

23-5267

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED  
JUN 03 2023

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

Dana Lunn — PETITIONER  
(Your Name)

vs.

United States distnct court — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States district court for the eastern  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)  
district of michigan  
PETITION FOR WRIT OF CERTIORARI

Dana Eugene Lunn  
(Your Name)

1950 Waltham St  
(Address)

Detroit, MI  
(City, State, Zip Code)

(313) 799-4870  
(Phone Number)

**QUESTION(S) PRESENTED**

1. Why was my case dismissed w/o my knowledge?
2. Why did the officers ignore my medical bracelet & condition?
3. Why did the officers ignore my request to use the restroom?
4. Why is it that the courts did not take my condition into consideration?
5. Why was I never allowed to see the video of the incident?
6. Why was I offered a "settlement" of \$500 if there was no wrong doing?
7. Why was I never allowed to tell my story in court?

## **LIST OF PARTIES**

[ ] All parties appear in the caption of the case on the cover page.

[ ] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

## **RELATED CASES**

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

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

**OPINIONS BELOW**

[ ] For cases from **federal courts**:

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

[ ] reported at \_\_\_\_\_; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

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

[ ] reported at \_\_\_\_\_; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

[ ] For cases from **state courts**:

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

[ ] reported at \_\_\_\_\_; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

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

[ ] reported at \_\_\_\_\_; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

## JURISDICTION

For cases from **federal courts**:

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

No petition for rehearing was timely filed in my case.

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

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

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

For cases from **state courts**:

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

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

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

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

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

I'm stating to the court system for this new appeal. Why is it that they never let me come to court. This all started to the best of my knowledge that I can remember when the officer came to my truck. I was somewhat coming out of my seizure he said to me open door on going to break your window within that time I can remember opening the door and then they were putting my hands behind my back not given me time to say anything as an officer he should try to figure out what was wrong with this young man if he couldn't really respond. I'm just saying that's the last thing I remember now that it gets to this point and I'm reading some of the paperwork on what their statements are that I finally get in what they're saying because they never gave me the video that I requested for and I've been asking for and I've been asking for it for years. Yes I somewhat remember asking them can he release the pressure of these handcuffs can you give me my medication what is going on why you guys in my yard and can I use the restroom. But for an officer to reply. The way he did was unnecessary. Why they did not never want to bring me to the stand. I do not know. But back to the vehicle I can figure out why was I on the floor in the back of the patrol car. It was like begging for mercy. How did they get me to the police car did the told me in the back. Why was on the floor. I've been having my medical bracelet on for years. It was the summer time I'm asking him to give me my medication. He understood that I was blacking out. He didn't have, since to check me or check my wrists when he put the handcuffs on that type and see this big metal bracelet that I had on medical bracelet that is, instead of choosing me to be drunk. I had to beg him to take me to the hospital. Once I got to the hospital big and him numerous times that was receiving hospital on Saint Antoine in Detroit, which to made me still laying on the floor in the back seat of the police car was a long, bumpy ride made me urinate on myself when we get there. That's when he asked me I'm going to losing your handcuffs not being a professional. If you really will look at my bracelet, he would've knew that I was on a medical care. So now we are in the hospital they took blood but in the process they handcuffed me to the bed. Then they came back and gave me medication then officer Jeremy sat right there and try to drill me then he got up and the other officer came in office. They keep using him as John Doe why I do not know they sometimes use his name in the paper work officer Jeremy went out. A little later he came back in, he makes a statement to me. Can we work something out. I stated what is it to work out you guys treated me badly I'm still in a daze they release the handcuffs from the bed. No doctor ever came in and told me you cannot drive for six months. You want a restriction they did not put the handcuffs behind my back. This time they put them in front of me. They put me in the police car and took me home gave me a ticket and released me. I was not charged for drinking and driving are nothing the offices never showed up to court I went down to the eleven precinct to get my gun back and asked for the tape. The Sergeant at the desk never gave me his name but he looked at the tape and made a statement when you walk into the car you like you were drunk. How can you accuse me of something and you were not there. They gave me hell. How can you assume something when you don't know the full facts of everything at this time I really don't know what they did to me how they got me in the back. I way to hundred and sixty pound if I'm having a seizure not an easy person to move around. I'm a wide shoulder person. My height is five seven in a police car in the back seat is not a lot of space to this day I have to go back on the fifteenth of May and I've been trying to avoid

surgery because these hand braces that I have to wear every day I'm sorry at night is irritating. Sometimes I can't hold my grandchild will pick up the the pain is irritating and what went on, or how they got me in that I lost my hearing on the left side. No man should go to that person and why the judge dismissed my case without seeing no one gave me no reason my life. I didn't know people with disabilities supposed to suffer . I do not mean to jump from one thing to another. I apologize. I had to brain tumor operation I speak as things come to me and no I'm not using that as an excuse but the attorney I had never kept me up to par, so I have to sue him for legal malpractice. His name is Howard Yale Lederman. He didn't tell me that the judge was dismissing my case, he acted as though he didn't have the time to tell me anything because the city of Detroit sent me a letter on a settlement of five hundred dollars that was an insult and already lost my hearing and I have to go in seven date for hand surgery or my wrists not my hands as laser surgery. I am tired of search how be fifty-nine years old in July. I hope I explained enough. And one more thing. How can a judge dismissed a case by not never seen me or never having me medically exam or anything and just and dismiss my case one more thing I do not understand as a person. If you notice that I kept blacking out and you are officer and you have me handcuff in the back on the floor when you have the common decency to call the EMS these are some of the things that I noticed by me reading through the paperwork.

Dana Lunn thank you

### STATEMENT OF THE CASE

As I was driving one evening, I experienced a seizure. I was able to pull over - while going through my medical episode, I was approached by a police officer. Rather than asking if I was ok or needed assistance or check my medical bracelet that was clearly on my wrist (I am prone to seizures), they assumed I was drunk.

The officers refused to give me my medication - which was in my vehicle. They were rude & abusive - I was arrested under the assumption that I was a drunk driver. I was handcuffed & thrown on the floor in the back of a police car. After asking several times, I was finally taken to Detroit Receiving Hospital.

While there, I was handcuffed to my bed & watched like a criminal. Once I was finally able to see a Dr. it was confirmed that I had indeed experienced a seizure & I was NOT drunk. It was only then that they took off the handcuffs.

The officers then took me home - still in handcuffs asking if "we could work something out" - no apology offered at all. I have been falsely accused of being drunk, treated rudely & harshly, embarrassed (they let me urinate on myself in the car) and they handcuffed me to a bed!!

I've never been allowed to see the video of the incident and never been given my day in court.

I am on a fixed income & medical disability. Since the incident, it has been difficult to do simple things; take care of my home & comfortably pickup my grandchildren. I've had wrist & shoulder surgery which I attribute to this incident.

I want my day in court, I want the video of this event shown & the officers held accountable.

## REASONS FOR GRANTING THE PETITION

1. I was falsely accused of a crime when I was experiencing a medical emergency.
2. I've never had access to the video after the incident - I've made several requests
3. I want my day in court, to tell my story
4. I have been mistreated by the D.P.D. - I have several friends, retired & current police officers but this incident has shaken my faith in the system
5. I need to understand why I was offered \$500 if I committed a crime.

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Dana Lunn

Date: June 18<sup>th</sup>, 2023