

25-6044

No. _____

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED

OCT 28 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

DON ANGELO DAVIS — PETITIONER
(Your Name)

vs.

HUTCHESON, et al., — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO
THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

DON ANGELO DAVIS E-31869
(Your Name)

FOLSOM STATE PRISON
P.O. BOX 715071 3-A4-26
(Address)

REPPESA, CALIFORNIA 95671
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

1st

DID THE DISTRICT COURT ABUSE ITS DISCRETION GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT IN SAYING THAT THERE IS NO GENUINE ISSUE AS TO ANY MATERIAL FACT, AND THAT THE OPPOSING PARTY DID NOT PRODUCE A FACTUAL PREDICATE FROM WHICH THE INFERENCES MAY BE DRAWN... SEE RICHARDS V. NIELSEN FREIGHT LINES, 602 F. SUPP 1224, 1244, -45 (E.D. CAL. 1985). aff'd, 810 F.2d 898, 902 (9th Cir 1987)

2nd

DID THE DISTRICT COURT OVER LOOK DEFENDANT'S OWN ADMITION. THAT HE MIGHT HAVE THROWN PLAINTIFF'S WRITTEN NOVEL AWAY. WHEN IN FACT PLAINTIFF'S PROPERTY WAS INVENTORIED IN PROPER PERSPECTIVE MARCH 1st 2019, SO IT WAS NO REASON FOR AN AGES OFFICER SUCH AS THE DEFENDANT TO THROW ANYTHING AWAY... WHEN FOR 4 YEARS DEFENDANT CLAIMED THAT HE NEVER SAW OR TOUCHED A BOOK OR SAN, BUT NOW ARGUES THAT DISPOSAL OF PLAINTIFF'S CARDBOARD BOOK, WHICH APPEARED TO BE TRASH, SERVED A LEGITIMATE PENOLOGICAL, SPECIFICALLY THAT OF MAINTAINING CLEANLINESS IN THE PRISON. SEE RHODES V. ROBINSON, 408 F.3d 559, 567-68 (9th Cir 2005). SEE MONELL V. DEPT OF SOCIAL SERVS, 436 U.S. 658 (1978); RIZZO V. GOODE, 423 U.S. 362 - (1976). A.

3rd

DID THE DISTRICT COURT FAIL TO FOLLOW FACTS RELATED TO EXHAUSTION OF ADMINISTRATIVE REMEDIES, AND DENY PLAINTIFFS COMPLAINT, WHEN THE FACT STATE THAT PLAINTIFFS COMPLETED ALL OF ITS THEN 3 ADMINISTRATIVE LEVELS. SHOULD THE DISTRICT COURT THINK, DEFENDANT'S POSIT POSITION WAS PERSUASIVE? PLAINTIFFS DID NOT ADD RETALIATION ONLY ON THE THIRD LEVEL OF ADMINISTRATIVE LEVEL. SEE CURLEY, 772 F. 3D AT 622; MIKKELSEN, 404 P. 3D AT 471.

4th

DID THE DISTRICT COURT NOT CONSIDER THAT THE DEFENDANT AND PARTY THOUGHT THE CASE SHOULD BE SETTLED BEFORE TRIAL PROCEEDINGS? AND THAT THERE WAS A SUFFICIENT CLAIM TO BE SHOWN, IN TRIAL BY A JURY OF DEFENDANT'S MOTIVATION TO RETALIATE. SEE RICHARDS V. NIELSEN FREIGHT LINES, 602 F. SUPP 1224, 1244-45 (E.D. CAL. 1985), AFF'D, 810 F. 2D 898, 902 (9th CIR. 1987). SEE ESTELLE V. GAMBLE, 429 U.S. 97, 106 (1976) SEE HAINES V. KERNER, 404 U.S. 519, 520-521 (1972). SEE MCHENRY V. RENNE, 84 F. 3D 1172 1177 (9th CIR. 1996) (REFERRING TO FED. R. CIV. P. 8 (e)(1)).

