

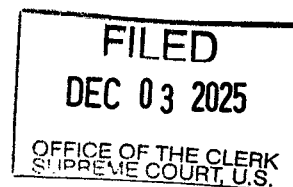
25-6280

No. _____

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IN THE

SUPREME COURT OF THE UNITED STATES



Lewis E. Day — PETITIONER
(Your Name)

vs.

Denise Hacker — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. Eighth Circuit Court of Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

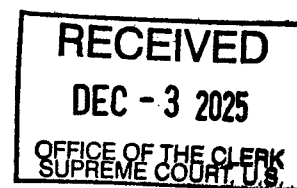
PETITION FOR WRIT OF CERTIORARI

Lewis E. Day
(Your Name)

1010 W. Columbia St.
(Address)

Farmington, Missouri 63640
(City, State, Zip Code)

573-218-6792 AskHoc6
(Phone Number)



QUESTION(S) PRESENTED

FIRST AMENDMENT

Why While Exercising My Freedom Of Speech Petitioning The Govern-
ment For Redress For "ADA Violations" Thru Grievance Procedure

Three (3) Days later The Missouri Department Of Corrections Fabric-
ated Sexually Violent Predator Commitment And Had Me Committed Wrongfully.

FIFTH AND FOURTEENTH AMENDMENT

Why Vernon County Jail Did Not Give Me My Medication "Buspar" To Calm
Me Down To Answer Questions Coherently To Refute And Rebut The Multitude
Of Lies The Prosecutor "Monty Platz" And Psych Doctor "Nera Kircher" Told Against
Me Prejudicing Me To The Jury And Judge. I 'Did Not' Receive My
Due Process Of Law To Take The Stand In My Own Defense.

Double Jeopardy

34 Years Ago The Jury Convicted Me Of A Crime They Had An 'Choice' To Commit
Me In A Mental Hospital. So The State 'Should Not' Be Able To Come Back 28 Years
Later And Commit Me In A Mental Hospital After I've Done My Prison Time.

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

Day v. Hacker No 4:21-cv-01494-AGF, US District Court for the Eastern District of Missouri. Judgment entered Mar. 11, 2025.

Day v. Hacker No 4:21-cv-01494-AGF, U.S. Court of Appeals for the Eighth Circuit. Judgment entered Sep. 12, 2025.

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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 44807; 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 23675; 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.

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JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was Apr. 30, 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: Sep. 12, 2025, and a copy of the order denying rehearing appears at Appendix C.

☐ 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).

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CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

FIRST AMENDMENT

FIFTH AMENDMENT

FOURTEENTH AMENDMENT

AMERICAN DISABILITY ACT-ADA

CIVIL RIGHTS TO LIBERTY

U.S. CODE TITLE II-3.11000 RETALIATION, COERCION

DUE PROCESS

DOUBLE JEOPARDY

STATEMENT OF THE CASE

When I Exercised My Freedom Of Speech Seeking Redress From Government Entity The State Can Not Violate U.S. Code Title 18, 11000 Retaliation, Coercion. The State Fabricated SVP Commitment Thru Psych Doctor 'Nena Kircher' And 'Paid Psych Doctor Franks', Along With Prosecutory Misconduct By 'Monty Plat 2'. Double Jeopardy, My Trial Attorney 35 Years Ago Committed Affirmative Misrepresentative Defense, I 'Did Not' Give Her Permission To Admit Guilt, But The Jury Convicted Me Of A Crime, Not A Mental Disease So The State Should Not Be Allowed To Come Back 28 Years Later And Commit Me In A Mental Hospital After I Done The Prison Time. The Probable Cause Judge Sent Me To Vernon County Jail For Treatment And Care Until Trial. Their 'Was Not' Even An Psychiatrist Nor Psychologist At The Jail To Treat Me. My Attorney Amy Clay Requested A Multitude Of Times For The Jail To Give Me My Medication To No Avail. When The St. Louis Sherrifs Came To Pick Me Up The Decision Had Already Been Made I Would Not Take The Stand, Be-

