No. 25-6892

IN THE

SUPREME COURT OF THE UNITED STATES

BRAWN THOMPSON #09106-029 — PETITIONER
(Your Name)

vs.

United States Of America — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Seventh Circuit Court Of Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

BRAWN THOMPSON #09106-029
(Your Name)
FCI MARION
P.O. BOX 1000
(Address)

MARION, ILLINOIS 62959
(City, State, Zip Code)

NONE
(Phone Number)

QUESTION(S) PRESENTED

1. Do not prisoners have the right to proper medical care, particularly in an emergency medical situation (defined by the government itself as such) that threatens both potential parallysis, or even death?

2. Do not citizens (particularly vulrenable adult prisoners) have the Constitutional right to access/knowledge of the law — and therefore proper access to the Courts, that function on that law? This refers specifically to prisoners' Constitution right to access to the Main Law Library mandated by Federal Bureau of Prisons Program Statement 1315.07 // §543.10 (CN-1) (August 1, 2022) and required by Supreme Court ruling Morton v Ruiz 415 US 199 (1974).

3. Are not the "administrative remedy exhaustion" requirements of the Federal Tort Claim Act "ordinary law" and therefore mute/void when in conflict with Constitutional principles and rights?

4. Do not prisoners have the Constitutional right to use whatever legal vehicle/avenue the government — through its own errors — has limited a prisoner to when seeking relief from government-induced violations of that prisoner's Constitutional rights? This refers specifically to the use of a Federal Tort Claim Act based lawsuit as the only means left available — due to government errors — to seek relief from severe violations of Constitutional rights caused by the government itself.

5. Are not any rulings/decisions made by any Court Constitutionally void when such are based on wittingly, deliberately false and dishonest statements made by that Court as excuse(s) for making such erroneous rulings/decisions? This stems from the Circuit Court's above-described actions in a previous ruling in a previous, unrelated case (also currently in front of the Supreme Court on appeal) being used as the specific grounds for the same Circuit Court's ruling in this case.

LIST OF PARTIES

[X] All parties appear in the caption of the case on the cover page.

[ ] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

RELATED CASES

NONE

TABLE OF CONTENTS

INDEX TO APPENDICES

TABLE OF AUTHORITIES CITED

CASES NONE:

PAGE NUMBER

Petitioner has no actual access to the refered to Supreme Court ruling in "Morton v. Ruiz" 415 U.S. 199 (1974) and therefor cannot actually cite/quote from it regarding requirement for the government to obey its own policy when it involves the rights of citizens. pgs. 11,12,19

STATUTES AND RULES

Federal Bureau of Prisons Program Statement 1315.07 // § 543.10 (CN-1): "Main Law Library" policy pgs. 11-13,16

USP (now FCI) Marion Orientation Handbook January 2019 pgs. 11-16

Federal Bureau of Prisons Program statement 1320.06 // § 543.30 pgs. 15,20,23

OTHER

Constitutional principles/rights, without direct citation, as petitioner has no access to law to quote such citations from.

IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

[ ] For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but is not yet reported; or,
[ ] is unpublished.

✓ "Non precedental Disposition"

The opinion of the United States district 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.

I do not know the answer to this question

[ ] For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but is not yet reported; or,
[ ] is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but is not yet reported; or,
[ ] is unpublished.

JURISDICTION

[ ] For cases from **federal courts:**

The date on which the United States Court of Appeals decided my case was July 14, 2025.

[ ] No petition for rehearing was timely filed in my case.

[X] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: August 20, 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 ____. 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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

I do not know what statutory provisions may be involved as I have no access to law.

There are several Constitutional concerns involved:

- Citizens' (particularly prisoners') right to access to law, specifically when the governments' own policy requires such.
- Citizens'/prisoners' right to meaningful access to the Courts, which requires the above access to law.
- Prisoners' right to proper medical care, particulary in what the government itself defines as an emergency situation.
- Prisoners' right to make use of whatever legal approach the government has limited them to in order to secure and protect thier rights.
- Citizens' right to honest and as object as possible appraisal by any Court of the situation(s) before that Court, in attempt to properly uphold the law.