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

- ① ESTELLE V. GAMBLE, 429 U.S. 97, 106 (1976)
- ② HAINES V. KERNER, 404 U.S. 519, 520-521 (1972)
- ③ MCHEMRY V. REMME, 84 F.3D 1172, 1177 (9th Cir 1996)
- ④ BARNETT V. CANTON, 31 F.3D 813, 815-16 (9th Cir 1994)
- ⑤ PRATT V. ROWLAND, 65 F.3D 802, 807 (9th Cir 1995)
- ⑥ VALANDINGHAM V. BOJORQUEZ, 866 F.2D 1135, 1138-39 (9th Cir 1989)
- ⑦ RHODES V. ROBINSON, 408 F.3D 559, 567-68 (9th Cir 2005)
- ⑧ MOMELL V. DEP'T OF SOCIAL SERVS., 436 U.S. 658 (1978)
- ④ RIZZO V. GOODE, 423 U.S. 362 (1976)
- ⑩ TSAO V. DESERT PALACE, INC., 698 F.3D 1128, 1139 (9th Cir. 2012)

1 (11) SUPERINTENDENT V. HILL, 472 U.S. 445, 455, 105 S.
2 CT. 2768, 86 L. ED 356 (1985)

3 (12) SANDIN V. CONNER, 515 U.S. 472, 483-85, 115 S. CT.
4 2293, 132 L. ED. 2D 418

5 (13) CURLEY 772, F. 3D at 632

6 (14) MIKKELSEN, 404 P. 3D at 471

7 (15) BRIGGS V. MOVA SERVS., 135 WM. APP. P55, 147 P. 3D
8 616, 622 (WASH CT APP. 2006)

9 (16) ASHCROFT V. LABEL, 556 U.S. 662, 678, 129 S. CT
10 1937, 173 L. ED. 2D 868 (2009)

11 (17) HAUBERT V. SNOW, 106 WM. APP. 666 31 P. 3D
12 1186, 1193 (WASH. CT APP 2001)

13 (18) RICHARDS V. NIELSEN FREIGHT LINES, 602 F. SUPP
14 1224, 1244-45 (E.D. CAL. 1985, AFF'D 810 F.2D
15 898, 902 (9th Cir. 1987)

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CASES

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STATUTES AND RULES

OTHER

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 9th Circuit court of Appeals; 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 EASTERN DISTRICT OF CALIFORNIA; 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 C to the petition and is

☐ reported at C.D.C.R 3rd LEVEL OF APPEAL; 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 SEPTEMBER 3RD 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: SEPTEMBER 11TH 2025, 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 OCT 16TH 2019.
A copy of that decision appears at Appendix C.

☐ 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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

14th AMENDMENT DUE PROCESS.

8th AMENDMENT EQUAL PROTECTION OF THE
LAW, AND DELIBERATE INDIFFERENCE.

1st AMENDMENT OF FREEDOM OF SPEECH.

STATEMENT OF THE CASE

PLAINTIFF DAVIS CONTENDS HIS LAWSUIT RIGHT AGAINST DEFENDANT HUTCHESON. PLAINTIFF FILED EVERYTHING BY SITUATION AND TIME. DEFENDANT WAS CHARGED WITH THE FULL RESPONSIBILITY OF HIS AUTHORITY AND ACTIONS FROM THE START OF PRISON GRIEVANCES AS FORTH AS IT STILL CAN BE MADE, IN LIGHT OF DATA ENCLOSED AT HAND.

PLAINTIFF FAITHFULLY AND RELIABLY DESCRIBED THE MENTAL PERFORMANCE, OF WHAT WAS SUPPOSED TO BE PROFESSIONAL CONDUCT OF THE DEFENDANT AS THE PROPERTY OFFICER IN THE ASSES PART WHERE PRISONERS DEPEND UPON THE OFFICER TO RECEIVE THEIR PERSONAL PROPERTY AND LEGAL PAPER WORK. PLAINTIFF WROTE DEFENDANT 3 TIMES WHILE IN ASSES EXPLAINING TO HIM THAT HE HAD A LEGAL DEAD LINE, AND THAT HE NEEDED HIS LEGAL PAPER WORK AS SOON AS POSSIBLE. PLAINTIFF WROTE DEFENDANT UP IN A 602 PRISON GRIEVANCE FORTHING TO MAKE HIM MISS HIS LEGAL DEAD LINE, AND THATS HOW THIS WHOLE CASE BEGUN.