- Cause The State With Held My Medication 'Buspar'. My Probable Cause Hearing Was Based On Perjury, Lies, And False Statements. 'Nena Kircher' The Psych Doctor Who Done My 'End of Confinement Report' Has Had Her License "Revoked" For Perjury On The Stand Lies And False Statements As She Did At My Probable Cause Hearing And Trial. The U.S. Eastern District Court Of MO. In St. Louis Has My 'Evidence' That I Mailed To Them That Will Prove My Case. Rough Drafts Of Letters To My Trial And Appeal Attorney's, Legal Documents, And Me Pleading With My Attorney's How To Fight My Case To No Avail. My Appeal Attorney 'Amy Lowe' stated, "She Was Going To File The Three (3) Claims She Filed Or I Would Have To Do It Myself". Would You Request The U.S. Eastern District Court of Missouri In St. Louis To Send You The Evidence I Mailed Them. I Do Not Have The Resources To Copy And Mail Them Out To You And The Missouri Attorney General, I Live Off My ARPA-

Funds, When It Is Gone I Have Nothing And No One To Help Me. Letters To 'Amy Clay', One Dated (11/12/18) And Appeal Attorney 'Amy Howe' One Dated (11/3/19, 11/4/19) - Notes, Advisements, Requests, Evidence, 'Advance Release', 'Remove Special Condition' Dated (2/4/13) That Was "Granted" I Was Never Advised Of. Nena Kircher Stating In My End Of Confinement Of (2017), "I Do Not Possess An Mental Abnormality Within My Mental Health Diagnosis". My 'Court Ordered' Determination Of Evaluation States, "I'm Not An SVP, I Don't Have An Mental Abnormality" By Missouri Dept. Of Mental Health Forensic Examiner 'Dr. Lisa Witcher'. MO. Dept. Of Mental Health 'Did Not' Even Want Me. Missouri Department Of Corrections 'Fabricated' This SVP Commitment Attempting To 'Cover-Up' Violating My ADA And Parole Board Misconduct, Thus Violating My Constitutional Rights First, Fifth, And Fourteenth Amendments.

REASONS FOR GRANTING THE PETITION

The Eleventh Circuit 'Erred' In Dismissing The Inmates Title II Of The ADA Claims That Were Based On Such Unconstitutional Conduct. This Term Includes State Prisons. (HN6) Americans With Disabilities Act Defenses The U.S. Court Of Appeals For The Ninth Circuit Conducted The Necessary Congruence And Proportionality Tests And Determined That Title II Of The ADA Of 1990, 42 USCS § 12101 et Seq., Does 'Not' Exceed Congressional Authority 'Under' U.S. Const. Amend. XIV § 5. Accordingly, The Ninth Circuit Concluded That Congress Validly Abrogated The 'States' Eleventh Amendment Sovereign Immunity 'Under' Title II.

Double Jeopardy :

34 Years Ago The Jury Convicted Me Of A Crime They Had An 'Choice' To Commit Me In An Mental Hospital. So The State 'Should Not' Be Able To Come Back 28 Years Later And Commit Me In An Mental Hospital After I've Done My Prison Time. The "Court Ordered" —

Reasons For Granting The Petition Page 2

- Determination of Evaluation States, "I'm Not An SVP, I
'Don't Have An Mental Abnormality'" By Missouri Department Of
Mental Health Frensic Examiner^{"Dr"} Lisa Witcher". MO,
Dept. of Mental Health 'Did Not' Even Want Me.
'But, Missouri Department Of Corrections 'Fabricated'
SVP Commitment Attempting To 'Cover Up' Violating My
Americans With Disabilities Act; And Parole Board Misconduct,
Thus Violating My First, Fifth, And Fourteenth Amen-
dment Rights.

