

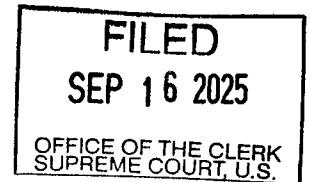
25-5742

PETITION FOR WRIT OF CERTIORARI

ORIGINAL

IN THE SUPREME COURT OF THE UNITED STATES

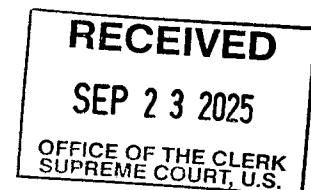
ZACHARY CROUCH,)
117 Church Street)
Columbia, SC 29201)
Tel: 702-843-3457)
Petitioner,)
v.)
THE UNIVERSITY OF TENNESSEE)
Office of the General Counsel)
505 Summer Place – UT Tower # 1155)
Knoxville, TN 37902)
Respondent.)



On Petition for a Writ of Certiorari to

United States Court of Appeals for the Sixth Circuit, Case No. 25-5010

[Oral Argument Requested]



QUESTION(S) PRESENTED

The questions presented for review include whether state sovereign immunity can be and should be applied to unofficial acts and the Constitutional right of Freedom of Speech. This is a question of law, *de novo*, because when the Constitution of the United States or laws of the United States directly contradict a law or statute of the State of Tennessee, a decision must be made to make clear boundaries of what details of the civil proceedings will agree with the Constitution of the United States and laws or statutes of the State of Tennessee. Specifically, in this proceeding the law or statute of the State of Tennessee is sovereign immunity. On the other hand, the Constitution of the United States has the right to Freedom of Speech and denounces itself as the Supreme Law of the Land. Also, the Constitutional right to Freedom of Speech contradicts state sovereign immunity laws as well because you cannot simply enforce both at the same time unless new laws are created.

LIST OF PARTIES

[X] 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 proceedings in the court whose judgment is the subject of this petition is as follows:

RELATED CASES

There were no related cases found to this case.

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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 A 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 B 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 June 18, 2025.

☒ No petition for rehearing was timely filed in my case.

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

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

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

☐ For cases from **state courts**:

The date on which the highest state court decided my case was _____.
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 .

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

FILING DATES OF THE APPEAL

The United States Court of Appeals for the Sixth Circuit made a judgment on the civil case no. 25-5010 on June 18, 2025. This petition for writ of certiorari was submitted to the Supreme Court of the United States on September 16, 2025. This filing date of the appeal falls within the 90-day time period to file the appeal to the Supreme Court of the United States.

ENUMERATION OF ERRORS

- 1) The United States Court of Appeals for the Sixth Circuit wrongfully affirmed the judgment of the United States District Court for the Eastern District of Tennessee which dismissed this case due to sovereign immunity.

STATEMENT OF THE ISSUE PRESENTED FOR REVIEW

Whether the United States District Court for the Eastern District of Tennessee erred in dismissing the counts listed in the complaint of civil no. 3:24-CV-316-KAC-DCP on December 2, 2024. To wit, the United States District Court for the Eastern District of Tennessee erred in granting sovereign immunity to The University of Tennessee for ignoring the Constitutional right granted by the founding fathers of the United States of America, namely the right to Freedom of Speech.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The First Amendment of the Constitution of the United States of America states,

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

STATEMENT OF THE CASE

In the underlying administrative proceedings, the United States District Court for the Eastern District of Tennessee ruled that the University of Tennessee has sovereign immunity and cannot be sued. However, all the Respondents' acts of freedom of speech impingement, treason, genocide, negligence, and fraud are inherently unofficial. Silencing others to speak their opinion, obstructing justice when Constitutional rights are stolen from Americans, pushing those who are not the straight white male into poverty, ignoring the needs of a student, and advertising that they do not discriminate when they do are not part of their official business as a public university.

Several sovereign immunity cases have been heard, and the sovereign immunity rules are overturned by judges. For example, US District Judge Tanya Chutkan ruled that Donald Trump is not entitled to absolute presidential immunity against criminal charges over his efforts to overturn the 2020 presidential election. Specifically, the judge wrote, "Trump's four-year service as Commander in Chief did not bestow him the divine right of kings to evade the criminal accountability that governs his fellow citizens."

Immunity cases have been heard and seem to follow the bias of the judges. However, any immunity of any kind of any person or entity is inherently unconstitutional.

STATEMENT OF THE FACTS

- (1) Zachary Crouch was fired because of his comment on the tuition bill. This is clearly a violation of the First Amendment of the Constitution, Freedom of Speech. Zachary Crouch's grandfather, Russell Charles Deno, served in the United States Navy sacrificing his life to protect the Constitution of the United and the freedoms which were stolen by the United Kingdom dictatorship. Now comes the dictatorship of the State of Tennessee to deny a United States Navy Veteran's grandson rights as a citizen of the United States of America.
- (2) The University of Tennessee uses their tyranny of the State of Tennessee, namely Sovereign Immunity, to commit treasonous acts against the United States of America and the Constitution of the United States of America.
- (3) The University of Tennessee uses their tyranny to send those people who are not favored, such as Zachary Crouch, into poverty through termination of their employment through discriminating methods.
- (4) Zachary Crouch asked for financial help and even a deferment of payment at a later date. This simple request was denied by the university's greed and selfishness. The University of Tennessee was negligent in helping a student at the University of Tennessee become successful.
- (5) Zachary Crouch was fired due to his sexual orientation, which the University of Tennessee is covering up through not mentioning that they fired due to sexual orientation, but because Zachary Crouch confronted the financial aid department at the University of Tennessee for not making the success of the students a priority. The University of Tennessee states they do not discriminate against the LGBTQ community. However, they