PLAINTIFF REFUSED LOWBALL SETTLEMENT OFFER MARCH 2022, KNOWING THAT GOOD AUTHORITY WOULD ONE DAY FINDS OUT FOR HIS WRITTEN NOUCL, THAT DEFENDANT CLAIMED THAT HE NEVER SAW OR TOUCHED, TILL AFTER THE DEPOSITION NOVEMBER 7TH 2022, WHERE DEFENDANT CHANGED CLAIM TO WHERE HE MIGHT HAVE THROWN PLAINTIFFS BOOK AWAY.

REASONS FOR GRANTING THE PETITION

I, DON ANGELO DAVIS (APPELLANT) humbly come before this Honorable Supreme Court of the United States, upon a document filed pro se with hopes to be liberally construed (SEE ESTELLE V. GAMBLE, 429 U.S. 97, 106 (1976)) A PRO SE COMPLAINT. "HOWEVER IN-ARTFULLY PLEADED MUST BE HELD TO "LESS STRINGENT STANDARDS THAN FORMAL PLEADINGS DRAFTED BY LAWYERS," AND CAN ONLY BE DISMISSED FOR FAILURE TO STATE A CLAIM IF IT APPEARS BEYOND DOUBT THAT PLAINTIFF CAN PROVE NO SET OF FACTS IN SUPPORT OF HIS CLAIM WHICH WOULD ENTITLE HIM TO RELIEF. (SEE HAINES V. KERNER, 404 U.S. 519, 520-521 (1972)).

IN THE SPIRIT OF CANDOR AND HUMILITY, PLAINTIFF INTENDS BY A SIMPLE PRO SE REPRESENTATION OF CONSTITUTIONAL FACTS TO LAY IN CASE ON THE FIRST AND FOURTH AMENDMENT, WHERE AS THE EASTERN DISTRICT OF SACRAMENTO DENIED PLAINTIFF'S PETITION FOR PANEL HEARING ON EN BANC (DOCKET ENTRY NO. 17) WITH NO FURTHER FILINGS TO BE ENTERTAINED IN THIS CLOSED CASE WITHOUT HEARING ON THE MATTER. MORE OVER, THE FEDERAL RULES OF CIVIL PROCEDURE REQUIRE THAT COMPLAINTS CONTAIN A SHORT AND PLAIN STATEMENT OF CLAIM SHOWING THAT THE PLAINTIFF IS ENTITLED TO RELIEF" FED. R. CIV. P. 8(a)(2). THIS MEANS THAT CLAIMS MUST BE STATED SIMPLY, CONCISELY AND DIRECTLY. SEE MCHENRY V. REMME, 84 F.3D 1172 1177 (9th Cir. 1996) (REFERRING TO FED. R. CIV. P. 8(c)(1).

1 THESE RULES ARE SATISFIED IF THE COMPLAINT GIVES
2 THE DEFENDANT FAIR NOTICE OF THE PLAINTIFF'S CLAIM
3 AND THE GROUNDS UPON WHICH IT REST. INTELLECTUAL PROPERTY
4 ~~IT WAS TAKEN FROM PLAINTIFF BY DEFENDANT, AND PL~~
5 ~~AINTIFF PROVIDED A BASIS FOR THE COURT TO ALLOW~~
6 ~~HIM TO DEMONSTRATE THAT HIS BELIEF WAS OBJECTIVE~~
7 ~~IN REASONABLE FOR BELIEF.~~

8
9 ~ QUESTION ONE ~

10 PLAINTIFF NAMED THE FOLLOWING AS DEFENDANTS (1)
11 HUTCHESON, PROPERTY SERGEANT AT HIGH DESERT
12 STATE PRISON (H.D.S.P); (2) MATTHEWS, UNIT HOU-
13 SING OFFICER AT H.D.S.P; (3) SPEARMAN, THE
14 WARDEN AT H.D.S.P; AND (4) RALPH DIAZ, THE
15 THEN SECRETARY OF THE CALIFORNIA DEPARTMENT
16 OF CORRECTIONS AND REHABILITATION (C.D.C.R.)
17 PLAINTIFF CONTENTS THAT ON MARCH 28TH 2019 HE WAS
18 ESCORTED TO RECEIVE HIS LEGAL PAPER WORK, AND THAT
19 DEFENDANT HUTCHESON WAS THE PROPERTY OFFICER WHO
20 WAS ESCORTING HIM.