Two Federal Bureau of Prisons Program Statements (included):

- 1315.07 // ~~§~~ 543.10 (CN-1) (MAIN LAW LIBRARY)
- 1320.06 // § 543.30 (Requirements of Federal Tort Claims Act)

STATEMENT OF CASE

B. THOMPSON

INTRO

Petitioner is a federal prisoner incarcerated at the Federal Correctional Institution at Marion, Illinois. The central incident to the relevant lawsuit of this appeal involves the actions of institutional medical staff in regards to the petitioner's medical treatment. Since petitioner is filing this action pro se, it will be presented in first-person form, for sake of clarity and proficiency.

CHRONOLOGY

On April 26, 2022 I was examined by Physician's Assistant (PA) Brooks, for severe pain in the upper back, stemming from several sources. She prescribed a presidone regime, and ordered X-rays (taken the following day) as we did not know the cause or the problem(s). She also determined that if the presidone proved inadequate she would see me again immediately the next week to try something else.

Initially the presidone was effective but as the prescribed dosage dropped (I had not been informed of this "step-down" process) the pain returned until it was as severe, or worse, as it was originally. As agreed, I returned to sick call the following week, May 2, 2022, to be scheduled to see Brooks again. The triage nurse pulled up the X-rays, commented on the blatant evidence of bone-degenerative disease — some of it severe - in at least

STATEMENT OF CASE

CHRONOLOGY

four vertebrae, with at least one bone spur sticking out in my back, and stated "this is not going away". He then put me down to see Brooks again, as had been agreed. PA Brooks refused to see me, refused to respond to or even acknowledge the results of the triage examination. This inspite of her previous agreement to do so, the further (and serious) results of the x-rays, and the return of the severe and debilitating pain. I therefore filed an emergency email complaint to the Department Of Justice "HOTLINE" (office of Inspector General, Washington, D.C.) on May 4, 2022, two days after the triage exam, explaining the situation and requesting the proper authorities be notified. I also emailed, institutionally, a complaint to Health Service Administrator (HSA) Harbison on May 6, 2022; and on May 08, 2022 an email complaint to Dr. Pass (the physician overseeing all PAs, including Brooks). Harbison never responded. Pass began a series of back-and-forth emails complaining about my use of the email system (it is permanantly recorded) demanding I stop doing so and stop bothering him. He specifically did not address — or even acknowledge — the emergency medical situation the emails regarded. His last email to me prooved that he had not even bothered to actually read the initial emails explaining the nature of the medical emergency and my urgent, acute need for immediate medical attention.

B. THOMPSON

STATEMENT OF CASE

CHRONOLOGY — ESSENTIALS

Due to the complete lack of proper medical attention in this on-going medical emergency situation, I sought out relief via the Federal District Court, as my only means of getting such relief. The District Court refused that relief, and directed me to file a complaint instead.

I therefore filed a Federal Tort Claim Act (FTCA) complaint/lawsuit with the District Court in accordance with those directions. This was subsequently dismissed; I filed an appeal with the Seventh Circuit, which was also dismissed. (These two filings and dismissals will be addressed in depth later in this Statement Of Case). — END OF CHRONOLOGY —

ESSENTIALS

PA Brooks' actions of prescribing presidone, ordering X-rays, and agreeing to the need of further treatment if the presidone was inadequate, proove the acute medical need of treating my condition (Appedix "G", page 4,5). This, even before the clear evidence of the X-rays that showed bone degeneration (some severe) in at least four vertebrae, and at least one bone spur; Therefore, added to the severe pain she had already acknowledged required immediate attention, was the even more serious threat/condition of bone degeneration in several vertebrae (again, some severe) which threatens the security of

