

26-5048

No. USAP8-24-3140

ORIGINAL

IN THE SUPREME COURT OF THE UNITED STATES

FILED

OCT 17 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

GEORGE MELVIN CANNON SR.
Petitioner,

v.

UNITED STATES OF AMERICA DEPARTMENT OF JUSTICE
Respondent.

*On Petition for Writ of Certiorari to the
United States Court of Appeals for
the 8th Circuit*

PETITION FOR WRIT OF CERTIORARI

George Melvin Cannon Sr.

George Melvin Cannon Sr.

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DUTY-HONOR-COUNTY

The following questions are presented.

- 01) LOWER COURTS HAVE STATED THEY DO NOT HAVE SUBJECT MATTER JURISDICTION, HOWEVER HOW DOES INDIVIDUAL SEEKING JUSTICE, OBTAIN JUSTICE WHEN LOWER COURTS WITHIN THE STATE THEY LIVE CONTINUE TO DENY AND DISMISS CASE BASED ON SUBJECT MATTER JURISDICTION?
- 02) SHOULD LOWER COURTS BE ABLE TO ALLOW VIOLATION OF RIGHTS? SHOULD LOWER COURTS BE ALLOWED TO CONTINUE DENYING ME JUDICIAL REVIEW?
- 03) WHY LOWER COURTS CONTINUE TO DENY INDIVIDUALS WHO REPRESENT THEMSELVES PRO-SE? SHOULD LOWER COURTS BE ALLOWED TO JUST BLANKETLY DENY A CASE BASED ON THE FACT AN INDIVIDUAL IS PRO-SE?
- 04) LOWER COURTS HAVE STATED, I WAS NOT A FEDERAL EMPLOYEE. THEREFORE, IT HAS BEEN STATED I'M NOT ENTITLED TO ANY CONSIDERATION. HOW CAN AN INDIVIDUAL WHOM IS EMPLOYEE BY, DEPARTMENT OF ECONOMIC DEVELOPMENT, HOUSED IN A STATE OFFICE AS A VETERAN REPRESENTATIVE NOT BE CONSIDERED A FEDERAL EMPLOYEE?
- 05) 42 USC 1981, DO EVERY AMERICAN CITIZEN HAVE A EQUAL RIGHT TO JUDICIAL REVIEW ?

LIST OF PARTIES

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

R. Matthew Price
400 E 9th St
Kansas City, Missouri 64106

John SAUCE
900 Pennsylvania Ave
Washington, DC 20530-0001
2005

RELATED CASES

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I. PETITION FOR WRIT OF CERTIORARI

George M. Cannon Sr. petitions the Court for a writ of certiorari to review the judgment of the United States Court of Appeals for the Fifth Circuit.

II. OPINIONS BELOW

The 8th Circuit's published opinion denying a Certificate of Appealability is attached as Appendix 1.

The district court's order denying Petitioner's motion attached as Appendix 2.

III. JURISDICTION

The 8th Circuit entered judgment on August 06, 2025. *See* Appendix 1. This petition is timely filed pursuant to Supreme Court Rule 13.1. This Court has jurisdiction under 28 U.S.C. § 1254(1).

IV. STATUTORY PROVISIONS INVOLVED

This case involves the a botched surgery that took place over 40 years also, the medical mistake that was make. The facts that several individuals took part in not allowing petitioner access to medical records that could and would have proven his medical claim against the Veteran Administration over 40 years ago.

Federal Statutes:

5 U.S. Code § 702 - Right of review

Goldberg v. Kelly, 397 U.S. 254 (1970)

5 U.S. Code § 704 - Actions reviewable

18U.S.C. § 3231....5U.S. Code § 705 Relief pending review

Part 3 chapter Title 38 U.S. Code 4164 - Local veterans' employment representatives .

United States vs Brown 348 US 110 1954

Brooks vs United States 337 US 49 1949

42 U.S. Code § 1981 - Equal rights under the law

Case History

Over the past 20 years Plaintiff George M Cannon, has filed various motions against, Department of Justice seeking monetary relief for harm done when DOJ withheld vital documentation needed to sustain an injury. Over the years the withholding of that document led to medical care not being provided, loss of income, loss of mobility.

Plaintiff, George Melvin Cannon is requiring an Oral Argument, allowing Plaintiff to present his case before a Judge.

My injury/Disease began April 4, 1985. I've been suffering for over 40 years from aggravation of incurable disease.

As shown in facts, proper Subject Matter Jurisdiction and Claim Relief was clearly stated.