21
22 PLAINTIFF CLAIMS THAT HE WAS THEN PLACED IN A SMALL
23 HOLDING ROOM FOR AGES INMATES BY DEFENDANT
24 HUTCHESON WHERE FOUR BOXES OF HIS PROPERTY WERE
25 PLAINTIFF THEN STATES THAT TWO OF THE BOXES HAD
26 BEEN OPENED, AND THAT HIS JAR OF COFFEE "WAS POUR-
27 ED OUT EVERYTHING ON BOTH BOXES, THAT SAT ON TOP OF
28 THE OTHER TWO. PLAINTIFF CONTENTS THAT THE WAY THE

1 COFFEE WAS POURED OVER EVERYTHING WAS NOT BY ACCI-
2 DENT... PLAINTIFF ADDS THAT UPON SEARCHING THROUGH
3 HIS PROPERTY, HE NOTICED THAT THE VERY LAST PAGE THAT
4 HE WROTE FOR A NOVEL WAS AT THE TOP OF ONE OF THE
5 OPEN BOXES, AND OUT OF PLACE WITH THE OTHER HUND-
6 REDS OF PAGES THAT IT WAS UNPAIREDLY SITUATED WITH.
7 PLAINTIFF BEGAN SEARCHING FOR THE REST OF THE
8 NOVEL THROUGH ALL FOUR BOXES, AND NEVER SAW IT
9 AGAIN. PLAINTIFF ALSO NOTICED THAT HIS SAN WAS
10 MISSING, AND HE THEN CALLED FOR DEFENDANT HUT-
11 CHESON AND ASKED HIM ABOUT THE PROBLEMS WITH
12 HIS PROPERTY, IN PARTICULAR PLAINTIFF INQUIRED
13 ABOUT A MISSING BOOK AND SAN.
14

15 PLAINTIFF CONTENDS THAT DEFENDANT HUTCHESON GAVE
16 HIM A COLD STARE AND STATED... "I DIDN'T SEE NO SAN, AND
17 I DIDN'T TAKE YOUR BOOK'S" PLAINTIFF CONTENDS THAT
18 AT THAT VERY MOMENT HE KNEW THAT IT WAS DEFEND-
19 ANT HUTCHESON THAT DISRESPECTED HIM BY TAKING
20 HIS BOOK AND SAN, LEAVING THE LAST PAGE FOR HIM
21 TO ADMEDIATELY NOTICE, AND POURING COFFEE OVER
22 EVERYTHING IN THE OPEN TWO BOXES.
23

24 PLAINTIFF CONTENDS THAT DEFENDANT HUTCHESON
25 ACTED IN RETALIATION FOR PLAINTIFF HAVING FILED
26 AN IMMEDIATE GRIEVANCE AGAINST THE PROPERTY OFFICER
27 OF THAT AGES UNIT WHO WAS DEFENDANT HUTCHESON.
28 PLAINTIFF CONTENDS THAT DEFENDANT WAS BRAWLING HIM

1 that, "this is what you get for writing me up." SEE
2 BARNETT V. CENTONI, 31 F.3d 813, 815-16 (9th Cir. 1999)
3 SEE PRATT V. ROWLAND, 65 F.3d 802, 807 (9th Cir. 1995)
4 SEE VALADINSHAM V. BOJORGUEZ, 866 F.2d 1135-1138
5 39 (9th Cir. 1989).

6
7 PLAINTIFF contends that there are several reasons
8 for demonstrating genuine issues of material
9 disputed facts. INMATE DAVIS (PLAINTIFF) was tele-
10 phonically interviewed on April 15th 2019, by
11 SERGEANT R. HICKS (H.D.S.P) in regards to PLAIN-
12 tiff's prison grievance, and during the interview
13 PLAINTIFF was given the opportunity to fully ex-
14 plain his written appeal and PLAINTIFF added no
15 more pertinent information.
16

