

25-992

**ORIGINAL**

23-11481-AA

IN THE

**SUPREME COURT OF THE UNITED STATES**

**REGINALD JOHNSON**

**Petitioner,**

**VS.**

**THE CITY OF SATSUMA AND MAURICE KIRK HARLESS**

**Respondents**

**ON PETITION FOR A WRIT OF CERTIORARI TO**

**THE UNITED STATES COURT OF APPEALS**

**FOR THE ELEVENTH CIRCUIT**

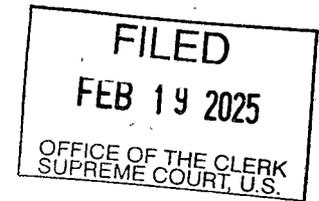
**PETITION FOR WRIT OF CERTIORARI**

**REGINALD JOHNSON**

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**Houston, Texas 77070**

**281-851-8041**



**QUESTIONS PRESENTED**

Whether the City of Satsuma, acting in concert with Maurice Kirk Harless, individually and collectively, under color of law, deprived the plaintiff of the equal treatment/protection of the law as guaranteed by the Constitution under 42 USC §1983 by engaging in inequitable and *racially discriminatory conduct*, and subjecting plaintiff to discrimination and differential treatment in violation of the Equal Protection Clause such as *being singled out and treated differently* compared to all other persons within the city of Satsuma because of race, and color of skin.

Whether the lower court used an unfair application of the laws, and unconsciously integrated racial bias as compared to examining the elements of the claim to determine if the legal standards for this 42 USC §1983 claims were met?

Whether the lower court get it wrong in denying Plaintiff's Motion for Equal Protection of the Law as it relates to the Civil Rights Claims Under 42 U.S.C. § 1983?

**LIST OF PARTIES**

**REGINALD JOHNSOM**

**Plaintiff.**

**VS.**

**THE CITY OF SATSUMA**

**&**

**MAURICE KIRK HARLESS**

**M. K. H. PROPERTIES LLC**

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**Citations of the official & unofficial reports**

1. Motion for Equal protection of the law dated 08/18/ 2022 (denied)
2. Motion for a default judgment Entered 09/21.2022 (denied )
3. Report and Recommendation Entered 10/25/2022.
4. Adopting Report and Recommendation Entered 12/13/2022.
5. Judgment Ordered Enjoined Plaintiff from Pursuing his Rights.  
Entered 12/13/2022.
6. Objection to Recommendation by Plaintiff Reginald Johnson Entered  
01/03/2023

## Statement of Jurisdiction

The Plaintiff invokes the jurisdiction of the U. S. Supreme Court for an Extraordinary Writ as authorized based on 28 USC 1331, 28 USC 1343.

The basis for invoking the *jurisdiction of the Supreme Court* is that the actions of the local municipality -state actors, and the lower courts, who appear to have some unrecognized racial bias, are *violating plaintiff Constitutional right to be treated like all others similarly situated in the City of Satsuma*. Compare: **42 USC 1983** ....which allows individuals to seek redress in federal courts, bypassing state judicial systems that may *exhibit bias against African Americans* and other marginalized groups.

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Civil Rights Act

Common Law Framework from 1871

The Constitution

Fourteenth Amendment – Equal Protection Clause

Rule 11 of the U.S. Supreme Court,

U. S. Supreme Court Rule 20

**STATEMENT OF THE CASE**

This case concerns the relationship between the § 1983 requirements of action under color of state law and the Fourteenth Amendment requirement of state action. 42 U.S. Code § 1983 - Civil action for deprivation of rights | U.S. Code | US Law | LII / Legal Information Institute.

These factual allegations grew out of a long-standing property dispute, from 1923, as stated and memorialized, in I DIV 987 in the Alabama Supreme Court. *Plaintiff complaint is directly related to the constitutional deprivations as itemized in this application, (as repeated to the prior court many times) for an Extraordinary Writ, and not a rehash of the earlier case as it appears as was orchestrated by the courts, in the prior litigation. The appendix of docket sheets will show that the last complaint related to violation of right inherent in 42 USC 1983.*

Apply also the success of a §1983 claim is found by whether the alleged *discriminatory acts are analyzed against the Common Law Framework from 1871 and are both distinct and sufficiently proven apart from any already resolved property interest*  
<https://archive.blogs.harvard.edu>.

