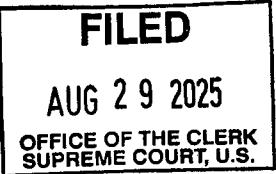


No. 25-6097

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES



SHANNA M. GLYNN, *pro se*

--

PETITIONER,

vs.

MARQUETTE CITY POLICE DEPARTMENT, et al. --

RESPONDENTS,

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. COURT OF APPEALS, 6TH CIRCUIT (NO. 24-1486)

PETITION FOR WRIT OF CERTIORARI

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I. QUESTIONS

- i. Can *stare decisis* deny a victim of violent crime, their right to due process and full and fair review?
- ii. Does *Hans v. Louisiana* remove the requirement that states serve their citizens, be held accountable by them, and uphold the U.S. Constitution?
- iii. Does current common law require that I name innocent parties as defendants in order to be heard?

II. LIST OF PARTIES

All parties appear in caption.

III. RELATED CASES

Any case where a victim has been granted no due process, has endlessly asked for help from all reasonable authorities, and has been ignored, abused and dismissed; specifically, victims of violent crime who have been denied full and fair review because of: *Hans v. Louisiana* or misuses of *stare decisis*.

IV. TABLE OF CONTENTS

Cover Page	1
I. Questions	2
II. List of Parties	2
III. Related Cases	2
IV. Table of Contents	3
V. Index to Appendices	4
VI. Table of Authorities Cited	4
VII. Opinions Below	5
VIII. Jurisdiction	5
IX. Statement of the Case	5
X. Reasons for Granting to Petition	7
XI. Conclusion	11

V. INDEX TO APPENDICES

- Appendix A: US 6th Circuit Court of Appeals – Rejection of Motion for Rehearing
- Appendix B: US 6th Circuit Court of Appeals – Judgment & Order
- Appendix C: US 6th Circuit Court of Appeals – Misfiling of *writ of mandamus*
- Appendix D: US District Court – Judgment & Order
- Appendix E: US District Court – Report & Recommendation
- Appendix F: Constitutional And Statutory Provisions Involved

VI. TABLE OF AUTHORITIES CITED

CASES AND CITATIONS:	PAGE NUMBER(s):
Hans v. Louisiana, 134 US 1, 10 S. Ct. 504, 33 L. Ed. 842 - Supreme Court, 1890	2,6,8,9,11
Ramos v. Louisiana, 140 S. Ct. 1390	10
Eisenberg, Melvin A. 2022. "Reasoning from Precedent and the Principle of Stare Decisis." In Legal Reasoning, Cambridge: Cambridge University Press. Chapter, 13–24.	9-10

STATUTES AND RULES

FRAP 25 (a)(2)(A)(ii)	5
28 USC Sec. 1254(1)	5
XI Amendment of the U.S. Constitution	6,8
U.S.C Article VI, Sec. 2	8
XIV Amendment of the U.S. Constitution	9

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VII. OPINIONS BELOW

The decisions of the United States Court of Appeals appears at Appendices A, B, & C to the petition and is unpublished.

The opinion of the United States District Court appears at Appendices D & E to the petition and is unpublished.

VIII. JURISDICTION

The date on which the United States Court of Appeals decided on my case was March 24th, 2025. A timely petition for rehearing was filed, but rejected by the Court because they failed to honor FRAP 25 (a)(2)(A)(ii), which defines USPS postmark date as the date of filing for a brief, and closed the case before the Certified mailing arrived. An unnecessary petition for "extension of time to file the petition for rehearing" was granted, but the "petition for rehearing" was denied on June 3rd, 2025.

The jurisdiction of this Court is invoked under 28 USC Sec. 1254(1).

IX. STATEMENT OF THE CASE

On September 15th, 2022, I was drugged, brutally sexually assaulted, robbed of my possessions, and separated from the woman I was with, without recollection. I was almost immediately picked up by the Marquette City Police Department (MCPD), after breaking into someone's home yelling for help. Two officers tried to help by driving me around in my drugged and beaten state, for over 2 hours. They tried to locate the person I was previously with because I was extremely concerned for her well being. Getting bored of me, they dropped me off, in the middle of the night, with no ID or financial means, and without a medical exam.

The following morning, I provided the MCPD with the name of 1 of 3 of my assailants and specific details has to what they looked like, a specific description of the head-wound I inflicted upon one of the assailants, and pictures of my injuries. They instructed me to provide the sweater and shoes I had been wearing due to the fact that there could be semen or blood on them. I also provided documentation of my hospital visit the following day.

Instead of investigating the crimes committed against me, the MCPD destroyed the evidence of the crime, by their own admission, and filed a false and libelous police report against me, which they attempted to conceal from me.