STATEMENT OF CASE
ESSENTIALS

the spinal cord itself and therefore potential paralysis, or even death. The fact of the severity and area of the most acute, debilitating pain showed that the spinal cord itself was being directly effected and possibly exposed. I have no actual access to the x-rays themselves; my knowledge of them stems from the second triage examination of RN Moulton May 2, 2022. (Appendix "G", pg. 7,8) Brooks' refusal to see me inspite of the examination by RN Moulton, to respond at all to this new condition so severely threatening me, gave me no choice but to seek help beyond her in such an emergency. My clear Constitutional right — and need - to proper medical care was being completely denied. I therefore filed the emails refered to in the Chronology; to the "HOTLINE" to both seek outside help and have an official, permanant record (for fear of exactly what happened); and to HSA Harbison and Dr. Pass in thier supervisory positions to get immediate, proper attention from competent medical staff. Harbison made no response; Pass began the series of emails complaining of my use of the email system and ignoring the medical emergency. All of these emails are at the core of both my legal right and legal need to file the FTCA lawsuit in question. As such they appear verbotten, seperately, Appendix "H". They also appear in series, in chronological order, numbered, in Appendix "I".

STATEMENT OF CASE B. THOMPSON

ESSENTIALS

This second collection, Appendix "I", is the one I will use for reference. They are sufficiently lengthy to avoid quotation here, and are best read side-by-side with the following commentary/referencing.

(Appendix "I", pg. 2, #1) Email #1 is my complaint to the "HOT LINE", clearly describing the situation, requesting investigation and notification to authorities. It was my reasonable expectation that this complaint would be forwarded to Internal Affairs, the appropriate FBOP Regional Director, and this institution's administrative staff: it clearly presents a complaint of criminal activity, as well as medical impropriety, directly threatening my physical well being in a serious manner.

(Appendix "I", pg. 2, #2) Email #2 is my complaint to HSA Harbison, informing her of the complaint in email #1 and describing my emergency medical situation. Never responded to.

(Appendix "I", pg. 3, #'s 3,4) Emails #3 and #4 are my initial complaint to Dr. Pass, PA Brooks' direct supervisor, notifying him of the complaint in email #1, giving an extensive description of my emergency medical situation, Brooks' abusive refusal to properly treat it, and my official, legal dismissal of her as my medical care provider.

(Appendix "I", pg. 3, #5) Email #5 is the response from "Health Services" to these previous emails; it identifies no sender, but they were addressed to Dr. Pass (who later responds). This email specifically does not respond to - even acknowledge - the medical emergency

involved, only complains about my use of the email system - falsely. (Appendix "H", pg. 4, #6) Email #6 is my response to email #5, presenting my confusion about the (unexplained) "end of taper" of prednisone, and reiterates my medical situation. (Appendix "H", pg. 4, #7) Email #7 is a reiteration, and expansion, on my previous emails. (Appendix "H", pg. 4, #8) Email #8 is of extreme pertanance and importance. It is Dr. Pass' immediate response to email #7 (see dates/times of emails #6, #7, and #8), and appearantly others, It falsely characterizes the emails I sent, and falsely dictates what I am allowed to use emails for (particularly in such an emergency situation). It also clearly, and most importantly, exposes the undeniable fact that Dr. Pass has not even bothered to read my initial emails to him involving a genuine medical emergency. He states that if I am in so much pain and treatment was ineffective I should report to sick call to get an appointment with Brooks. The entire basis for my complaints/emails is that I did just that and received no care - or even attention - from Brooks at all. The only way Pass could possibly be ignorant of that is if he had not even bothered to read those initial medical emergency complaints. A notation here regarding my access to emails. The only copies of these emails I have access to come from the US Attorney's office from "Discovery", and are incomeplete. Following Email #8 I responded to it with another email to Dr. Pass (which I do not have

a copy of but is in the electronic record with the others). In this reply I expose directly to Dr. Pass his clear failure to even read my initial emails to him regarding a clear medical emergency, that the emails describe my efforts — and rejection — to see Brooks. The only response I ever received to this exposure was — complete silence, and days later the beginning of a barrage of attempts via "call-outs" (appointments to see staff) to coerce me into seeing and accepting Brooks as my health care provider, or receive no attention at all.