In an extreme discriminatory fashion these defendants, in an intertwined relationship allowed: **(1) barbed wire** strung through the **plaintiff's family's front yard**. **(2) barricaded** the statutory roadway to the front the plaintiff's family's home with a six-foot wooden fence which also blocked the established U. S. Mail Route, **(3) the defendants** moved the family's U.S. mailbox from the front of the home and put it in the *backyard* in violation of the United States Postal Service (USPS). **(4) these defendants** cut in a pathway **behind**

**the plaintiff's home for the family's ingress and egress to their homes. Currently.**

**(5) the City of Satsuma local governing body is allowing the of Whites to be built with  
Their backyards are next to the plaintiff family's front yard.**

Plaintiff claims and restates that these defendants acted under color of law derived from the state, singled out Plaintiff's African American family and treated them differently. From all the other citizens in the City of Satsuma, and in doing so violated 42 U.S.C. -1983 (1976), and the Civil Rights Act. Compare, Monell v. New York City Department of Social Services, the U.S. Supreme Court expanded, Section 1983 to allow civil suits against Municipal entities, as well as individual state actors,

### REASON(S) FOR GRANTING THE WRIT

Our republic rests on the bedrock principle that the Federal Constitution is the supreme law of the land—and the mandate that no State. <https://www.supremecourt.gov>.

This request for an Extraordinary Writ should be granted because plaintiff and family's *constitutional Rights* are being violated as itemized here by the City of these defendants as Plaintiff and family are being forced under color of law to live with these ongoing violations. Compare Davis v. Wechsler, 263 US 22, 24. "Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate/nullify them." *Further, Section 1983's "central purpose" is "to provide compensatory relief to those deprived of their federal rights by state actors," Felder v. Casey, 487 U.S. 131, 141 (1988), "notwithstanding any provision of state law to the contrary," Patsy v. Bd. of Regents, 457 U.S. 496, 504 (1982*

Additionally, the imbedded constitutional violations grew out of a land title dispute, *however*, this request is made to make sure that Plaintiff's complaint is properly addressed, and the plaintiff and family are **relieved of being subjected this discriminatory treatment** compared to other similarly situated persons. See elements 42 UsC1983.

Apply Rule 11 of the U.S. Supreme Court, which governs writs of certiorari provides that such a petition will be granted "only upon a showing that the case is of such imperative public importance as to *justify deviation* from normal appellate practice and to require immediate determination in this Court. Compare, Power versus discretion: Extraordinary relief and the Supreme Court - SCOTUS blog. With similar effect, U. S. Supreme Court Rule 20 which governs "extraordinary writs," ... Thus, "[t]o justify the granting of any

such writ the petition must show that the writ will be in aid of the Court appellate jurisdiction, that exceptional circumstances warrant the exercise of the Court's Discretionary powers, and that adequate relief cannot/has not been obtained in Any other form or from any other court." Power versus discretion: Extraordinary Relief and the Supreme Court- SCOTUS blog.

### Summary

The Court grants certiorari in cases it believes are sufficiently "important"—important for *whatever* reason—to merit review. See Sup. Ct. R. 10(c) (noting that the Court may grant certiorari in cases where "a state court or a United States court of appeals has decided an important *question of federal law that has not been, but should be, settled by th[e] Court*"). Given the exceptional circumstances described here, a resolution to the denial of the constitutional violations will address fundamental issues of broad public importance requiring a determination by the U.S. Supreme Court. And more importantly, that exceptional circumstances call for the exercise of the Court's discretionary powers, and that adequate relief cannot (has not) be obtained in any other form or from any other court. Rule 20. Procedure on a Petition for an Extraordinary Writ | Supreme Court Rules | US Law | LII / Legal Information Institute

This court should grant this request for an extraordinary writ of Certiorari because (1) Plaintiff and family's constitutional rights *are being denied* because of the skin color and Race. (2) Plaintiff and family *continue to live under the extraordinary circumstances* as itemized in this request. The facts underlying the request, when proven and viewed in the light of the evidence, would be sufficient to prove by clear and convincing evidence that these defendants are violating plaintiffs and family constitutional rights.

  
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