Upon discovering their actions, due to visiting the Marquette Prosecuting office, which did not receive my police report until I further requested. I sought redress for my destroyed property and illegal actions of the MCPD from the following Michigan State Authorities: Michigan's Attorney General (Both Lansing and Detroit Offices), Michigan's Office of the Inspector General, Michigan State Police, Michigan's Bar Association, Marquette Prosecuting Attorney, Marquette City Mayor, Marquette City Police Chief.

The Michigan State Police became complicit in the actions of the MCPD by refusing to investigate the crimes committed by the MCPD, and intimidating and victim shaming me until I stopped asking for help. Further, they instructed one of the rapists not to take a polygraph, according to their own admission, while working with MCPD Detective.

Despite following up with every State authority I could find, for ~9 months. I never found a single way to hold the MCPD accountable for their illegal actions. I also reached out to numerous local attorneys and was repeatedly told that no one would be willing to work with me against the local police because of "conflict of interest."

Failing to find an alternative avenue of redress, I filed *pro se* in my local Federal District Court, against the two institutions culpable for the injuries I suffered: The Marquette City Police Department, for their criminal and civil violations; and, the State of Michigan, for abject failure to enforce Constitutional and Criminal law.

The US District Court sided with the Defendants' argument that under the misinterpretation of the *XI Amendment to the US Constitution* created by *Hans v. Louisiana*, that the State had blanket sovereign immunity. Additionally, they ruled that I had to sue innocent parties in order to file against the MCPD, and that I was required to

sue the entire city, and not the offenders themselves (however, there is no *stare decisis* that forces me to sue county prosecutors).

I appealed the lower court decision to the 6th Circuit US Appeals Court, including a *writ of mandamus* to ensure that full and fair review. They misfiled my writ and ultimately denied it. They then affirmed the lower court ruling, with very little consideration of any of the arguments I had presented.

I submitted a timely petition for rehearing which was denied as "Late" despite the fact that it was postmarked USPS First Class Certified Mail prior to the submission deadline. I then submitted an unnecessary petition to extend time to file my petition for rehearing, which was granted; but rehearing was denied.

I do not believe that my arguments have ever been fully considered. The US Court of Appeals Opinion clearly illustrates the lack of attention to my case by stating "Glynn did not identify a municipal policy or custom", despite the fact that I clearly outline *prema facia* policies in my brief to the District Court; they also failed to note that the facts of *Hans v. Louisiana* are not even remotely similar to my case. Despite asking with every filing for Oral Arguments, I have never been granted the right to be heard or even meet any of my judges.

I therefore come before this Court with the humble request that I be allowed to be heard for the first time.

X. REASONS FOR GRANTING TO PETITION

BASIC REASONING

For the safety of every citizen in this nation, it is imperative that there is oversight of local and state police forces. "Fund/defund the police" is a false divisive political narrative. The real answer is to supervise the police, and pay them well, so it is a good job.

I live in a tiny remote tourist/college city where crime doesn't happen because without prosecution there is no crime, and that promotes tourism and enrollment. Too many young women die/disappear under ridiculous fact patterns, but it's always "accidental".

A state cannot deputize law-enforcement without a system of oversight for their officers. If the State of Michigan has ever had a framework to supervise their police, I have never found it, and I have ceaselessly tried.

My local and state authorities left me no choice but to ask the courts to provide legal oversight. My original case was a polite request that the federal judicial system provide the oversight that my grossly-negligent State did not. I humbly request that this honorable Court review the boiler-plate dismissal allowed by the lower courts, and overrule the destructive precedents that allow the Defendants to act with impunity and avoid review.

I will briefly present 2 arguments to answer 3 questions. These arguments were presented to the lower courts, but were never ruled upon.

ARGUMENT #1 – AMENDMENT XI

Hans v. Louisiana needs to be overturned 9-0. From its conception, it was blatantly false because it disregarded the intent of the individuals who drafted the 11th Amendment. The intent of the 11th Amendment was to prevent legal law-fare between states. Had the 11th Amendment been intended to provide total sovereign immunity to every state, it would have not included the words: “of another State”. If the drafters of the 11th Amendment had omitted those words, then the interpretation in *Hans v. Louisiana* would have been correct.

The *XI Amendment to the U.S. Constitution* was passed on March 4, 1794, to protect States from being sued by citizens of another State, or a Foreign State. I have been a resident-citizen of Michigan my entire life. I was born and raised in/near Flint, MI (yr. 1988), and moved to Marquette, MI (yr. 2007, until present) for higher education, and life after that.

