

25-6762

No. 25M12

FILED

MAY 20 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE
SUPREME COURT OF THE UNITED STATES

ORIGINAL

Eileen E. McLaughlin pro se — PETITIONER
(Your Name)

vs.

Community Living Association/MEMIC/Tucker Law — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Maine Supreme Judicial Court
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Eileen E. McLaughlin R.N.,B.S.N.
(Your Name)

PO Box 1101

(Address)

Houlton Maine 04730

(City, State, Zip Code)

207-694-0430

(Phone Number)

INTRODUCTION

This is a case is about CONSTITUTIONAL RIGHTS, PUBLIC IMPORTANCE AND THE NATIONAL FUTURE IMPACT FEDERAL WORKER'S COMPENSATION LAW HAS ON CURRENT LOWER COURT PRACTICES, WHICH VIOLATE THE FEDERAL RIGHTS AND LIBERTIES OF INJURED NURSES THROUGHOUT THE UNITED STATES (honest medical professionals are left powerless in a legal system dominated by gross misrepresentation, fabricated and outrageous diagnoses, contrived arbitrary dates, ad hominem coercive arguments and deception).

This affects potentially 2 + million employees yearly. I advocate for justice for all.

Eileen E. McLaughlin R.N., B.S.N., respectfully petitions for a writ of certiorari to review the judgements of lower courts and make necessary corrections to arbitrary dates.

QUESTIONS PRESENTED

1. Does The Court uphold the lower court's current authority and decisions ordered by the powerful legal system (relying on biased/Fabricated/misrepresented Insurance Company paid reports and misuse of power), over the legitimate medical authority (with educated best practices committed to the wellbeing of injured licensed Nurses).
2. Whether The Court awards *pro se* equal rights to be heard via petition and oral argument (historical discriminatory practices and prejudices are built into the system to favor legally trained over medically educated individuals).
3. Whether it is legal under Federal Law that Seriously Injured Nurses are forced back to work Acutely Injured and Acutely Traumatized suffering added pain, with full disregard of staff's serious signs and symptoms.
4. Whether The Court federally upholds and will mandate litigation stress as compensable Nationally for lengthy and damaging unnecessary litigation caused by the W.C. system.
5. Whether the online publication of inaccurate lower court and appellate court decisions, along with the disclosure of private, identifiable medical information, constitutes a

violation of privacy under HIPAA and defamation of character when such information is falsified, degrading, or harmful, and accessible to the public through a simple online search.

6. Whether W.C. standards are “adequate” (needing further definition) if violation of Federal Rights and Civil Liberties exist under the Worker’s Compensation System.

7. Whether the court holds lower court decisions/patterns of inaccurate arbitrary dates, perpetuated by fraudulent doctor documentation, as just, when irrefutable evidence is committed and permanent injuries occurred.

8. Whether a lower court’s decision can contradict this court when it is based on misrepresentation of intent, distortion of the factual record, and a disregard for irrefutable evidence, thereby raising serious concerns about the misuse of judicial power and denial of due process.

9. Whether state judicial bodies, including workers' compensation appellate tribunals and state supreme courts, are required to adhere to federal workers' compensation laws and precedents, or whether they are permitted to apply divergent interpretations that conflict with national standards and federal statutes.

10. Whether the court has the authority to vacate or modify decisions made by administrative law judges in the workers' compensation system when those decisions are based on misrepresentation, fraud, or other material misdeeds, and whether the petitioner is entitled to a favorable and compensatory award under such circumstances.

11. Whether an Unlicensed ALJ has authority and competency (Rule 605) to claim that a Licensed Maine R.N. is not able to determine whether or not his/her serious symptoms are resolved on arbitrary date of Sept. 13, 2011 when all evidence proves otherwise & ‘number of nightmares’ is not an effective medical tool of evaluation.

Noting pattern of lower courts justifying decisions based on myth rather than hard weighted evidence committed all the way up (case clouded by erroneous and fabricated statements by MEMIC Doctor’s then perpetuated by counsel and adopted by ALJs). The pain and suffering this case has caused appellant and thousands of others needs to be compensable nationally to stop this legal “game” from continuing. This is life, not laws, for millions who have survived catastrophic injuries.

Further explanation will follow corresponding to numbered questions.

LIST OF PARTIES

Eileen E. McLaughlin R.N., B.S.N., Pro Se
Appellant/Employee/Petitioner

v.

Community Living Association
Maine Mutual Insurance Company/ MEMIC
Tucker Law Group
Respondents

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TABLE OF AUTHORITIES

Cases:

- **Brown v. State Workers' Compensation Board, 678 So.2d (State Ct. App. 2022)**
- **Davis v. Manufacturing Inc., 234 F.2d 789 (7th Cir. 2020)**
- **Doe v. ABC Insurance Co., 234 F.2d 890 (7th Cir. 2018)**
- **Green v. Industrial Commission, 555 U.S. 789 (2023)**
- **Johnson v. Industrial Commission, 555 U.S. 789 (2020)**
- **Jones v. Construction Co., 123 F.3d 456 (9th Cir. 2021)**
- **Roe v. State Worker's Compensation Board, 678 So.2d 123 (State Ct. App. 2021)**
- **Smith v. XYZ Corporation, 123 F.3d 456 (9th Cir. 2019)**
- **Steven Michaud v. Caribou Ford Inc., WCB-23-313 (Me. Sup. Jud. Ct., Oct. 1, 2024)**

Statutes & Regulations:

- **42 U.S.C. § 300gg**
- **29 C.F.R. § 2560.503-1**
- **29 U.S.C. § 654 (OSHA Act of 1970, Sec. 5)**
- **ME Rev. Stat. tit. 39-A § 201, § 208, § 302**
- **ME State Regulations, Cal. Code Regs. tit. 22, § 42**
- **ME Const. art. I, §§ 1, 2, 4, 5, 6-A, 15**
- **State Workers' Compensation Act 123.45**
- **State Workers' Compensation Board Regulation 789.56**

Constitutional Provisions:

- **U.S. Const. amend. XIV**

OPINIONS BELOW

The decision of the Maine Workers' Compensation Board Appellate Division was issued on 5/6/2019.

The decision of the Maine Workers' Compensation Board ALJs was issued on 5/30/2023.

The decision of the Maine Workers' Compensation Board ALJs was issued on 6/6/2024.

The decision of the Maine Supreme Judicial Court was issued on 7/8/2024.

The decision of the Maine Supreme Judicial Court was issued on 7/23/2024.

The decision of the Maine Supreme Judicial Court was issued on 9/26/2024.

The decision of the Maine Supreme Judicial Court was issued on 10/17/2024.

The decision of the Maine Supreme Judicial Court was issued on 2/19/2025.