17 IN REACHING A DECISION ON PLAINTIFF'S PRISON GRIE-
18 VANCE APPEAL AND ITS ATTACHMENTS, APPLICABLE SEC-
19 TIONS OF THE CALIFORNIA CODE WERE REVIEWED AND CON-
20 SIDERED, AND ON THE 3RD LEVEL PRISON APPEAL WAS
21 GRANTED WITH THE SAYING... "THAT INMATE DAVIS MAY
22 HAVE MERRIT" SEE EXHIBITS; SERGEANT R. HICKS OF
23 (H.D.S.P) ALSO REVIEWED A COPY OF THE C.D.C.R. FORM
24 SEE EXHIBITS... INMATES PROPERTY INVENTORY GENERATED
25 MARCH 1st 2019, BY OFFICER MATTHEWS OF (H.D.S.P).
26 THE C.D.C.R. FORM 1083 NOTES THE PRESENCE OF A
27 LAKE WIND FAN, AS WELL AS AN UN-NUMBERED QUAN-
28

1 tity of books AND MISCELLANEOUS PAPER WORK. SERG,
2 R. HICKS INTERVIEWED OFFICER MATTHEWS ON APRIL 15TH
3 2019. IN REGARDS TO PLAINTIFF'S PRISON APPEAL AND
4 ASKED OFFICER MATTHEWS IF HE INVENTORIED AND
5 PACKAGED PLAINTIFF'S PERSONAL PROPERTY ON MARCH
6 1ST 2019. OFFICER MATTHEWS RESPONDED "YES".
7 SERGEANT R. HICKS INQUIRED AS TO THE WHEREABOUTS
8 OF PLAINTIFF'S JAM WHICH WAS INVENTORIED. OFFICER
9 MATTHEWS REPORTED THE JAM WAS BROUGHT UP TO
10 THE FACILITY D PROGRAM OFFICE WITH THE REST
11 OF PLAINTIFF'S PACKAGED PERSONAL PROPERTY.
12

13 SERGEANT R. HICKS ASKED OFFICER MATTHEWS IF PLAIN-
14 TIF'S COFFEE WAS OPENED AND SPILLED DURING THE PAC-
15 KAGING OF PLAINTIFF'S PROPERTY? OFFICER MATTHEWS
16 RESPONDED... "NO". SERGEANT R. HICKS THEN ASKED OFF-
17 ICER MATTHEWS IF HE INVENTORIED, AND PACKAGED ALL
18 OF PLAINTIFF'S PERSONAL PROPERTY LOCATED WITH IN PLAI-
19 NIFF'S ASSIGNED CELL AT THE TIME HE WAS REHOUSED
20 IN ASSES? OFFICER MATTHEWS REPLIED WITH "YES". SEE
21 EXHIBIT. PLAINTIFF PROVIDED ADDITIONAL INFORMATION ON THE
22 RELATIONSHIP WITH HFM AND OFFICER MATTHEWS IN APRIL
23 SAYING HOW NICE OFFICER MATTHEWS WAS TO HFM, GIVEN
24 PLAINTIFF A T.V. WHEN HIS BLEW OUT, AND A BUDGET JOB
25 WITH A HIGH PAYING NUMBER. PLAINTIFF CALLED OFFI-
26 CER MATTHEWS HIS FRIEND, AND MADE SURE THAT ALL HIS
27 PROPERTY WAS SAFELY PACKED... ALONG WITH PLAINTIFF'S BOOKS
28 A SHIRT AND WRITER OF SONGS, MOVIES AND BOOKS.

QUESTION TWO

DEFENDANT HUTCHESON'S ADMITTION LATER CHANGED TO THAT OF HE "MIGHT HAVE THROWN" PLAINTIFF'S BOOK AWAY, WHEN IN FACT PLAINTIFF'S PROPERTY WAS INVENTORIED IN PROPER PROSPECTIVE BY OFFICER MATTHEWS MARCH 1ST 2019. SO WHAT REASON DID DEFENDANT HAVE TO THROW ANYTHING AWAY, IS NOW WHAT AN AGGREGATE OFFICER DIS- CRIPION IS, FOR WHAT HE IS NOW SAYING AFTER THE COURT DEPOSITION NOVEMBER 24TH 2022. AFTER PLAINTIFF EXPLAINED HOW THE BOOK WAS WRITTEN ON CARDBOARD VERY NEATLY... WHEN FOR 3 YEARS, DEFEND- ANT HUTCHESON CLAIM WAS THAT HE NEVER SAW OR TOUCHED A BOOK, SEE RHODES V. ROBINSON, 408 F.3D 554, 567-68 (9TH CIR 2005).