(Appendix "I", pg. 4, #9) Email #9 was my last attempt to get HSA Harbison properly involved. There was no response. It became quite clear that neither Dr. Pass nor HSA Harbison would acknowledge the misconduct by PA Brooks, nor provide proper medical attention in this emergency situation of constant, severe pain and genuine serious threat to my spinal cord. Thier only efforts involved attempting to demand I accept the attentions of PA Brooks as a proper health care provider. I therefore filed an email (again, I have no copy but it is in the electronic record) dismissing both Harbison and Pass, and anyone under thier authority or influence, from being allowed to have anything to do with my medical/health care; they had each been prooven to be not simply neglegent but also actively, even aggressively, both, harmful and abusive; to be inadequate and totally untrustworthy.

B. THOMPSON

STATEMENT OF CASE
— ESSENTIALS —

Do to the severity and acute need of my medical situation I sought relief in the Federal District Court for emergency medical care, as my only available means of securing that relief. The Court denied me that request and ordered me to file a complaint (Appendix "B", pg. 2), and I therefore filed the FTCA lawsuit in question

At that point I had — and still have — no actual access to federal law. My only references to federal law were my own experience and understanding — extremely limited and incomeplete — and the official institutional Inmate Orientation Handbook, issued to prisoners upon arrival (and lectured on as official). I had no reference to what the Federal Tort Claim Act (FTCA) actually entailed, and no reference/definition of what the term "administrative remedy" meant except the one given in the IOH manual on pages 49,50 (Appendix "E", pgs. 5,6) which make no reference to the FTCA or lawsuits. It's only reference to emergency situations (same reference) such as the one I faced required proper government response within seventy-two hours, which had long since lasped. The reason I had — and have — no access to federal law is because this institution does not have the Main Law Library required by FBOP Program Statement (PS) 1315.07 // PS 543.10 (CN-1) and the Supreme Court ruling of Morton v. Ruiz 415 U.S. 199 (1974) (I have no copy of the Morton v. Ruiz

STATEMENT OF CASE
-ESSENTIALS-

ruling as my only awareness comes from a note given to me by another prisoner, and I have never been able to read it myself. All I know is that this ruling requires the government to obey its own rules when such involve the rights of citizens — which proper, full access to federal law for vulnerable adult federal prisoners certainly does involve. My only knowledge of the Program Statement requiring the Main Law Library comes from its posting on the nation-wide prisoner electronic bulletin board, posted by the FBOP Director on August 1, 2023 and so is completely current and in effect. I have only a partial copy of this Program Statement, listed in Appendix "J"). I filed the FTCA lawsuit in accordance to the District Court's instruction, in almost complete desperation from facing an extremely acute and debilitating medical emergency (defined as such in the IOH, Appendix "E", pg. 6) that the government was refusing to respond to. I filed that suit in almost total ignorance of federal law because, again, the government failed in its obligation, by its own rules, to provide me with proper access to knowledge of federal law and its requirements.

Much ado has been regarding a small bank of desktop computers, in a back room of the general library, that contain a law program (Lexis Nexus). These in no way meet the required criteria of the Main Law Library described in the

B. THOMPSON

STATEMENT OF CASE
— ESSENTIALS —

relevant Program Statement (Appendix "J", pg 5) requiring physical texts, physical tables, and physical room to make use of such. This program statement goes so far into detailing changes that "staff" is replaced by "employee" as current terminology, (Appendix "J", pg. 2) Certainly a major change in current authorized policy of replacing the required Main Law Library with computers and such programs would have been described in detail. There is not a single word in this entire, current. Program Statement mentioning computers/programs, and certainly no authorization for such replacement or any reason to believe — or even consider — that such replacement would be acceptable. These computers, for those competent in thier use, and programs are certainly an aide — for all the rest of us, such as myself, who have not such skill or ability, those computers/programs are completely useless and provide nothing in terms of access to law. Therefore the specifics of the FTCA and its requirements were totally unavailable to me at the time I intiated the lawsuit. Since such ignorance was due totally to government error, I cannot be held to task for such ignorance nor the good-faith efforts I made based on it, while in the process of dealing with another government error that created such a severe and acute medical emergency of such serious threat and suffering. My lack of