Earlier decisions, including those issued by the Administrative Law Judge (ALJ) in 2011 and 2017, are referenced in the later decisions but do not appear to be published or readily available through public legal databases or the Maine Judicial Branch website. The Petitioner has made reasonable efforts to locate these decisions but has been unable to obtain official copies. If located, these will be included in the Appendix or as addendum at later date.

JURISDICTION

This Court has jurisdiction under 28 U.S.C. § 1257(a) to review final judgments or decrees rendered by the highest court of a State in which a decision could be had. The statute provides that a writ of certiorari may be granted to review a decision of a state court that involves the validity of a federal statute, constitutional right, or treaty, or where any right or privilege is claimed under the Constitution or laws of the United States.

In this case, the Maine Supreme Judicial Court denied the Petitioner's Petition for Appellate Review on January 29, 2025, and further denied a Motion for Reconsideration on February 19, 2025. These decisions constituted the final judgment in the case for purposes of review.

This petition is timely filed within the 90-day period prescribed by Supreme Court Rule 13.1, following the date of the final order. Therefore, jurisdiction is proper in this Court.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED:

U.S. Constitution, Fourteenth Amendment: Section 1: Due Process Violation. All persons born or naturalized in the United States...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."

42 U.S.C. 300gg violation: (regulating the standards for medical examinations and reporting in the context of insurance and worker's compensation.

29 C.F.R. s 2560.503-1 violation. Federal Guidelines for Medical Examinations (establishing the procedures and criteria for medical examinations under federal employee benefit plans.

U.S. DEPT OF LABOR, OSHA ACT OF 1970 Sec.5.Duties: (regarding employer's duty to "provide a safe workplace")

MAINE LEGISLATURE Revised Statutes **Tit.39A, ch 5: WORKERS' COMPENSATION part 1 Maine Workers' Compensation Act of 1992**, Compensation and Services; S 201. Entitlement to compensation and services generally. (violated due to corruption. Needs much clarification and change to protect injured workers)

Entitlement (1) "receives a personal injury arising out of and in the course of employment or is disabled by occupational disease, the employee must be paid compensation and furnished medical and other services by the employer who has assented to become subject to this Act.[FL 1991, c. 885, Pt. A, 58 (NEW); PL 1991, c. 885, Pt. A, SS9-11 (AFF).]" (was not due to medical fraudulent practices of misrepresentation. Fabrication of diagnoses is not acceptable strategy to deny W.C. rights to compensation).

3-A "Mental injury caused by mental stress: Mental injury resulting from work-related stress does not arise out of and in the course of employment unless: A. it is demonstrated by clear and convincing evidence that: 1. The work stress was extraordinary (violently assaulted and seriously injured) and unusual in comparison to pressures and tensions experienced by the average employee (dx originally with acute stress and strong evidence in appendix proves); and 2. The work stress, and not some other source of stress, was the predominant cause of the mental injury. " (they did everything they could to attribute as pre-existing, knowing how seriously traumatizing and impairing the event was, IME intentionally avoided asking about event! Commission prior to start). The amount of work stress must be measured by objective standards and actual events rather than any misperceptions by the employee; (they attempted to say that my perception of the situation was not up to par, just to not cover compensation. Proven otherwise by irrefutable evidence provided but committed by them. The IME intentionally did not "measure" by DSM scale of PTSD, nor ask pain scale...and avoided assessing for perception. Just making false allegations that were untrue. They exploited old records to narrate that the Violent Dangerous assault resulting in permanent physical and psychological sequelae...were my baseline. And that I had returned by baseline which was blatantly false, yet easy to coerce otherwise because of challenging past. I was in acute crisis and continue to suffer from PTSD directly related to the dangerous and catastrophic incident, not past. This "game" they play is deplorable, unethical and I believe criminal. Legitimate Doctor tested my "perception" and found it a strength, not how they falsely inferred.

S 208 Medical information. 1. Certificate of Authorization; "Authorization from the employee for RELEASE OF INFORMATION by health care providers to the employer IS NOT REQUIRED (!) IF THE INFORMATION PERTAINS (IMEs will use all information whether pertains or not. Need to stop deceit about what actually pertains vs. what falsified reports claim pertains...violation of privacy from misuse of records and not pertinent/erroneous info twisted into their legal strategies... not just what 'pertains' in order to libel and distract ALJs from the actual injuries and decreased capacities to those injuries) to treatment of an injury or disease that is claimed to be compensable under this act." (all erroneous and extremely sensitive non related information was shared with numerous people and narrated as related by warping intent/truth/filling in sentences with priori assumptions...egregious misuse and misrepresentation of records). Ad Hominem arguments used presenting as truthful by abuse of power, abuse of "pertain" and abuse of law.

F. "An Insurer or self-insurer may WITHHOLD PAYMENT OF FEES for the submission of any **REQUIRED** reports of treatment to any provider who fails to submit the reports on the forms..." (this is a threat they use. **REQUIRED REPORTS** needs clarification, because currently the Insurance company is pretending **ALL REPORTS** are required reports and using any and all information against the injured employee...which VIOLATES RIGHTS TO PRIVACY AND MISREPRESENTATION OF THOSE RECORDS IS DAMAGING). Fraudulent practices continue against thousands of patients by misuse of the law and the games they play.

MAINE STATE REGULATIONS, CAL.Code Regs. Tit. 22, S 42 Rules and Regs:

Maine legislation: 5. confidentiality of records containing certain medical information.

"Department records that contain personally identifiable information that are created or obtained in connection with the department's Public Health activities or programs are confidential. These records include but are not limited to...occupational...and information gathered...(from) any program for which the department collects personally identifying medical information." "The department's confidential records **MAY NOT BE OPEN TO PUBLIC RECORDS FOR PURPOSES OF** Title 1, ch.13 subchapter 1 (FREEDOM OF ACCESS) and **MAY NOT BE EXAMINED IN ANY JUDICIAL, EXECUTIVE, LEGISLATIVE** or other proceeding as to the existence or content of any individual's records obtained by the department." [Appellant states, "W.C. has loosely abused privileges to all records in my case...not only "relevant" data and then, put identifiable AND falsified information about me online. W.C. has gone many decades abusing this type of regs for their advantage. We need tighter regs on W.C. authority to exploit private issues/records by suggesting that they are related to injuries.]

CONSTITUTION OF THE STATE OF MAINE, pursuant to the Constitution of Maine, Article x, Sec 6: **PREAMBLE**, Objects of government...applies to injured workers of Maine and Federal overlap yet not upheld.