DEFENDANT'S OWN ADMITTION WHEN ANSWERING PLAIN- TIFF'S VERY FIRST COURT 1983 CIVIL COMPLAINT, WITH HIM (DEFENDANT HUTCHESON) HAVING IMMUNITY ANYWAY SHOWS THAT HE IS VERY MUCH SO RESPONSIB- LEB FOR THE UNPLEASANT POSITION THAT HE FORCED PLAINTIFF TO BE UNDER, AND THAT PLAINTIFF WAS REVA- LIATED AGAINST FOR EXERCISING A CONSTITUTIONAL RIGHT. SEE MONELL V. DEP'T OF SOCIAL SVCS., 436 U.S. 658 (1978); RIZZO V. GOODE, 423 U.S. 362 (1976). A SETTLEMENT PILOT PROJECT WAS PUT IN MOTION MARCH OF 2022 TO SETTLE THE MATTER IN THE EASTERN DISTR- ICT COURT, BUT PLAINTIFF REFUSED DEFENDANT'S LOW- BALL OFFER, AND DEFENDANT LATER REFUSED PLAINTIFF'S OFFER WHICH IS ENCLOSED IN EXHIBIT... ALSO SEE

1 TSAO V. DESERT PALACE INC., 698 F.3d 1128, 1139 (9th Cir.

2 2012), supported by evidence that he was deprived

3 of a protected liberty. See SUPERINTENDENT V. HILL,

4 472 U.S. 445, 455, 105 S. Ct. 2768-861, ED 352 (1985).

5 See SANDIN V. CONNER, 515 U.S. 472, 483-85, 115 S. Ct.

6 2293, 132 L. Ed. 2d 418.

7

8 ~ QUESTION THREE ~

9 PLAINTIFF HAS PROPERLY EXHAUSTED ALL LEVELS OF

10 ADMINISTRATIVE REMEDIES IN A TIMELY MANNER, AND

11 DEFENDANT CONTENDS THAT IS NOT SO. SEE CURRY, 772,

12 F.3d at 622: MYKIELSEN, 404 P.3d at 471, PLAINTIFF

13 'S ALLEGATIONS ARE NOT DRAWN OUT OF AIR... PLAINTIFF

14 WAS UNDER DEFENDANT'S OPPRESSION WHILE UNDER HIS CARE

15 IN THE AGES BUILDING 2 UNIT, WHILE HE (DEFENDANT)

16 ACTED OUT SIDE THE SCOPE OF HIS EMPLOYMENT, SEE

17 BRIGGS V. NOVA SERVS., 135 WM. APP. P55, 147-P.3d,

18 616, 622 (WASH CT APP 2006), PLAINTIFF HAD TO PLAY

19 IT COOL AND GET AWAY FROM DEFENDANT, OR RISK LOSE ALL

20 OF HIS WRITTEN SONGS, AND MOVIE SCRIPTS... FOR DEFENDANT

21 HUTCHESON MADE IT CLEAR WHO HAD THE POWER, AND WHO

22 DIDN'T.

23

24 APRIL 12TH 2019, DEFENDANT HUTCHESON BROUGHT

25 PLAINTIFF TRASH BAGS TO TRANSPACK, TO BE TRANSFERRED

26 TO ANOTHER PRISON THE FOLLOWING DAY. WITH THE TRASH

27 BAGS, DEFENDANT HUTCHESON ALSO HAD THE FIRST PRISON

28 AGGRIEVANCE FOR PLAINTIFF TO SIGN OFF. AGAIN PLAINTIFF

took DEFENDANT HITCHESON'S WORD AS A PROMISE TO
MOVE THAT SAYS... "IF YOU DON'T SIGN OFF YOU'LL NEVER
SEE MORE OF YOUR PROPERTY AGAIN" & PLAINTIFF TRANSFERRED
AND RECEIVED HIS JAN 11 MONTHS LATER WHILE IN ANOTHER
PRISON. PLAINTIFF NEVER SAW HIS WRITTEN HOURLY AGAIN.
PLAINTIFF STILL BELIEVES THERE IS SUFFICIENT EVIDENCE TO
BE SHOWN IN A TRIAL BY JURY OF DEFENDANT'S MOTIVATION
TO RETALIATE, KNOWING THAT WRITTEN BOOK WAS
WRITTEN UNLAWFUL AND HIGHLY PRIZED. SEE ASHCROFT
V. Iqbal, 556 U.S. 662, 678, 129 S. Ct 1937, 173