STATEMENT OF CASE
—ESSENTIALS—

awareness of the definition of FTCA "administrative remedy" and its exhaustion, and my lack of meeting that requirement, are based firmly and inarguably on government error. Does the Constitution allow that I be held accountable for the errors — and thier results — committed by the government?

When the appeal to this case was presented to the Seventh Circuit it was diverted from the panel of judges normal rotation would have placed it in front of. It was taken over by the same panel of judges who heard the appeal to a previous case (Appendix "A", Circuit Court ruling). This previous case is also before the Supreme Court, having been recived and accepted by the Court, filed on 06/23/25. Despite the Circuit Court's insinuation, these seperate cases are unrelated/ unconnected. I challenged this usurpation in my request for Rehearing (Appendix "D").

There is potential for a great deal of confusion here because of the Circuit Court's wording in the ruling of this case. The dismissal gives no specific grounds for the ruling, or refers to any details of law; it only states that the ruling of that previous case is still active, and that this same panel of judges has nothing further to say. I therefore cannot respond to — or even refer to — the purported grounds/details of law for the ruling in this case, without having to refer to such from the previous case, because none such was given in this case.

STATEMENT OF CASE
— ESSENTIALS —

Such back and furth referencing will create confusion and both unneccessary and improper demands on both time and effort, particularly for the justices of the Court. This is not acceptable. The completely vague manner of the Circuit Court's ruling is unsound because everything is based on inference and implication with no details, no specifics, no points of law to reference — because none were given. Attempting to recreate, here, my presentation of that previous case in front of the Court would simply create the same confusion and inappropriate demands. I would ask the Supreme Court to simply refer to the previous case (as the Circuit Court did) but that would saddle the Supreme Court with the work that is supposed to be done by the Circuit Court (and myself). I will therefore simply present the facts, reasoning, and legal concerns involved as they apply to this case in thier own right — rather directly refered to or not by the Circuit Court — and avoid any unneccessary reference to that previous case.

The Circuit Court's primary — in fact only — grounds presented for dismissing this case is the failure to exhaust "administrative remedy". In point of fact this exhaustion involves filing certain paperwork with the appropriate FBOP Regional authority (pertinant Program Statement at Appendix "K", which I did not have access to). The government claims that this Program

STATEMENT OF CASE
— ESSENTIALS —

Statement, based on the "ordinary law" of the Federal Tort Claim Act, carries force of law; while simultaneously claiming that the Program Statement requiring the Main Law Library — based on Constitutionally required access to law — does not carry force of law (in fact the government — USAttorney, District Court, Circuit Court — refuse to acknowledge this official, current Program Statement exists). This blatant contradiction does not seem Constitutionally "reasonable". The claim is made that I did in fact have access to this information and process. The government cites a single, short paragraph on page 47 of the Inmate Orientation Handbook (Appendix "E", 4 pg. ; #). The government fails to present — or even acknowledge — several Key factors relevant to this situation:

This paragraph is NOT presented as an "administrative remedy" nor in that context, or even under the heading of "Problem Resolution" — it is not even presented in that section of the handbook — and so is not found when seeking those references and such information. It is presented — falsely — under "Legal Services" as one of such, which it assurdly is not. The paragraph refers only to situations of "negligence" and not the blatant condition of out-right coercion of threat of serious physical harm that pertained at the time I initiated the lawsuit. I was told officially in writing that I would either accept the ministrations of Brooks after her abuses, or

