26-6037

ORIGINAL

NO.

FILED
FEB 25 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE Supreme Court OF THE
UNITED STATES

EASTERN District OF ARKANSAS
TERRY ANTONIO LEE PETITIONER
V.
SARAH Huckabee Sanders, ET AL
RESPONDENT

ON PETITION For A WRIT OF Certio
rari
TO
EIGHTH CIRCUIT OF APPEALS
NAME OF Court THAT LAST RULE
ON CASE.

Petition For WRIT OF Certiorari

Terry A. Lee 120960
EAST ARKANSAS Regional
UNIT
P.O Box 970
MARIANNA Ark. 72360

Question

by Petitioner Filed claims for relief against defendants pursuant to 42 U.S.C. 1983 civil Complaint allege that defendants acted under the color of law depriving petitioner his constitutional Rights (Pet 1-7) could case get dismissed if it don't violate PLRA 28 U.S.C. 1915 (A)(a) or 28 U.S.C. 1915 (A)(b) threw the screening Process does Flaherty v. Coughlin 713 F.2d 10 13 2nd cir 1983) 452 U.S at 343 101 S.ct at 2399-2400 Grays v. Georgia 428 U.S 153 // 173 Farmer 307 U.S at 832, 114 S.Ct still control of Federal Law According to the screening Process does the District Court must give complaint liberal construction According to Haines v. Kerner 404 U.S 15 still Federal Law ~~district~~ (Pet 3-4) does the district court must weigh all factual allegation in favor of pliniff according to Denton v. Hernandez 504 U.S. 25, 32 (1992) by District Court adopt recommendation with no written findings violate Fed. R.

QP91

Civ. P. 56(c)(1) or Fed R. Civ. P. 56 @(Pet 6-9) by magistrate Judge recommendation (Dkt no. 15) and The District court order Apoting the recommendation Dkt no. 25) Judgment (Dkt no. 26) The magistrate judge was allowed to mischarcterize, misAddr ess petitioner claims in(Dkt no. 10-1) by misApplying Fed. R. civ. P. Rules 8, 18, 20 (Pet 9-11-12) Petitioner Asic The united state supreme Court to Review As it did in phelps v. Ms iKAPAOLAS 308 F. 3d 180 (2d Cir 2002) (Pet 11-12) Also Magistrate Judge recomm endation (Dkt no. 15) statement Help Persuade District court Judge ts Adopt there recommendation by stating If you Do not File objection en. bF baker may Adopt this recommeda tion without Independently reviews ing All of the Evidence in the record this statement does it violate The Federal Magistrate Act 28 U.S.C. 631 et seq or 28 U.S.C 636(b) ~~[illegible]~~ (Pet) which states Federal District Court Judge is required to

Summary Hear and determind the
the facts and depose of matter as
law and just speiser v. Randall 357
U.S. 513, 520, 7 S.ct 1332, 1338 2. L.
Ed 2d 1460 (1958)
should certificate of appealality
been granted by District court or
the united state court of appeals
Eighth circut according to
Bare Foot v. Estelle 403 U.S. 880
893 1983 (pet 13-14) or Flager
v. Belo 10. F. 3d 879 883 (8th cir 1994)
miller-EL v. cockwell 597 U.S 322-
338 2003)
should Certificate Appealability
being granted for Appointment
of counsel according to Fleming v
Evans 481, F. 3d 1249, 1258 (10th
Cir 2007) and Weaver v. Massachetts
132 S.ct 1899 582 U.S. 198 L.Ed 2d
20 2017) by Questions stated in
this petition Is the ucointion Abuse
of Discretion according to U.S.
Hanck, 403 F. 3d 997 (8th Cir 2005)
Ikeen v. Tyo production corp. 738. F. 2d
968 (8th cir 1989) (Pet 1-15)

List of Parties

A List of ALL Parties to the Proceeding in the Court whose Judgment is the subject of this Petition is provided below. If A Party is a Corporation with A Stock ticker symbol that Symbol is Also Included.

