S. 319 ,(1989), the question presented is whether a complaint filed in forma Pauperis which fails to state a claim under Federal Rule of Civil Procedure 12 (b)(6) is automatically frivolous within the meaning within the meaning of 28 U.S.C. : 1915 (d). The court answer, we hold , is "NO.". The Petitioner filed his complaint in forma Pauperis and his requests were denied on every occasion. Judge Gutierrez held that the Petitioner was not poor enough to be grant his requests to proceed in forma Pauperis. Judge Gutierrez gave the Petitioner two times to pay the filing fees and the Petitioner was too poor to pay for justice in the

United States Courts. The Petitioner is a descendant of slaves and the 14th Amendment was enacted in 1865 to provide Constitutional rights to the African slaves AND ACCESS TO THE COURTS.

All poor people in American cannot access the U.S. Courts unless the Supreme Court establish a legal measure to be used by all of the Federal Judges in the all of the jurisdictions in the American Courts that judges can used in formulating their decisions regarding the legal issue of denying or granting poor blacks, Latinos, and disable people who incomes are very limited.

The Petitioner believes that the 14th Amendments, Clauses of Equal Protection, and Due Process were violated by the District and the Ninth Circuit Court of Appeals denied the the Petitioner access to the courts. The District Court and The Ninth Circuit Court of Appeals violated the Petitioner's rights under the First Amendment Right to Free Speech.

Petitioner's Constitutional under the 14th Amendment, Due Process, Equal Protection, first Amendment rights to free speech, and 42 U.S.C. 1981, the legal right to access the United States Courts. Were abridged by the District and the Ninth Circuit Court of Appeals .

The Supreme Court the top court of the land must establish standards for the lower courts to use in denying poor people, disable people, black and brown people who are the U.S. citizens who Cannot afford the filing fees to obtain access to justice in the United States Courts, and State Courts in all jurisdictions throughout the United States.

CONCLUSION

The Petitioner is a poor black man the descendant of African Slaves who his descendants were granted the legal rights and protection of the Constitution in 1865 under the 14th Amendment . This Descendant of slaves is requesting that the Supreme Court grant those legal

protections to the disabled, the poor, indigents and immigrants. The Petitioner is asking the Supreme Court to establish legal guidelines to be used by all courts in the United States to mandate their decisions in regards to denying the poor's request to proceed in forma Pauperis. Further to develop legal guidelines for Judges to use in render their decisions regarding 28U.S.C.1915 (d) dismissing lawsuits of the poor by alleging that their complaints were frivolous, lack merit, lack good faith, presented no substantial legal question.

The United States Supreme Court in their decision in the case of Korematsu V. U.S., 323, U.S. 214, (1944) was a landmark U.S. Supreme Court case upholding the internment of Japanese Americans during World War II. Scholars have criticized the decision as racist and prejudice denial of Japanese American Citizens of their rights under the 14th Amendment Clauses of Equal Protection and Due process of Law. The U.S. Court made an error in violating the 14th Amendment rights of American citizens of Japanese heritage as a result of their race.

In the case of Buck V. Bell, 274, U.S. 200 (1927), Justice Oliver Wendell Holmes held that the state's Statutes permitting compulsory sterilization of the unfit, including the intellectually disabled, for the protection and health of the state did not violate the Due process Clause of the 14th Amendment of the Constitution. Associate Justice Oliver Wendell Holmes was clearly prejudice toward the lower class Poor and the unfit and intellectually disabled citizens of American. The petitioner plead with the Supreme Court to undo the decision against the poor, the disabled, and grant them their requests to proceed in Forma Pauperis and access the United States Courts. Do not continue to permit to all of U.S. District Courts to use 28U.S.C. 1915 (d) to dismiss the complaints of the poor by labeling their complaints as frivolous, lacking merit and good faith, and without questions of substantial law. Please establish guidelines in law wherefore, the Judges at the U.S. District Courts can used in assessing complaints

that are submitted by the poor, disable, black, and brown poor citizens. Do not continue to allow Judges to use their prejudice and biases in dismissing the complaints of poor disable, black, and brown citizens. In the history of the decline of civilizations always occurred when the poor were not granted redress of their grievances (The Old Russian Empire under the Czar, 1905, 1917 ,Communists coming to power, The French's Empire under King Louis Xv, The Soviet Union of 1989). When American's Courts deny access to the courts to the poor, disable, black, and brown citizens it will mark the end of the American's Republic.

THE PETITON FOR WRIT OF CERTIORARI SHOULD BE GRANTED

RESPECTFULLY SUBMITTED

Deshay David Ford

PETITIONER : DESHAY DAVID FORD

DATE October 30, 2019

OCTOBER 30, 2019