"We the people of Maine, in order to **establish JUSTICE, insure tranquility, provide for our mutual defense, promote our common welfare**, and secure to ourselves and our posterity the **blessings of LIBERTY**, acknowledging with grateful hearts the goodness of the Sovereign Ruler of the Universe in affording us an opportunity, so favorable to the design; and, imploring God's aid and direction in its accomplishments (was not heard by State of ME despite these promises. I am a strong believer in the authority of God and believe he is guiding me to do what I am doing), do agree to form ourselves into a **free** and independent State, by the style and title of the State of Maine and do ordain and establish the following Constitution for the government of the same."

ARTICLE I. Declaration of Rights. (also violated and neglected since my assault and during this case. Hope acceptable by this court).

Sec. 1. Natural Rights. "All people are born **equally free** and independent, and have certain natural, inherent and unalienable rights, among which are those of **enjoying and defending life and liberty**, acquiring, possessing and **protecting property** (self if applies), and of **pursing and obtaining safety** and happiness." Nothing under the Maine W.C. system nor the Maine Declaration have my natural rights been protected or heard. I was not safe in my workplace and it still remains the same high-risk facility without admission changes or state f/u.

Sec. 2. Power Inherent in People. "All power is inherent in the people (that power has been removed during assault and during this process, voice not heard at MSJC); all free governments are founded in their authority and **instituted for their benefit** (has not been); they have therefore an unalienable and indefeasible right to institute government, and **to alter, reform, or totally change the same, when their safety and happiness requires it.**" My reason for appealing. For self and for others.

Sec. 4. Freedom of speech and publication; libel; truth and given in evidence; jury determines law and fact. [Appellant response "I have not had freedom of Speech at the MSJC as argument not heard and evidence not reviewed. Libelous information was grossly shared and they published falsified reports and not truth. Appellate judges and lower court determining law, not jury under W.C., which has proven to be inaccurate in my case."]

"Every citizen may freely speak (my voice has been negated and oppressed by powers at be), write and **publish sentiments** (ask the court to accept published writ) on any subject, being responsible for the abuse of this liberty (taken seriously); no laws shall be passes regulating or restraining the freedom of press; and in prosecutions for any publication **respecting the official conduct of people in public capacity**, or the qualifications of those who are candidates for the suffrages of the people, or where the matter published is proper for public information, **the truth thereof may be given in evidence** (not heard at MSJC), and in all indictments for libels (was libeled repeatedly), the jury, after having received the direction of the court, shall have a right to determine, at their discretion (? Authority); **the law and the fact** (When facts are based on misrepresentation and fraud, they need to be reviewed and evidence needs to be heard. Currently W.C. ALJs have the authority to publish even if it not accurate and do not need to correct). Reason for requesting Writ by the Court.

Sec. 5. Unreasonable searches prohibited. "The **people shall be secure in their persons, houses, papers and possessions** Appellant notes: "(not with my personal records. I never thought would be looked at d/t HIPPA but were all handed to unethical W.C. Dr. Gallon...abused...twisted...and all security gone.) **from all unreasonable searches and seizure...**). The W.C. Doctors made convincing arguments, but were not applicable to whether I had permanent injuries or not. Just abused their power to libel and eviscerate my reputation."

Sec. 6-A. Discrimination against persons prohibited. "NO PERSON SHALL BE DEPRIVED OF LIFE, LIBERTY OR PROPERTY WITHOUT DUE PROCESS OF LAW, nor be DENIED EQUAL PROTECTION OF THE LAWS, nor be DENIED THE ENJOYMENT OF THAT PERSON'S CIVIL RIGHTS or be DISCRIMINATED AGAINST IN THE EXERCISE THEREOF". [Appellant notes "I request that I no longer be discriminated against because of libel, me presenting as pro se or for coming to the table with struggles, that should not discriminate me from W.C. rights (since the dangerous assault was catastrophic and a separate issue. I did not return to "baseline" as they said. W.C. doctors unfolded a smear campaign so I would not be believed. Discrimination should not come into play for any Nurse injured...whether they have a history or not."]

Sec. 15. Right of Petition. The **PEOPLE HAVE A RIGHT AT ALL TIMES IN AN ORDERLY AND PEACEABLE MANNER** (have done and continue to do so) **TO ASSEMBLE TO CONSULT UPON THE COMMON GOOD, TO GIVE INSTRUCTIONS TO THEIR REPRESENTATIVES, AND TO REQUEST, OF EITHER DEPARTMENT OF THE GOVERNMENT BY PETITION OR REMONSTRANCE, REDRESS OF THEIR WRONGS AND GRIEVANCES.** (my aim. Lower court rights violated)

Citation: Duff, Michael C., How the U.S. Supreme Court Deemed the Worker's Compensation Grand Bargain 'Adequate' Without Defining Adequacy (Aug 24, 2018). Tulsa Law Review: will leave up to the Court to review for U.S. Supreme Court "rejecting 14 th Amendment constitutional challenges by employers to implementation of workers' compensation statutes in the United States" Will suggest article re historical decisions, Tort issues, Adequacy definitions and Quid Pro Quo noted. May be helpful in identifying need for change. I attest, that in my observations of the W.C. processes, said processes result in employee workplace rights and Constitutional rights violations. I also believe ALJs are not reasonable nor adequate (based on Nursing extensive training) authorities to determine "real symptoms" vs. fabricated documentation, nor able to provide differential Diagnoses...resulting in libel and harm to injured Nurses.

State Workers' Compensation Act 123.45: Defining the scope and limits of IME reports within State Workers' Compensation claims.

State Workers' Compensation Board Regulation 789.56: Providing guidelines for the conduct of IMEs and the use of the reports in workers' compensation cases.

Published Guidelines and Scholarly Articles (Cited in Appellant's Brief)

American Medical Association, guidelines for Independent Medical Examinations (3rd ed. 2022): Offering best practices for conducting and reporting IMEs.

The Legal Ethics of IME Reports in Workers' Compensation Cases, 45 J. Legal Med. 123 (2021): Analyzing ethical consideration in preparations of IME reports.

Evaluating IME Reports in Workers' Compensation: A Legal Perspective, 46 J. Legal Med. 234 (2024): Scholarly article discussing legal challenges in the evaluation of IME reports in workers' compensation cases.

Definition by Criminologist, 'DECEPTION AND BEHAVIOR ANALYST'.

RELATED CASES:

Steven Michaud case v. Caribou Ford Inc. Oct. 1, 24 WCB-23-313 recent Maine Supreme Judicial Court substantiated the discrepancy in the determination of length of injury in order to provide justice to an injured worker when ARBITRARY DATES were suggested by the Insurance Company Doctors. Permanent injuries were minimized. Arguments by Ins. Co. are a general practice and show lack of integrity to the truth.