STATEMENT OF CASE
—ESSENTIALS—

receive no attention or care at all for weeks (the "Chronic care" appointment refered to in Email #5, Appendix "B", pg. 3,). This took the active situation well beyond the basic refusal by Brooks and into active threat of continuing physical torment and physical endangerment. This was an acute medical emergency situation— it still is, actively — requiring proper response in seventy-two hours, not a six month delay permitted for "investigation" at the government's liesure. (Appendix "E", pg 6). This paragraph is so obscure, misplaced, hidden, and misrepresented that the government itself was unaware of it. The previous lawsuit refered to above deals with parallel, sometimes identical legal issues, as acknowledged by both District and Circuit Courts, and the US Attorney. I stated several times in that previous case in motions to the District Court that the Inmate Orientation Handbook made no references to FTCA lawsuits. These statements were accepted as factual, the District Court going so far as to say that knowledge of FTCA requirements was not neccessary for the requirement of my meeting those requirements to be in force, even when unknown to me. The paragraph in question was not refered to in that previous lawsuit until it was in front of the Circuit Court on appeal, where it is mentioned in a small footnote (all of this is addressed in my Petition for Writ to the Court, in that previous suit, and is therefore already before the Court for

STATEMENT OF CASE
- ESSENTIALS -

for consideration). That paragraph was not brought into the picture in that previous suit because the government was not aware of it until dealing with this case in District Court. If the government itself cannot find, is not even aware of, such a reference in its own manual — do to its obscurity and other failings — how is it Constitutionally "reasonable" to demand such awareness/proper use of it by a vulnerable adult prison with no access to law such as myself? This paragraph also demands I file assorted paperwork that I could not possibly have competently, wittingly processed properly in accordance to my rights and basic law, because once again, I had, and have, no access to that law, because I have no access to the Main Law Library required by law.

Not only does the above question the Constitutional applicability of that paragraph to suits/situations of the nature of this lawsuit; it also questions Constitutional applicability of the requirements represented by that paragraph. It requires me to file paperwork I am incompetent to file do to lack of knowledge of law (due to government error), accept an extra, extended six-month waiting period instead of the required seventy-two hours for an emergency — and claims it needs such to "investigate" a situation it has been aware of from the beginning, and chose to do nothing about except to allow the clear abuse to continue.

STATEMENT OF CASE
– ESSENCE/CONSTITUTIONAL ISSUES –

All of the above bring up several Constitutional issues.

Do not citizens have the Constitutional right to access/knowledge of the law, and thereby meaningful access to the Courts – that function on that law? Is it not therefore a Constitutional right and need for prisoners to have access to the Main Law Library of the FBoP Program Statement 1315.07//§543.13 (CN-1) (Appendix "J") (also required by the Supreme Court ruling of Morton v Ruiz 415 U.S. 199 (1974))?

Do not prisoners have the Constitutional right to proper medical care? Is this not particularly true in a medical emergecy that is defined by the government itself (IOH Appendix "E", pg 6) as such; that shows clear medical evidence (x-rays) of potetial threat to the spinal cord and therefore genuine threat of parallysis and/or death; and that the involved medical staff already acknowledged by thier own actions as requiring immediate attention?

Do not prisoners have the Constitutional right to use whatever legal vehicle/avenue that the government – through its own errors – has limited a prisoner to in seeking relief from the goverment-induced violation(s) of the above right(s)?

Are not the "exhaustion" procedures/requirements of the Federal

B. THOMPSON

STATEMENT OF CASE

— ESSENCE / CONSTITUTIONAL ISSUES / SUMMARY-CONCLUSION —

Tort Claim Act / FBOP Program Statement 1320.06 § 543.30 (Appendix "K")

not "ordinary law" and thus mute/void when in conflict with Constitutional principals and rights, particularly in such acute medical emergency situation(s)?

Can the government require — Constitutionally "reasonable" — a vulnerable adult prisoner to meet standards/requirements that the government, through its own error(s), has prevented from being met — particularly when such requirements are Constitutionally questionable in the first place?