only state this to receive millions of dollars in federal funding. What the University of Tennessee does is they fire people of the LGBTQ by looking at their Facebook profiles. Once their identity is discovered, they devise ridiculous reasons to fire these individuals. The University of Tennessee has a record of hating the LGBTQ community. For instance, people are regularly called “Faggots” around campus and officials do nothing and think it’s funny. Another example is when the gay bar, “Carousel” was next to the University of Tennessee campus. The homophobic Board of Directors received reports from donors that hated that the gay bar was next to campus and received donations to remove the bar. Incidentally, the owner of the bar received millions of dollars from the University of Tennessee to sell the bar. The gay bar was bulldozed and now the place where the LGBTQ community at the University of Tennessee where they could fill welcome is a parking lot that can hold 20 parking spaces.

SUMMARY OF ARGUMENT

**THE UNIVERSITY OF TENNESSEE DOES NOT HAVE SOVEREIGN IMMUNITY
OF THIS CIVIL MATTER.**

The University of Tennessee is trying to claim Sovereign Immunity for the State of Tennessee against the Constitution of the United States of America. These protections are only valid in matters for laws that originated in the State of Tennessee. Furthermore, sovereign immunity is only valid for official acts. The acts done by the University of Tennessee were clearly unofficial.

ARGUMENT

SOVEREIGN IMMUNITY IS UNCONSTITUTIONAL.

Article VI of the Constitution of the United States of America states the following,

“All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.”

This article means that even if there is a state law which allows for sovereign immunity, it states in the Constitution of the United States federal law is the supreme law of the land and the state law does not have precedence of laws in the Constitution of the United States of America.

The 14th Amendment of the Constitution of the United States of America states the following,

“Section 1

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3

No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to

support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4

The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5

The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.”

This amendment means that all people are subject to jurisdiction of any laws of the land. It also means that all people should have the privilege to sue anyone whom they wish. Further, it states that no state shall deny a person its protection of the laws. In simpler terms, it clearly states that if all people are subject to jurisdiction, and a state is a sum of said people, then a state is subject to the jurisdiction of the laws of the land as well. Finally, it states that no state shall deny a person protection of the laws of the land. In this case, Zachary Crouch had a contract of employment entered as the law of the land. Claiming sovereign immunity is clearly unconstitutional as it grants people the opportunity to escape the jurisdiction of the laws of the

land. Furthermore, it denies Zachary Crouch's constitutional right to allow for justice and compensation for denying a student his Constitutional right to Freedom of Speech, treasonous acts against the Constitution of the United States of America, genocide, fraud, and negligence.

SOVEREIGN IMMUNITY IS NOT FOR UNOFFICIAL ACTS.

- 1) The University of Tennessee proceeds to dismiss the freedom of speech infringement, treason, genocide, fraud, and negligence civil lawsuit on the basis of sovereign immunity.
- 2) The Respondent's official business is the University of Tennessee, for which some types of immunity may be claimed. However, the University of Tennessee is being sued for matters outside of the university for which immunity is not absolute. The University of Tennessee denied Zachary Crouch the right to voice his opinion and express his Constitutional right of Freedom of Speech and then fired Zachary Crouch for doing so. Thus, this civil lawsuit does not allow for such immunities since it is well outside the scope of the duty as a college.
- 3) For example, if the University of Tennessee had killed a student, there is no civil and or criminal lawsuit with which they can apply an immunity because this behavior is not included as an educational duty and is not included with their pay. Likewise, the University of Tennessee acted selfishly, in their own interest, to condemn a student's language written in an email and fired the student for expressing their Constitutional right of Freedom of Speech. According to *Stump v. Sparkman* 435 U.S> 349, 356-57 (1978), a judge will not be deprived of immunity because the action he took was in error, was done maliciously, or was in excess of his authority; rather, he will be subject to liability only when he has acted in the 'clear absence of all jurisdiction.' Clearly the University of

Tennessee, if proven guilty of these crimes, acted in clear absence of the law and with disregard to Constitutional rights and federal and state laws.

- 4) Since the University of Tennessee is not being sued for its educational duty as paid by the University of Tennessee and they acted independently and driven by hatred and corruption to deny a student's right to Freedom of Speech, the University of Tennessee is being sued in a personal capacity.
- 5) For example, the United States Supreme Court ruled that presidents have immunity in official acts but no immunity in unofficial acts.

FREEDOM OF SPEECH AND OTHER CONSTITUTIONAL RIGHTS SUPERCEDE SOVEREIGN IMMUNITY.

- 1) When 2 laws directly contradict each other in the courtroom, one law super cedes the other. Constitutional rights have long super ceded laws of states.
- 2) The Constitutional right of Freedom of Speech super cedes sovereign immunity of a state.

REASONS FOR GRANTING THE PETITION

- 1) The Constitution of the United States of America is under attack.
- 2) To undermine the Constitution of the United States of America is treason.
- 3) The University of Tennessee had no right to fire Zachary Crouch for using his Constitutional right of Freedom of Speech.
- 4) This case is no different than other cases against universities where the university lost the case and was not allowed immunity to set ablaze the Constitution of the United States.

CONCLUSION

For these reasons, Zachary Crouch requests the Supreme Court of the United States grant the petition for a writ of certiorari.

Respectfully Submitted,

_____

ZACHARY CROUCH

Petitioner

Date: September 16, 2025