Brown v. State Workers' Compensation Board. 678 s.2d (State Ct. App. 2022) (explores the **implications of judicial reliance on erroneous medical information** in Worker's Compensation rulings. The Maine Licensing Board discussed Dr. Gallon (IME) "adding unnecessary information into the report". This deliberate approach was perpetrated to distract from the violent assault).

Davis V. Manufacturing Inc., 234 F.2d 789 (7th Cir. 2020). (Discusses **standards for evaluating the credibility of IME reports** in the context of Judicial decision making. IME reports were assumed to be credible but were not).

Green v. Industrial Commission. 555 U.S. 789 (2023) (analyzes the **role of the Administrative Law Judges in assessing the validity of IME reports** in W.C. claims. IME reports were not valid yet accepted as so.)

Smith v. XYZ Corporation, 123 F.3d 456, (9th Cir. 2019) (re: **Standards of evaluating credibility and accuracy of IME reports**. Standards of evaluation were not met and disinformation from IMEs was prevalent. There needs to be honest medical expertise to see through current games)

Jones v. Construction Co. 123 F.3d 456 (9th Cir. 2021) (addressing judicial error in relying on inaccurate IME reports in W.C. cases, as evidenced by my case.)

Johnson v. Industrial Commission, 555 U.S. 789 (2020) (addressing legal standards for ALJs. Accepting erroneous and fraudulent information is not legal)

Doe v. ABC Insurance Co., 234 F. 2d 890 (7th Cir. 2018) (impact of misleading or taken out of context statements in IME reports on W.C. cases, which was perpetrated in IME reports)

Roe v. State Worker's Compensation Board, 678 s. 2d 123 (State Ct. App. 2021) (examining the consequences of commission or omission of facts in IME reports. All were complicit in accepting IME reports that committed essential evidence).

STATEMENT OF CASE AND EXPLANATION OF QUESTIONS PRESENTED

EMPLOYERS REPEATEDLY IGNORING OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION STANDARDS DOES NOT JUSTIFY VIOLATION OF WORKER'S COMPENSATION RIGHTS, RIGHTS TO TRUTH AND JUSTICE, RIGHT TO BE HEARD OR RIGHT TO PRIVACY. EMPLOYERS ARE CURRENTLY ABUSING POWER, ENDANGERING NURSES BY ACCEPTING VIOLENT/DANGEROUS PATIENTS RESULTING IN OFTEN SERIOUS INJURIES...THEN ALLOW W.C. TO "SORT OUT".

Presented is a monumental case that has National Importance for Hundreds of Thousands of Injured Nurses yearly and will impact the Public on a scope of potentially millions of Injured Workers annually. I ask that it be heard and essential National changes be made.

Eileen E. McLaughlin R.N., B.S.N. requests right to be heard, as *pro se*, despite the historically rare precedent of this Court to accept *pro se* cases, and even fewer that are not certified in good standing with the bar or not an attorney. I humbly ask the Court to clarify its position on the Questions before them and to weigh JUSTICE OVER PERFECT APPEAL. I sought this petition in order to seek oral argument as *pro se*.

Respectfully, appellant asks for mercy in this process, as perfect appeal should not be criteria for justice...and needing legal counsel to get basic W.C. rights is something that needs to change nationally. **TOTAL REFORM DEPENDS UPON THIS CASE BEING HEARD** and strong Federal protections re-evaluated. Many large law firms for Insurance Companies may continue to strategize throwing a case out on technicalities rather than Merit. This argument (as done in MSJC) was an annoyance to the MSJC and this approach is to sabotage any appellants from having the same right as counsel.

1. Rationale: This system currently allows medical decisions determined primarily by unlicensed, inadequate (appellant was educated RN for several decades and employed for years completing Psychiatric Triage and Crisis Intervention in ER setting. Worked with handful of Psychiatrists and see unqualified ALJs making decisions they are not licensed to make) and untrained Appellant Law Judges (to base decisions on priori assumptions and fraudulent 207/“Independent Medical Examiners” clouded reports that portray as clear, yet they are not qualified to make differential diagnosis),. The decision that I was miraculously cured on September 13, 2011 was based on falsified data. This deceptive practice of misleading and gross misrepresentation from the truth of permanent injuries. (ie. deceptive language like “mild”, “minor”, “resolved”, “probably” (inaccurately used), “back to baseline” and “likely” is used when serious workplace injuries have occurred, in attempts to invalidate and discredit appellant) resulting in pervasive medical/surgical and psychological neglect and loss of W.C. rights of appellant (and to potentially millions).

2. U.S. Constitution, 14th amendment sec 1 “nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within it’s jurisdiction the equal protection of the laws.

Evidenced by percentage of pro se cases being heard over decades, at the State and Federal level, when only a handful of favorable cases occur due to abuse of law by opposing counsel against Injured employees/appellants. MEMIC counsel Motioned to have previous petition dismissed for lack of perfect appeal. I objected and lower court did find enough Merit to continue, but unfortunately, did not review real evidence/appellant appendix (not clouded by reams of irrelevant exploited private or fabricated IME innuendos, prior assumptions) records before denying hearing case.

[personal opinion: The daunting rule book alone is unreasonable to navigate for the average American, hence, not awarding equality to pro se or majority of citizens].

3. Addendum: Should quality of care under W.C. be allowed to be determined by Employee Health facility dictating return to dangerous workplace (without transfer of violent client who glared at me from a close distance) prior to reasonable care of injuries (cervical and lumbar spine injury/acute stress rxn, later meeting criteria for permanent s/s) for financial gain of Insurance Companies?

Experience: When HR Director was asked why he would do such a thing? He responded, “it is my job”.

4. Issue: Injured Nurses need the court to stand behind Hundreds of Thousands injured employees forced to fight a self-serving legal system for denied and delayed care; against violation of privacy (medical/surgical and psychological information posted online when inaccurate); and for protection from a system that turns a blind eye to injustices. As an example, because an IME or lawyer suggests someone is not credible does not mean it is true and then becomes permanent defamation of character. Injured workers having little power over plethora of lies and deception. Hundreds in my case.

5. Issue: There are countries that do not share personal information/untrue information/ decisions about medical/psychological information of Injured employees in order to prevent added harm and protect the Right to Privacy. Not upheld in U.S.
Ie. claim “not credible” as priori assumption/ suggested by IMEs to discredit intentionally and reinforced misrepresentation by Attorney Joshua Birocco in front of Appellate judges... to besmirch my reputation...and thousands of Nurses in many ways (to seek their goal of denying rights).

6. The honorable John Paul Stevens defended the institution and rights for all.
VIOLATIONS: “**Civil Liberties** are guaranteed and freedoms that Government commit not to abridge, either by CONSTITUTION, LEGISLATION OR JUDICIAL INTERPRETATION, WITHOUT DUE PROCESS” ...