Subject matter jurisdiction is the power of a court to adjudicate a particular type of matter and provide the remedy demanded.

Personal Jurisdiction and Subject Matter Jurisdiction

A court must have jurisdiction to enter a valid, enforceable judgment on a claim. Where jurisdiction is lacking, the validity of a judgment can be retroactively challenged.

Jurisdiction may be broken down into two categories: personal jurisdiction and subject matter jurisdiction. While personal jurisdiction governs where the parties may be heard, subject matter jurisdiction governs what the court can hear specifically.

While litigating parties may waive personal jurisdiction, they cannot waive subject-matter jurisdiction. In federal court, under the Federal Rules of Civil Procedure , a motion to dismiss for lack of subjectmatter jurisdiction is considered a favored defense. It may be raised at any point in the litigation process, even if the parties had previously argued that subject-matter jurisdiction existed. In fact, the court may dismiss a case sua sponte (on its own) for lack of subject-matter jurisdiction. See, e.g., Fed. R. Civ. Proc. 12(b)(1) .

Limited Jurisdiction and General Jurisdiction

Because a court is required to have subject-matter over the claims it hears, the legislature can impose limitations on what it can hear. For example, Congress limited the subject-matter jurisdiction of

the United States Tax Court to cases related to taxation; thus, that court does not have subject-matter jurisdiction over any other matter.

V. STATEMENT OF THE CASE

A. Introduction

This petition arises from an effort by a injured former soldier whom a botched surgery caused life altering results. Petitioner has tried for over 40 years to obtain medical records to support his case that his life altering injuries were the direct result of the surgery that happen while he was active duty. Access to the medical records was denied over the years. Preventing petitioner from presenting his case before Veteran Affairs, denying Petitioner benefits he so rights should have been awarded.

VI. REASONS FOR GRANTING THE WRIT

This Court's intervention is necessary to resolve a conflict between Petitioner, Department of Justice, supporting Petitioner in his quest to righting the wrong of him being denied access to his medical records. Records that would have clearly showed the results of a botched surgery caused all of Petitioners medical issues. Causing Petitioners medical condition to worsen

Forty years later resulting in Petitioner losing loss of mobility, now only being able to walk with the assistance of mobile devices.

George Cannon SR

**APPENDIX TO THE PETITION FOR A WRIT OF
CERTIORARI**

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**UNITED STATES COURT OF APPEALS FOR
THE EIGHTH CIRCUIT**

No. 24-3140

GEORGE M CANNON SR Appellant

v.

DEPARTMENT OF JUSTICE

No. 24-3140

GEORGE M CANNON SR.
Appellant

v.

DEPARTMENT OF JUSTICE

On Appeal from the United States Court of
Appeals for the Eighth Circuit of St Louis District
Court No. 24-3140
District Court No. 4-23-cv-00639-RK
District Judge: The Honorable Smith, Grasz and
Stras Circuit Judges

Denied May 09, 2025

Before: Smith, Grasz and Stras Circuit Judges

OPINION

Smith, Grasz and Stras Circuit Judges

George Cannon appeals the district court's dismissal of the pro se action. After careful de novo review of record and parties' arguments on appeal. The Honorable Roseann A. Ketchmark, United States District Judge for the Western District of Missouri, Affirm for the reasons stated by the district court. East v Minnehaha City, 986 F 3d 816, 820 (8th Cir 2021) (de novo review

APPEALS FROM THE UNITED STATES
COURT OF THE WESTERN DISTRICT
OF MISSOURI – KANSAS CITY

No. 4-23 cv 006939 RK

George M Cannon Sr.
Appellant

v.

DEPARTMENT OF JUSTICE

Appellee

On Appeal from the United States Court of
Appeals for the Eighth Circuit of St Louis District
Court No. 24-3140
District Court No. 4-23-cv-00639-RK
District Judge: The Honorable Smith, Gras and
Stras Circuit Judges

Denied August 06, 2025

Before: The Honorable Roseann A. Ketchmark,
United States District Judge for the Western
District of Missouri

OPINION

The Honorable Roseann A. Ketchmark, United
States District Judge for the Western District of
Missouri

George Cannon appeals the district court's dismissal of the pro se action. After careful de novo review of record and parties' arguments on appeal. The Honorable Roseann A. Ketchmark, United States District Judge for the Western District of Missouri, Affirm for the reasons stated by the district court. East v Minnehaha City, 986 F 3d 816, 820 (8th Cir 2021) (de novo review

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