These questions/concerns are not properly addressed — for the most part not addressed at all — in the Circuit Court's dismissal of the case being appealed in this action (nor, basically in the previous case refered to above and also in front of the Court). I address those questions/concerns to this Court because of the Constitutional issues/principles involved.

SUMMARY-CONCLUSION

In summary, the Circuit Court's dismissal consists entirely of two points. (Appendix "A"). These two points directly involve that previous lawsuit refered to several times. The first point/action is a statement claiming the panel of judges that ruled in that previous suit are taking it upon themselves — out of normal rotation (objected to in my Rehearing Request, Appendix "B") — to also take

STATEMENT OF CASE
— SUMMARY-CONCLUSION —

Control of ruling in this lawsuit. This is appearantly done due to many simularities of the cases but ignoring certain basic differences, and as just noted, directly in violation of the normal rotation that would have assigned a differnt panel of judges to hear the appeal.

The second point/action of this ruling of dismissal is that this panel of judges already made thier ruling in the previous lawsuit and there is nothing more for them to say, and gives no specific grounds/details/points of law for the ruling — treating not only both rulings/dismissals as identical, but also both cases (inspite of differences) as identical. Therefore, because the Circuit Court panel's foundation of thier dissmissal of this lawsuit is soley thier ruling/dismissal in the previous lawsuit, the challenges/issues I made to that previous dismissal are directly applicable/in-force to this dismissal at hand. Those challeges/issues included points of misconduct — even outright dishonesty — on the parts of both the District Court and the Circuit Court involved. Since the Supreme Court will already be taking under consideration all of those challenges/issues previously presented when appraising that previous lawsuit, it seems needlessly redundant and without purpose to reiterate such here. Those challeges/issues are extensive — pages long — and presented

STATEMENT OF CASE
— SUMMARY-CONCLUSION —

in reference to that previous case — direct quotation would be confusing as would be an attempt to describe thier correlation to this case. Either those challenges apply as federal law, or they do not — in either and both cases.)

My objection to the manner of the panel of judges' ruling in this case is not because that panel took that previous case into consideration. It is that the panel gave no particulars to refer to in this current ruling, and treat both cases as though they are identical with completely identical legal issues — which they are decidely not. Certainly both cases involve many parallels, and can often be taken into consideration in tandum. I would be neither suprised nor object to the justices of the Supreme Court doing so (would be suprised if they did not) nor, if the Supreme Court chooses to hear the cases, to hear them in tandum — particular on the grounds of both efficiency and consistantcy. My objection is to equating "in tandum" with "identical." The panel of judges, among other errors, has treated the medical issues — outright emergency conditions — as non existant/irrelevant inspite of Constitutional considerations. The previous case I brought before the Circuit Court — and the Supreme Court — has no such concerns, and therefore could not have addressed such.

I believe that all of the above facts/points clearly show a legally —

B. THOMPSON

STATEMENT OF CASE
— SUMMARY-CONCLUSION -

Constitutionally — justified action in filing this lawsuit; and present clear Constitutional cause for setting aside the "ordinary law" requirements of the FTCA / Program Statement (Appendix "K") "administrative remedy exhaustion" — specifically because such contradicts Constitutional principles in cases such as this (as presented above). As such I do not believe this suit can be dismissed for the reasons presented as cause for the dismissal, Constitutionally, simultaneously, that the failures/errors of the government that are exposed here — and basically unaddressed by either lower Court — must be immediately corrected for inasmuch as possible. The only effective means to providing proper access to law is the establishment of the Main Law Library under Program Statement 1315.07 // § 543.10 (CN-2) as quickly as physically possible, and a court-appointed attorney to assist me with this lawsuit. The only effective means to provide appropriate, complete medical care is the provision of a court-appointed physician to do so, not only from outside this institution but completely unconnected to the Department of Justice, (to avoid obvious conflict of interest) I would request these things as obviously, Constitutionally required on the face of the situation. END STATEMENT OF THE CASE