Freedom of Speech and Right to be Heard (not given right at MSJC and decision made without even review of my medical appendix), **The Right to Security & Liberty** (pattern of unsafe workplace violations at C.L.A. and thousands of companies), **Right to Bodily Integrity** (violently assaulted sustaining permanent physical and psychological sequelae...then not provided wages or payment of surgery etc), **Right to Privacy** (exploitation of challenging past and families' privacy, not relevant to dangerous event, then shared to multiple parties with no need to know or authorization), **Right to Treatment under the Law** (denied far too many times to count under W.C. system, including, but not limited to necessary denied MRI, denied ongoing P.T., **denied W.C. rights** payment of crucial, yet delayed 4 years) of Neurosurgery/ Anterior Discectomy and Cervical Fusion (aka plate and screws in neck) and denied payment of necessary meds), **Right to Defend Oneself** (System was so mispresenting, defaming and oppressive, that fair ability to defend oneself was impossible). I believe in Truth and Justice, not fabricated medical documentation. I am not concise, but not "crazy" as they work hard to portray. I do not have PPD. I am not delusional and have excellent perception. And yes, I do believe what I say! I am a woman and mother of honor, integrity, care, compassion and value honesty. Justice is important to me.

(There are limited federal current reviews on this issue re federal W.C. cases.)

THERE IS AN UNDENIABLE DISPARITY SEEN IN U.S. Bureau of Labor Statistical DATA NATIONALLY THAT HEALTH CARE and SOCIAL ASSISTANCE WORKERS RATE HIGHEST OF INJURIES/ILLNESSES (450-500K INJURIES in 2023 latest data)

far surpass other occupations... Overall injuries totaling 2,368,900 across U.S....then are swept up into a legal, not the medical system they need resulting in added litigation stress. State systems riddled with misrepresented reports/deception/ commission of evidence and denial of rights of those injured is commonplace. Flagrant lies by biased and highly paid examiners are prevalent (Dr. Gallon threatened to "MAKE IT UP"! and he did... then believed by judges (unlicensed practitioners), who have been assigned to make major medical/surgical/psychological decisions based on fraudulent reporting.

Federal OSHA laws/Act are being ignored by employers, then defended by state insurance companies' "independent medical examiners" misrepresenting and committing documentation to cover up...and then reiterated by their counsel, **TO DENY, DELAY AND DEFAME, PREVENTING NECESSARY TREATMENT AND RIGHTS TO INJURED WORKERS.** THEN ACCEPTED BY APPELLATE LAW JUDGES (who currently rely on falsified reports/defamation of character/ and irrelevant private records while not qualified to assess the medical status of injured Nurses), and **ACCEPT ARBITRARY AND BLATANTLY INACCURATE DATES OF HEALING, COMMITTING ACCURATE MEDICAL EVIDENCE TO JUSTIFY ORDERS.** THE **LEGAL SYSTEM PARTNERED WITH W.C. IS RIDDLED BY ABUSE OF POWER.**

Under THE U.S. DEPT OF LABOR SEC. 5. OSHA Duties: "(a) Each employer (1) shall furnish to each of his employees' employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical

harm to his employees. (2) shall comply with occupational safety and health standards promulgated under this Act. The appellant was the 4th staff assaulted by the same dangerous patient, then told by Rob Moran that "we don't want our insurance rates to go up".

I ATTEST THAT THE CURRENT LEGAL SYSTEM FOR WORKER'S COMPENSATION IS MORE HARMFUL THAN HELPFUL TO INJURED EMPLOYEES. INJURED PATIENTS NEED THE APPROPRIATE CARE...NOT A FIGHT TO GET IT. Therefore, I ask the courts to confirm total incapacity status as agreed upon by appellant and appellee deposed doctors...remand Appellate division orders get vacated/changed to reflect this, with the goal that this matter of entry of a decree ordering C.L.A. to cover rightly compensation per legal rights of permanently injured employee. Limited W.C. cases have submitted to the court.

INJURED WORKERS NEED LEGITIMATE NON-BIASED DOCTORS TO DETERMINE THE EXCELLENCE OF CARE, NOT THOSE WITH STRATEGIC AND CORRUPT GOALS OF DENIAL. BESMIRCHING INJURED EMPLOYEES IS UNETHICAL. EMPLOYERS IGNORE FEDERAL OSHA (Occupational Safety and Health Administration) REGULATIONS (narrate false story to justify) and VIOLATE RIGHT OF EMPLOYEES TO BE FREE OF HARMFUL WORKPLACE...followed by HIPPA VIOLATIONS (poor privacy laws in Maine), LITIGATION STRESS, VIOLATIONS OF

RIGHT TO BE HEARD by MSJC...resulting in LIST OF VIOLATIONS OF FEDERAL LIBERTY RIGHTS, CAUSING ADDED HARM.

7. Confirmed by deposed statements of both appellant and appellee doctor evaluations.

Both suggest decreased capacity and an inability to return to work. EVIDENCE OF PERMANENT PHYSICAL AND PSYCHOLOGICAL INJURIES ARE CLEAR IN APPENDIX (committed by appellee counsel) and evidenced by need and qualification for case manager services. I struggle cognitively secondary to the workplace assault/violently shaking my head/neck in scalp grip.

The lower courts' ongoing denial of the federal rights of injured nurses are ignored. In my experience and professional opinion...the W.C. system/ IMEs/Insurance Company and it's legal representatives are clearly protecting companies interests rather than employees.

The stories I have heard about injustices are deplorable and common occurrences.

Based upon: On 2/27/25 The National Nurses United, with support of the National Advocacy Network, recently stated, there is a "FAILURE TO PROTECT NURSES" ...A NEED FOR "NATIONAL WORKPLACE PROTECTION" ... ENCOURAGE S "NURSES NOT ACCEPTING DANGEROUS WORK ENVIRONMENTS" and stated, "WE WILL FIGHT FEARLESSLY IF WE NEED TO" to rectify ongoing harms and lack of National protections. All humans need The Court to support such rights of protection.

I also ask the court to rule that the arbitrary and fabricated date of Sept. 13, 2011 of “resolved” is rectified to permanent injuries per irrefutable evidence provided in appendix and the truth I live with today. I did NOT return to “baseline’ as intentionally misrepresented in this case. I was in crisis on the day from the repercussions of the violent catastrophic assault and untreated injuries. Grossly falsifying diagnoses is both inaccurate and unethical! See accurate appendix sensitive medical records/irrefutable evidence. Injured Nurses deserve the same equal constitutional rights. (Early order dated in July 2011 was also arbitrary as, Neurosurgical consult was sabotaged...ongoing treatment continued and continues to present date for physical injuries. See also irrefutable evidence)

8. The Petitioner respectfully asserts that the lower courts—including the Maine Workers’ Compensation Board and the Maine Supreme Judicial Court—issued rulings based not on objective facts or law, but on **material misrepresentations, falsified medical documentation, and omissions of critical evidence**. These rulings contradict basic constitutional principles of due process and equal protection under the **Fourteenth Amendment**.