Terry Antonio Lee, Sarah Huckabee Sanders, Governor of State (originally named as Sarah Huckabee); Board of Corr; Dexter Payne, Director; Thomas Rowland, Supervisor, Internal Affairs; William Straughn, Assitant Director; James Shipman, Warden Tucker MAX unit; Maurice Culcalger, Assitant Warden, Tucker max unit; Joseph P. Mahoney, Major, Tucker MAX unit; Kevin Patterson, Sgt, Tucker max unit; Blackmon, Sgt, Field Rider, Tucker max Unit; Brooks, CPl Tucker MAX unit; Burnett, CPl, Tucker max unit; Matthew Elias, Sgt, Tucker max

unit; C. JACKSON, SGT, Tucker max unit, CHarlie THOMQSON, SGT, Tucker max unit; Terri Holli NgsworTH Pulaski Circuit Court clerk; Tim GriFFiN, Attorney GeneraL; Jordan B. SlAyden, LT, Tucker max unit; KAreN DAVIS, SGT, Tucker max unit; Julius John Gerard, IV, Assit ANt AttorNey GeNeraL; LeigH PATTERSON, prosecuting Attorney / Deputy; HAley TraN+HQm, PREA, NUMery, SGT, Tucker max unit, Jeremy Lee, SGT, Tucker max unit; J Sundine, SGT, Tucker max unit; A. JACKSON, SGT, Tucker max unit; CIArk, CAPtAiN, Tucker max unit; CQNtrell BQSS, CAPtAiN, Tucker max unit; KQrmQ THroNe Lt. Tucker max unit.; CHristopher GrQNT, CPl Tucker max unit; CYNthiQ D. CONWAY LT. Tucker max unit; NiCHOlQS D. SwiNey, LT, Tucker max unit; Melvin Wooten, SGT Tucker max unit (originAlly Name QS

Melvin Wooten); Justine D. Coleman cpl., Tucker max unit; Tyraneka Sims, SGT, Tucker max unit; Brandeisjha M. Burnett, Classification officer; K. Love, Business manager; Jaqueline Davis-Smith, program specialist / supervisor / Law Library, Tucker max unit; Isom, SGT, Tucker max unit Spencer, Sick Call Nurse, Tucker max unit; segmster, APN, Tucker MAX Unit; C. Blizard, Tucker max unit; James Beck, Doctor, Tucker max unit; Aundrea Culclagg er, Director, Chris Horan, MD, Well Path; Well Path; M. Agil, Health Service Administrator, [redacted].

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13 2nd 10, 13 2nd Cir 1983)

452 U.S. at 343 101 S. Ct at 2399-
2400 Grays v. Georgia 428 U.S.
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114 S. Ct

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OPINION BELOW

District court order (Dkt No. 7)

District court order (Dkt No. 19)

District court order (Dkt No. 25)

District Court Judgment (Dkt No. 26)

District Court order (Dkt No. 30)

District Court order (Dkt No. 37)

Court of Appeals order July 25, 2025

Court of Appeal order Nov. 17, 2025

Court of Appeal order Jan 9, 2026

Court of Appeal MANDATE Jan 16, 2026

JURISDICTION

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

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

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

[ ] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: JAN 9, 2026, 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 JAN 21, 2025. A copy of that decision appears at Appendix _____.

[ ] A timely petition for rehearing was thereafter denied on the following date: JULY. 17, 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. § 1257(a).

Jurisdiction

The U.S Supreme Court may exercise Jurisdiction over Final judgment or decision rendered by the highest court of A state in which A deision could be had 28 U.S.C. 1257 The highest court of A decision could be had is considered the last state tribunal to which that could be brought For Review Gorman v. Washington univ. 316. U.S. 598 101 (1942)

Constitutional and statutory

provision

42 U.S.C.

PLRA

28 U.S.C. 1915 (A)(a)

28 U.S.C. 1915 (A) (b)

28 U.S.C. 1915 (e) (2) (B)

42 U.S.C 1983

42 U.S.C. 1985 and 1986

Fed R. Civ. R. 56 (c) (1)

Fed R. Civ. P. 56 (e)

Fed R. Civ. P. 56 (c)

28 U.S.C. 631 et seq.

28 U.S.C. 636 (b)

42 U.S.C. 1985 (2)

42 U.S.C. 1985 (3)

28 U.S.C. 1291

Fed R Civ. P. 8 (a) (2)

Fed. R. Civ. P 18

Fed. R. Civ. P. 20

T. D. 4 pg 3

statement of case

Petitioner filed 42 U.S.C. 1983 civil complaint magistrate judge recommendation for petitioner to amend his complaint into suit and concise statements which petitioner did but the magistrate judge also wanted petitioner to chose between what claims he wanted to be consider as jointly claims when all claims had to do with the same people who continue to conspire with others but as magistrate judge stated in there recommendation portion of petitioner claim could be dismissed so petitioner file Arg ments to let the magistrate judge decide what claims go forward so petitioner would be allowed to appeal or oppose that recommend ation magistrate judge got mad and dismissed petitioner mild case with mis Interpretation of the Federal Law District Judge adopted magistrate judge recommendation with out A written Findings of