Sovereign immunity was associated with the XI Amendment 96 years later, *Hans v. Louisiana*, 134 U.S. 1 (1890). *Hans*, and the succeeding precedents, effectively rewrote the U.S. Constitution to exempt states from the obligation to follow the Constitution, thereby destroying the Supremacy Clause, *U.S.C Article VI, Sec. 2*. It was a case brought by a bond trader, not a case of alleged criminal behavior by State Authorities. Therefore, *Hans* should be totally inapplicable to this case.

Hans was a few U.S. Supreme Court Justices drafting and ratifying an Amendment to the U.S Constitution, and thereby codifying unconstitutional State Sovereign Immunity; and it directly conflicts with *Amendment XIV Sec. 1 of the U.S. Constitution* in this case because it denies a victim right to record and trial. Jurisprudence cannot exists if states cannot be held accountable by their citizens.

No government is allowed to participate in criminal activity. Without having Discovery and Trial, a jury is not allowed to decide if the State of Michigan was: negligent, grossly negligent, culpable of reckless dereliction of duty, violation of oath of office, or aiding and abetting the criminal behavior of Marquette City Police. Evidence of violent crime has been destroyed by local police. The State of Michigan has refused to investigate that next crime multiple times.

The destructive nature of the *Hans* misinterpretation becomes worse every year as states have transformed from public service institutions into bloated corporations, operating businesses which contract and compete with the private sector. States are the MOST valuable corporation because they can never be sued, because of *Hans & stare*.

ARGUMENT #2: *STARI DECISIS*

Pro se litigation is frowned upon by our judicial system, but for the common person, it is generally the only viable route to justice when attorneys wages are 10-100 times greater than the common wage. While *stare decisis* is required for legal professionals to spar against each other, it puts a *pro se* litigant at a huge disadvantage, and obliterates the concept of full and fair review.

Under statute, my case is valid, has great merit, and a ruling in my favor would protect all the women in my Community and State. However, *stare decisis* has allowed the powerful defendants to completely avoid review, and bury their criminal behavior under inapplicable case precedent.

“There are several limitations on the principle of stare decisis. The most important is that in most areas of the common law if a rule established by precedent is not even substantially congruent with social morality, social policy, and experience, it may be overruled.”

Eisenberg, Melvin A. 2022. "Reasoning from Precedent and the Principle of Stare Decisis." In Legal Reasoning, Cambridge: Cambridge University Press. Chapter, 13–24.

The State continues to try to avoid review, through dismissal, rather than respond to their disregard for the Constitutional rights of victims of violent crime. Basic morality, social policy, and experience dictate that we all take care of victims.

"*stare decisis* isn't supposed to be the art of methodically ignoring what everyone knows to be true. Of course, the precedents of this Court warrant our deep respect as embodying the considered views of those who have come before. But *stare decisis* has never been treated as "an inexorable command." And the doctrine is "at its weakest when we interpret the Constitution "because a mistaken judicial interpretation of that supreme law is often "practically impossible" to correct through other means." (internal citations omitted) *Ramos v. Louisiana, 140 S. Ct. 1390*

The Defendant's assertion that a victim of violent crime, who was then victimized by local police, and then further victimized by the State, cannot get a response, discovery, and fair trial, is a pivotal reason that *stare decisis* is not "an inexorable command".

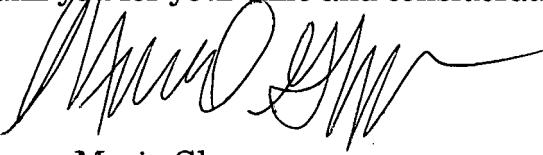
The documentation I have provided throughout this case clearly proves that police oversight is non-existent in my City, County, Peninsula, and reasonably the vast majority of my State. Unfortunately, that leaves the job of oversight to the civil judicial system, because citizens cannot initiate criminal charges. *Stare decisis* suggests that we conserve judicial resources by avoiding repetitive cases which have already been decided/recorded. For a victim of intentionally un-prosecuted violent crime, the only record of the crimes committed might be submitted via *pro se* civil litigation. To deny them the right to discovery and judicial record creates a police force with impunity, who's crimes are concealed by libelous police reports with no rebuttal.

In this case, *stare decisis* grants the Defendants the right to violate a litany of criminal laws, with no record except the one they choose to create.

XI. CONCLUSION

I humbly request that this Court prohibit powerful Defendants from avoiding criminal and civil liability through the abuse of *stare decisis*; and, strike down *Hans v. Louisiana* so that states are once again required to uphold the U.S. Constitution.

Thank you for your time and consideration. Respectfully Submitted,



8/26/25

Shanna Marie Glynn