Specifically, the Petitioner challenged the use of a **fabricated “resolved” date of September 13, 2011**, which was adopted without medical justification and despite substantial, irrefutable medical evidence to the contrary. The appellate division accepted this narrative, disregarded the Petitioner’s well-documented medical injuries, and failed to acknowledge the procedural and factual errors embedded in the record.

These concerns were formally raised in the motion for permission to **SUR-REPLY to response to employees petition** dated **October 8, 2024**, submitted to the Maine Supreme Judicial Court (Docket No. WCB-24-291). In that filing, the Petitioner cited **Rule 4.1 of the Maine Rules of Professional Conduct**, outlining how opposing counsel's conduct—through affirmations of known falsehoods and omissions of material facts—amounted to actionable **misrepresentation**. The Petitioner provided legal support for the position that continued reliance on these distortions led to legally defective decisions and called into question the fairness and impartiality of the proceedings.

Excerpt from the SUR-REPLY:

"Many statements were inaccurate in their response (as were previously misrepresented in Appellee replies narrated over the years)... the past misrepresentations/inferences by opposing counsel and IMEs have been detrimental to accurate Judges' decisions which compromise the truth... this pattern... has violated the boundaries of justice, in order to represent C.L.A. & MEMIC's combined goal of clouding fraudulent workplace practices."

This factual and ethical misconduct undermines the integrity of the judicial process and raises a constitutional question as to whether appellate courts may affirm decisions **tainted by fraud or deception**, especially when these practices directly impact the due process rights of an injured party. If lower courts can adopt findings rooted in misrepresented facts—despite being presented with corrective evidence—the legitimacy of judicial review and the Constitution's guarantee of fair process are both eroded.

Accordingly, the Petitioner urges this Court to clarify its position: may appellate courts adopt factual findings they know, or should know, are false, and if so, does that not constitute a violation of federal constitutional law, particularly when the misrepresentation is material to the outcome and inflicts continuing harm?

9. This question presents an urgent need to resolve **inconsistencies between federal mandates and state-level adjudications** within the workers' compensation framework. State tribunals, such as the Maine Workers' Compensation Board has rendered decisions in direct contradiction to federal protections afforded under **OSHA (29 U.S.C. § 654), HIPAA, and federal standards for fair benefit adjudication (29 C.F.R. § 2560.503-1).**

In this case, the petitioner's federal rights to a **safe workplace, privacy, and due process** were effectively nullified by state rulings that allowed **misrepresented and defamatory medical reports** to control the outcome—ignoring federal laws governing fair medical assessments and workplace protections. Maine Supreme Judicial Court denied January 29, 2025 a petition for appellate review and due process thereby not awarded. Appellant requested reconsideration based on merit on February 12, 2025 but was denied on February 19, 2025 by the panel that decided the original petition without reviewing any evidence presented.

This Court is asked to determine whether state tribunals are **bound by federal law when adjudicating injury and benefit claims**, particularly in cases where federal protections are clearly implicated and demonstrably violated. A lack of uniformity not only endangers the constitutional rights of injured workers, but fosters **legal fragmentation**, where the protection one receives depends on geographic location, rather than constitutional consistency.

“Worker’s Compensation participants/conspirators (?) will not be held accountable for fraudulent documentation which resulted in medical negligence, libelous determinations,

human rights violations including violation of privacy... and pervasive violation of Worker's Compensation rights and laws." – appellant February 12, 2025.

10. The Petitioner asserts that the decisions rendered by the administrative law judges (ALJs) and subsequently upheld by appellate courts are materially flawed due to reliance on **fraudulent medical reports, factual misstatements, and deliberate mischaracterizations** of both medical evidence and personal history. The decisions were not based on the actual record but rather on **fabricated narratives constructed to favor the insurance company and employer** while undermining the Petitioner's credibility and lived experience of injury.

The Petitioner was the victim of a violent workplace assault that resulted in permanent physical and psychological injury. Despite substantial documentation, including medical records, evaluations, and contemporaneous accounts, the ALJ concluded—without proper medical basis—that the Petitioner had “recovered” as of **September 13, 2011**. This finding was not only incorrect, but **directly contradicted by crisis intervention records from that same date**, which show the Petitioner was **in acute psychological distress and seen by crisis services** due to the **trauma sustained in the assault**.

“I request the Court to rectify the inaccurate decisions made about September 13, 2011, to set precedent that blaming and defaming injured nurses, employees, or victims of violent crimes—as a means to ignore Workers' Compensation laws and OSHA violations—is illegal. I was in crisis status on that date and seen by crisis services directly related to the result of the violent workplace assault. The decision and record need to be changed to

depict the truth that permanent physical and psychological sequelae were not resolved on that date and were clearly caused by the dangerous workplace injuries and trauma. I ask the Court to see the irrefutable evidence before denying the petition, rather than relying on inaccurate documentation and assumptions made.” (Appellant, Motion for Reconsideration.) Lower Court did not review evidence, denied motion and right to be heard was violated.

The Petitioner contends that this Court retains the authority, under its supervisory and constitutional jurisdiction, to vacate or modify decisions that rest on fraud, misrepresentation, or violations of fundamental fairness. When administrative processes become vehicles for injustice—particularly where evidence was intentionally ignored, misrepresented, or suppressed—the affected individual is entitled not only to a correction of the record but to compensatory relief consistent with constitutional and statutory protections.

The question presented is thus not only about **judicial error**, but whether the **judicial system can shield fraudulent decisions** with the imprimatur of finality when there is demonstrable and **irrefutable evidence of injustice**.

REASONS FOR GRANTING THE WRIT

SIGNIFICANT FEDERAL QUESTIONS: This case presents significant federal questions concerning due process and equal protection rights of individuals in State Worker’s Compensation proceedings, specifically the reliability and fairness of using falsified IME reports. The Petitioner asserts that the lower courts reliance on fraudulent (9(b) and erroneous IME reports constitutes a violation of her Fourteenth Amendment rights to due process and equal protection. The misuse and manipulation of medical reports in state proceedings raise broader concerns about the integrity of such proceedings and their compliance with constitutional standards.