S.O.C. PSI

[redacted] FACT of Federal Law on
why they disagree with petitioner
opposition to recommendation and
what reason why they Adopted the
magistrate recommendation without
Considering ALL petitioner constitut
ional Rights where violated consp
iracy claims, excessive force,
denial of Serious medical needs,
denial Access to the Courts, Campaign
of Harrassment taken food trays,
taken showers, taken exercise to
yard call All out of Retaliation for
filing Suits And for notifing the
Governor the magistrate Judge tired
to put In her recommedation
How the defendant knew of civil
Suite petition prove How they All
knew cause Security officer patterson
said Something to Lee About it Sgt
Washington said Something to Lee
and Another Inmate About it I
Had Cpl Lee tell me in the shower
at throne todd him About All
the people who was in law Suite
which he was also in Suite.

S.U.C pg 2

[redacted] [redacted] WHICH
Petitioner stated in his motion For
Appointment of Counsel How the
officer knew which petitioner
should Had to prove during screen
ing process. After dismissal by
the district court Judge Petitioner
Filed A reconsideration under
Fed. R. Civ. P. 59(e) motion to Alter or
Amend complaint District Judge
district dismissed Complaint.
petitioner then File to the united
State Court of Appeals Eighth circuit
who denied petitioner filed A
reconsideration which was also
denied due to the Fact petitioner
constitutional rights just got
disregarded And ABuse of discret
ion for over Look petitioner
File this writ to the united
STATE Supreme Court to Review All
the constitutional violation. The
Abuse of discretions and the
mischarcterized And misAddress of
claims Wrong Interpretation of
Federal Law or Failure to Address
claims. S.U.C. pg 3

REASON For Granting the WRIT

A writ of certiorari is extra ordinary relief. In determining its application the court will not look beyond the face of the record to Ascertain the actual merits of controversy, or to control discretion, or to review a Finding of Fact, or to reverse a trial court's discretionary Authority, there are two requirements that must be satisFied in order For this court to grant A writ of certiorari. The First requirement is that there CAN be no other Adequate Remedy but For the writ of certiorari second A writ of certiorari lies only where (1) it is Apparent on the Face of the record that there has been a plain, manifest, clear, and gross Abuse of discretion, or (2) there is a lack of jurisdiction on Act in excess of Jurisdiction on the Face of the record, or the Proceedings are erroneous on the Face of the Record Arkansas Game Fish Comm'n v. Herndon, 365 Ark. 150, 226, SW

3d 776 (2006) (Citations omitted) emphasize Also see Arkansas Dept of Human Serv. V. Circuit Court of Sebastian County 363, Ark. 389, 217 S.W. 3d 856 (2005) Petitioner Filed Claims for Relief Against Defendants Pursuant to 42 U.S.C. 1983 Allege that defendants acted under the color of state law depriving Petitioner His Constitutional rights Griffin-El V. MCI Telecommunication Corp. Et AL 835 F. Supp. 1117, 1118 (E.D. MO 1993) The prison Litigation Reform Act requireing prisioners Litigation Reform Act require federal court to screen Prisoners Complaints seeking relief Against A governmental entity officer, or employee 28 U.S.C. 1915(a)(a) the court must dimiss A Complaint or portion, there of if the prisoners has raised claims that: (a) are legally Frivolus or malicious; (b) fail to state a claim upon relief may be Granted; or (c) seek manetory relief From A defendants who is Immue From such Relief 28 U.S.C. 1915(A)(b).

AN ACTION IS FRIVOLOUS IF IT LACK AN ARGUABLE BASIC EITHER IN LAW OR IN FACT NEITZKE V. WILLIAM 490 U.S. 319, 325 (1989) WHETHER A PLAINTIFF IS REPRESENTED BY COUNSEL OR IS APPEARING PRO SE HIS COMPLAINT MUST ALLESE SPECFIC FACTS SUFFICIENT TO STATE A CLAIM SEE MARTIN V. SARGENT 780 F. 2D 1334, 1337 (5TH CIR 1985) AN ACTION FAILS TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED IF IT DOES NO PLEAD ENOUGH FACTS TO STATE A CLAIM TO RELIEF THAT IS PLAUSIBLE ON ITS FACE " BELL ATLANTIC CORP. V. TWOMBLY, 550 U.S. 544, 570 (2007) IN REVIEWING PRO SE COMPLAINTS UNDER 1915(E)(2)(B), THE COURT MUST GIVE THE COMPLAINT THE BENEFIT OF A LIBERAL CONSTRUCTION HAINES V. KERNER, 404 U.S. 519, 520 (1972) THE COURT MUST ALSO WEIGH ALL FACTUAL ALLEGATION IN FAVOR OF THE PLAINTIFF, UNLESS THE FACTS ALLEGED ARE CLEARLY BASELESS DENTON V. HERNANDEZ 504 U.S. 25, 32 (1992). PETITIONER STATED ENOUGH FACTS THAT HIS ~~CLAIM~~ COMPLAINT WAS NOT DISMISSED UPON THE SCREEN