Reasons For Granting The Petition

I do not intend to (attempt) to "sway" or "persuade" the Court to grant this petition (or to make specific rulings if the Court does decide to hear this case). My intent is to simply offer the facts and the reasonings that show it is appropriate for the Court to hear this case. There are three primary areas of concern in this presentation: citizens' — particularly vulrenable adult prisoners' — Constitutional right and need to access to the law; vulrenable adult prisoners' Constitutional right and need to proper medical care, particularly in acute medical emergencies that involve severe, constant, debilitating pain combined with genuine potential threat of parallysis and/or death; the "call for the exercise of the Supreme Court's supervisory power" (from Rule 10 of the Court's Rule Book) because of the deliberate, dishonest fabrications made by lower Courts to use as excuse for erroneous ruling(s) in this case.

The concern of prisoners' right to access to law deals specifically with the nonexistence of the Main Law Library required by and described in Program Statement 1315.07 // § 543.10 (Appendix "J") and mandated in the Supreme Court ruling of Morton v Ruiz 415 U.S. 199 (1974). Access to this Main Law Library is completely neccessary for prisoners' knowledge of the law — both to

B. THompson

Reasons For Granting The Petition

Know what is required of them by the law, and what thier rights are and how to legally defend those rights. This is true not only for civil suits but especially for dealing with the cases of thier criminal convictions and sentences. Prisoners simply do not have meaningful access to the Courts without that knowledge/access to the law(s) those Courts function on. This case is a glaring example of such, since the lower Courts are dismissing it on the grounds that I failed to meet certain legal standards that were unknown to me because of government error in not providing that access to law that the government's own regulations/policies require it to provide. The Main Law Library is very often prisoners' only basic source of law; and it is not properly or lawfully or effectively replaced by computers/programs that have not been lawfully, officially authorized to replace the Main Law Library — and that many, many prisoners such as myself are incompetent to use in the first place. This issue is across the board, nation-wide to every federal prisoner in the United States.

The concern of proper medical treatment, especially in such an acute — even dire — emergency situation almost speaks for itself. I believe the laws and rulings of such are both extensive and clear. Bluntly,

Reasons For Granting The Petition

simply, this again applys to every single prisoner in the country; if the government is allowed to so treat me then it is so allowed to treat any and all prisoners. This is not simply an isolated incidence and situation. The actions/activities by PA Brooks were both condoned by upper medical administration — and protected by them, going so far as to refuse any medical to myself unless and until I accepted PA Brooks as my healthcare provider after her misconduct. Thus a medical care department, for the entire institution and all prisoners here, is implicated.

The concern of the error(s) of the lower Courts' being addressed here is not one of simple mistake nor of simple misapplication — I do not if such would even be appropriate to bring before the Supreme Court. The errors I am refering to regard blatant, knowing, false statements made by those Courts regarding my own actions that are a matter of record. These fabrications were then used as grounds — excuses — for the findings/rulings given by those lower Courts — rulings that otherwise could not have been supported by those Courts. The details of this situation are all given in my Petition in the other, previous case before the Court (refered to several times in the Statement of Case). It is neccessary to refer to

Reasons For Granting The Petition

the previous case because the Circuit Court did so in its ruling in this case and refused to expand - or even mention - any of the details of law involved in the ruling in this case (inspite of certain basic differences in the two cases). Since the deliberate falsehoods/fabrications of the Circuit Court's ruling in that previous case are the proffered grounds for the Circuit Court's ruling in this case, my objections/points to that misconduct in the previous case also hold true in this case. Bluntly, deliberate inaccuracy and fabricated falsehoods on the part of any Court completely voids any/all rulings/findings of that Court based on such impropriety. Again bluntly, if such conduct is permissable in this case it is permissable in all cases. If personal, individual will and purpose are the basis of ruling(s) by a Court rather than objective, honest appraisal of the situation at hand, there can be no law, there is no Constitution because such has been set aside.

I believe all of the above to be both factual and honest, and to show clear cause for the involvement of the Supreme Court

Sincerely, Braun Thompson

DATE: OCTOBER 25, 2025