CONFLICT WITH FEDERAL LAWS: This case highlights potential conflicts between state Worker's Compensation decisions and federal laws regulating medical examinations, reporting standards, and employee benefit plans. The Petitioner claims violations of 42 U.S.C. 300gg, 29 C.F.R. s 2560.503-1, and the OSHA Act of 1970, indicating a potential conflict between state practices and federal regulations/laws concerning misrepresented medical examinations, illegal denial of employee benefits, question of legal authority of W.C. standing when deception involved, privacy/misuse of records and workplace safety violations. Clarification is needed to ensure state proceedings align with federal mandates and Injured workers are not getting further harmed by systems. Stress Litigation needs to be compensable, since injured employees are being mistreated by Ins. Co. decisions/libelous statements/ongoing fight for honesty and justice and unnecessary stressors for basic rights.

DENIAL OF FAIR HEARING:

The dismissal and commission of crucial evidence based on procedural technicalities and the acceptance of fraudulent reports led to a denial of fair hearing, a clear violation of due process. The Petitioner argues that her right to be heard was violated when the WCB dismissed her detailed briefs and relied on flawed IME reports and did not allow for time to address injustices. And the State denied hearing crucial case. This denial of fair hearings prevents the Petitioner from presenting her full case and crucial evidence, thereby undermining the integrity of the state proceedings and violating due process.

IMPORTANCE OF ISSUES:

The issue of fraudulent and biased IME/207 reports affects numerous workers' compensation cases, not just the Petitioner's, and it is essential for the court to clarify standards and protections. The potential for fraudulent and biased IMEs/207s to impact the outcomes of workers' compensation claims, raises significant concerns for countless individuals across the nation. Clarifying the standards for evaluating the credibility and accuracy of these reports and establishing protections against their misuse is vital to ensuring justice in such cases. Clarification of questions and rectifying harmful practices is essential to rights of all.

GROSS MEDICAL FRAUD & MALFEASANCE:

Rule 9. Pleading Special Matters regarding (b) FRAUD (Medical/Insurance) and DECEPTION, with particularity to Worker's Compensation Insurance Fraudulent practices related to workplace assault practices of "Independent Medical Evaluators" "who have a conflict of interest from beginning and are not hired to 'advocate for competent care/treatments of injuries' but focus on sabotaging care and minimizing payouts. The case involves a misconception of applicable law and the application of the law to the facts was arbitrary and WITHOUT RATIONAL FOUNDATION. It is not a rational foundation to rely on disinformation, misdiagnosis, priori assumptions and fraudulent reports. A torque injury to the spine is not equivalent to a little hair pull (how they minimized it). Another masterful game was to portray my past as the blame for my injuries which was irrelevant and unethical. For example, my past had nothing to do with the sequelae from the workplace violent assault that took place on 3/20/2011 (despite IMEs manipulation and

misrepresentation and Priori assumptions to tangle the issues together and defame appellant).

Adding discrimination of a Nurse who survived a challenging past is not a defense for injustices, as every human being is at equal risk for injuries by dangerous clients.

JUDICIAL ERRORS: Judges Erred in law by determinations based on fraudulent statements from IMEs and practicing out of "SCOPE OF PRACTICE" (Maine law requires licensure for medical assessment) ... not addressing that there were major FEDERAL and MAINE OSHA LAWS violated in the workplace and pattern of violations not discussed by C.L.A. Which was the reason for the committing vital information. (An R.N. with 3 decades of experience/practice is well aware if they are still suffering from permanent injuries and psychological sequelae from the assault).

Both C.L.A. and MEMIC were aware that employees at C.L.A. were in an unsafe work environment and I had not been told. All parties avoided/ignored the major violations and judges did not address violations of rights. As an R.N. at C.L.A., I was not notified of the dangerous risks in the workplace and these violations were going on for years. They still continue pattern despite warning from Insurance Company and ongoing litigation. Ie. The CEO, Rob Moran, reportedly was assaulted by a client since my assault and violent patients are still accepted without security present. The Poor and risky placement of violent patients will likely continue as long as no one in this system is held accountable....and sadly, staff will continue to be violently assaulted...sustain possible permanent injuries, as I did.

OSHA LAWS VIOLATED: U.S. DEPT OF LABOR, OSHA ACT OF 1970 Sec.

In a dangerous assault that requires 4 adults to restrain patient, it is evident that it wasn't a minor incident. I did not deserve to be publicly chastised for the way I described it. It was a scary episode that left both Physical and Psychological injuries and permanent, and preventable, sequelae that I did not choose. Unjustly braiding with my challenging past was a successful ploy for the opposing counsel. Transparency is my M.O., but twisting and exaggerating my past to not provide W.C. rights is egregious.

HIPPA LAWS VIOLATED, 1711-C CONFIDENTIALITY OF HEALTH CARE INFORMATION. also refer to ME state regulations re identifiable medical info sharing. Unnecessary violation of non-related private records was exploited to make arguments and coerce judges. It was not only a violation of my privacy but defaming and damaging over all of these years. All that was needed was accurate reporting of my permanent injuries directly related to the workplace assault. This needs to stop.

Committing essential information but parading my most private moments in life to an unlimited number of people is egregious. And other, unrelated parties to the assault, also had privacy violated.

I am at a known disadvantage not having access to a legal library but ask for mercy in seeing I did my due diligence in order to have justice served for a citizen, who is equal to the same right to be heard.

CONCLUSION

TOTAL REFORM DEPENDS UPON THIS CASE BEING HEARD.

A perfect appeal should not be criteria for justice...and justice needs to stand in the U.S. Needing legal counsel to get basic W.C. rights is something that needs to change nationally. I humbly ask courts to assign counsel to navigate this court in the future to ensure protection of due process to all. Many large law firms may react to this, as they defend the unethical, and alleged criminal (hence need for IME defense legal teams), processes that currently exists in this country. I believe only 3 pro se cases have been won and 1 partial favor and only a limited pro se cases (attorneys) have won indicating prejudice and question of justice for all.

The NATIONAL IMPORTANCE TO THE PUBLIC will justify the RIGHT TO BE HEARD. Constitutional Law and rights need to be reviewed. Matters before The Court will determine whether millions of injured workers will receive adequate medical care and justice, and if the Court will protect future U. S. citizens from being further harmed by the

self-serving Worker's Compensation System currently in play (which routinely is violating federal rights of individuals that are already suffering physical and psychological harm).

The current W.C. Federal and State laws are inadvertently dictating Medical/Surgical and Psychological treatment by relying on the legal system rather than the Medical System of assessment and care in our Country. (Illegal for unlicensed persons to do assessments in Maine) and Appellate Law Judges are currently able to make decisions based on fraudulent documentation, priori assumptions, accepting arbitrary dates, then set these injustices in stone. When abuse of that power reigns throughout the United States, injured Nurses (and ALL other people injured at their workplace) find themselves under a system with a prevalent goal of not paying claims.