L. ED 28 868 (2009), FOR DEFENDANT WAS WILLING TO GO
THROUGH COMPENSATION TERMS AND CONDITIONS FOR
HIS ACTIONS. SEE HAUBRY V. SNOW, 106 W.M. APP. 666,
31 P.3D 1186, 1193 (WASH. Ct APP 2001)

~ QUESTION FOUR ~

DID THE DISTRICT COURT NOT CONSIDER THAT THE
DEFENDANT AND PARTY THOUGHT THE CASE SHOULD BE
SETTLED BEFORE TRIAL PROCEEDINGS? IT'S BEEN 6
YEARS NOW SINCE THE START OF THIS COMPLAINT AND PLA-
INTIFF STILL STANDS IN VINDICATION OF HIS RIGHTS AND
PERSONAL DIGNITY AGAINST AN ENCROACHMENT THAT WAS
WHOLLY BEYOND HIS ABILITY TO DO ANYTHING BUT WHAT
THE LAW ALLOWS, AND WAS TO BOOK THE DEFENDANT AND
HOLD ON TO SHOW A HIGHER COURT WHAT OCCURRED IN
THIS COMPLAINT. OF A PRISONER (A MAN) DEPRIVED
THE EQUAL PROTECTION OF LAWS GUARANTEED BY THE
AMENDMENTS! DEFENDANT WOULD HAVE GLADLY SAVED

1 PLAINTIFF THE LOW BALL SETTLEMENT OFFER, SIMPLY BE-
2 CAUSE DEFENDANT HUTCHESON DID WHAT HE DID IN THE
3 LEGITIMATE EXERCISE OF HIS CORRECTION OFFICER
4 POWER, AND TOOK PLAINTIFF'S PROFIT WITH EASE. DEFEN-
5 DANT AND PARTY WANTS TO PAINT A PICTURE OF THE
6 BOOK BEING WRITTEN ON OLD CARD BOARD THAT OFFERED
7 WAS ON. WHEN FOR 3 YEARS DEFENDANT HUTCHESON
8 CLAIMED HE NEVER SAW OR TOUCHED A BOOK.
9

10 ANYONE COULD TELL WITH ONE LOOK AT THAT BOOK, THAT
11 SOME ONE WORKED ASSIDUOUSLY ON, AND THAT IS TRUE
12 A DAGG WAS USED TO PERPETUATE HUMAN SERVITU-
13 DE AND IN JUSTICE. ONCE AGAIN OFFICER MATTHEWS
14 WAS DEEPLY CONCERNED ABOUT PLAINTIFFS WELL BEING AS AN
15 ARTIST AND HUMAN, AND WOULD TESTIFY TO HIS PACKING OF
16 PROPERTY AND PLAINTIFFS WRITTEN NOVEL.
17

18 PLAINTIFF SUMMIT THIS PETITION TO THE SUPREME
19 COURT IN THE TRUTH AND JUSTICE THAT IT DEMANDS.
20 PLAINTIFF HAS BEEN LESS THAN SUPPLIED WITH LEGAL STRAT-
21 EGY FOR HE IS NOT AN ATTORNEY, BUT PRAY THAT THIS
22 COURT OF SUPREME KEEP THE COMPENSATION OF
23 6,000,000\$ SIX MILLION DOLLARS, OR THAT OF A
24 TRIAL BY JURY FOR THE DEFENDANT'S DISHONORABLE
25 ACTIONS. SEE RICHARDS V. NIELSEN FREIGHT LINES, 602
26 F. SUPP 1224, 1244-45 (E.D. CAL. 1985), AFF'D 810
27 F. 2D 898, 902 (9th CIR. 1987).
28

PLAINTIFF WAS DREADFULLY DECEIVED BY DEFENDANT,
AND NOW THE INCIDENT IS BEFORE THE SUPREME COURT
OR CONSTITUTED AUTHORITY, AND EQUAL PROTECTION OF
THE LAW. PLAINTIFF DECLARE UNDER THE PENALTY OF
PERJURY THAT ALL SAID WITHIN THIS BRIEF IS TRUE
AND CORRECT, TO THE BEST OF MY ABILITY AND KNOWL-
EDGE...

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Don Davis

Date: OCTOBER 28TH 2025