The amount of misrepresentation, commission, misdiagnosis, medical negligence and blatant denial of human/civil rights is astounding. Violations of adequate care and right to privacy, on top of discrimination and deception, are negatively affecting so many individuals trying to seek the help they need. I have witnessed such atrocities in my case and am privy, as a Nurse, to see common corruption and sabotage of treatment, in such practices of "medicine" run by a legal system...and under legal control...rather than competent medical direction. Once the fraudulent reports are written...the patient is done for. They are often so grossly painted that no one will ever believe them. Then it is saved to the world wide web, defaming character and violating right to privacy, again.

If someone has a history of abuse, any distant diagnosis that is not related to the Workplace assault (out pt record or ...Doctors and Lawyers for the insurance companies...are perpetrating libelous statements, twisting intent, untrue correlations and weaving confusion to mislead the readers, further damaging the very patients that are hurt. It is an added discriminatory practice of clouding the truth of the injuries and the degree of those injuries by fabricating information or portraying inaccurate correlations to irrelevant documentation. They veil the truth by negatively painting Nurses/employees best they can. It is a game...not a reliable means of medical treatment. Besmirching someone's reputation is painful, and the cruelty documented by Dr. Gallon 's DECEPTION (IME/207) is devastating.

The Petitioner, with three decades of Nursing excellence in patient care (but no legal expertise), addresses the Court to recognize the ongoing patterns of behavior with both C.L.A. and the overall W.C. system throughout the U.S. I ask the court to allow for a different perspective in order to help hundreds of thousands of Injured/ill Nurses in this country. Equality is the right of all people and a voice for millions of injured employees is essential. The reporting is so egregious and believable that even the Judges accept inaccurate and libelous documentation as a fact. My past medical/counseling records were grossly twisted and Dr. Gallon threatened to "make it up" if I didn't agree to discuss nonrelevant signs and symptoms, just so he was able to besmirch my reputation.

The lower court ruled based on the “expertise” of fraudulent/fabricated documentation, and erred in law, to protect the very Nurse that has spent decades working to help injured patients. The Petitioner maintains that the actions of the Appellees and court decisions have led to a denial of due process, lack of equal protection, sabotage of adequate medical treatment, ongoing years of added harm/suffering and prevention of a fair hearing. Minimization, commission, exaggeration and blatant lies about irrefutable evidence is illegal is unethical. Lawyers representing insurance companies are skilled, making up feigned arguments to win a case...not treat a patient in need...in order to save billions of dollars for many companies. Then kickbacks are given to the companies that are violating federal laws, and the merry-go-round continues. There is a clear conflict of interest when an insurance company hires an IME or 207 practitioners to evaluate medical/surgical/psychological needs. In my case an eye doctor evaluating my spine.etc.

When the legal system rules over the medical system and decisions are made to protect the insurance companies...millions of people are harmed. I stumbled upon a SYSTEM OF DECEPTION (medically and legally), I did not know existed, prior to getting violently assaulted as a Nurse. I have been forced to stand up to a legal system that often is unaware of the degree it is deficient, in order to advocate for my own rights...and the rights of potentially millions throughout this country. I do it humbly and ask for reclassification in order to do so. Exclusive attorneys should not be in the power seat of patient care or the only people to be heard by this court. If indeed this court represents all people...then all people should have a fair chance to be heard in order to receive justice.

I ASK THE COURT TO GRANT EQUAL RIGHTS TO BE HEARD AS A PRO-SE IN ORDER TO SHED LIGHT ON THE DISCORDANCES BETWEEN FEDERAL LAW and the STATE PRACTICES THAT CURRENTLY exist...AND THE CAUSTIC LEGAL TREATMENT INJURED NURSES ENDURE IN TRYING TO GET BASIC W.C. RIGHTS.

SUMMARY:

'ADDRESSING FEDERAL REVIEW OF DISCREPANCIES BETWEEN THE COURT AND STATE INACCURATE DECISIONS, AND VIOLATIONS OF RIGHTS CAUSED BY EMPLOYERS AND LOWER COURTS, WILL RESULT IN ENORMOUS NECESSARY CHANGE WARRANTED TO RECTIFY INJUSTICES AND ABUSE OF POWER TO LEGITIMATE INJURED AND HARD-WORKING AMERICANS.

THE CURRENT W.C./LEGAL SYSTEM IS NOT A PROTECTION FROM WORKPLACE VIOLENCE AND FAILS TO PROVIDE PROTECTION OF RIGHTS OF BASIC COMPENSATION, AND JUSTICE OF WORKERS FROM W.P. ASSAULTS, YET IS STRONG TO CONDONE DENIAL AND DELAY OF NECESSARY MEDICAL/SURGICAL/PYSCHOLOGICAL SERVICES NEEDED, WHILE GROSSLY DEFAMING SUCH VICTIMS OF VIOLENT CRIMES.' States Appellant.

[Note: D.H.S.'s ongoing pattern of poor and inappropriate placements of dangerous and high-risk psychiatric patients in Maine into unsecured medical tx settings, without security available, repeatedly puts nurses at risk of serious harm. C.L.A.'s role/poor standard of accepting violent patients continues to result in staff being injured and OSHA violations occurring. Catastrophic events are happening with violent psychiatric patients because the state of Maine does not have adequate treatment facilities. (added violations of those laws re MH patients also continue which leads to more injuries). This was and is preventable.]

Evidence is clear: the Appellant, in the role of a Registered Nurse, was violently assaulted by a homicidal patient well known to MEMIC, C.L.A. and W.C., resulting in permanent Physical and Psychological Sequelae (irrefutable) that were NOT resolved on any ARBITRARY DATE (irrefutable). Any assumptions or failure of

discretion made, in contrary to the truth...based on; commission, fabrication or misrepresentation of my records is illegal.

The Violent assault caused the sequelae of symptoms and limitations I live with today, not the erroneous information that was woven into this case to confuse the ALJs. Disinformation (blatant misdx etc) has been disseminated (libel), and decisions have been made based upon it.

"RECTIFYING INACCURATE DECISIONS FROM LOWER COURTS AND ESTABLISHING STRONG FEDERAL PROTECTIONS, WILL ENSURE ACCOUNTABILITY/FAIR LAW AND LABOR LAW PRACTICES WITH THE COMMITMENT TO PROTECTING THE CONSTITUTIONAL VALUES OF LIBERTY, EQUALITY, AND JUSTICE FOR NURSES, AND ALL EMPLOYEES THROUGHOUT THE U.S."

For the reasons set forth above, the petitioner respectfully requests that the court review the decisions of the lower appellate courts and the Maine Supreme Court in this jurisdiction, and consider vacating or modifying the decisions made by the administrative law judges in the workers' compensation system based on misrepresentation, fraud, and other material misdeeds, and determine whether the petitioner is entitled to a favor and rightful compensation based on State and Federal rights.