ins process as stated in 28 u.s.c. 1915 A(9) but threw the screening process magistrate judge still tried to find away thats not according to federal law, by recommendation (Dkt no. 4 pg 4 of 5) the magistrate judge stated either file allegation on either Double Hand cuffs claims to be sufficently related for joinder or the access to the court claims to be sufficently related for joinder but not both, magistrate judge stated if he elects, not to file a timely amended complaint, this may result in a recommendation that certain claims or this entire action be dismissed without prejudice, petitioner amended his complaint (Dkt 10-1). petitioner before Amendment Asking for Appointment of Counsel which was denied petitioner stated Facts on motion for Appointment of Counsel see (Dkt no. 7) magistrate judge was mad at petitioner because he did not understand magistrate.

Concept the Jointly Claims When
All Claims Contain to the same
Official Conspirins With the Hole
Unit And All Retaliated Cause of
Civil Suit LT Tilrone And 5st Sims
Notified Every body after Readins
Civil Suite so All Official Wes
Mad And Team up Agnins+ Pet.t
ioner, Magistrate Judge did A
recommedation to Dismiss
Petitioner Civil Complaint (Dkt No. 15)
petitioner Filed opposition to
recommendation (Dkt No. 20) District
Court Judge Adopted Magistrate
Judge recommendation without
An Independent Review of the
Facts And write A Findins -
Accord to Federal Law (Dkt Nos
25, 26) Magistrate Judge And
District Court Judge errored in
dismissing Claim At the Screen
ins process See Flaherty V.
Coughlin 713 F. 2d 10, 13 2nd Cir
1983) 452 U.S. At 343 101 S.Ct at
2399 - 2400 Grays V. Georgia
428 U.S. 153) 173, Farmer 307

U.S. At 832, 114 S.Ct by Petitioner move before the united state district Court regarding his 42 U.S.C. 1983 which provides in pertinent part that a Petitioner may seek redress when those Acting under color of state Law deprive him of Rights guaranteed him by the Constitution or Federal Law OKLAHOMA City v. Tuttle 471 U.S. 802, 817, NY (1985) Morris v. Zeffer 601, F. 3d 805, 809-12 (8th Cir 2010) Petitioner Resides in A culture of willful Abuses created by Respondents who are dependant upon state Law And superiors to shield them From Repercussion From said will ing ABuses where claims of 42 U.S.C. 1985 And 1986 Conspiracy claims, excessive Force, denial of medical treatment, Retaliations of campaign Harrassaments, Sexual Harrassament, taking show er, takeing exercise to yard ETC. See (Dkt No. 10-1) Just because of ABuse of discretion District Judge ABuse

OF discretion in U.S. HAACK, 403 F. 3d 997 (8TH cir 2005) THE HAACK Court, APPLYing THE ABUSE OF discretion STANDARD, cited Keen V. TXO Production Corp. 738 F. 2d 968 (8TH Cir 1989) which explained the STANDARD AS FOLLOWS: WHEN We SAY THAT A decision is discretionary.... We do not MEAN that the district court MAY do whatever Please it THE PHRASE MEANS INSTEAD THAT THE Court HAS A range OF choice and that its decision will not BE disturbed AS LONGS AS it STAY within THAT range AND is not INFLUENCED BY ANY mistake OF LAW AN Abuse OF discretion, on THE OTHER HAND; CAN OCCUR in three principal WAYS, WHEN A relevant FACTOR THAT should HAVE been given SIGNIFICANT WEIGHT, is not Considered WHEN AN irrelev ANT OR improper FACTOR IS CON sider AND given SIGNIFICANT WEIGHT, AND WHEN ALL proper FACTORS AND NO improper ONES are

considered but the court in weighing those Factors, commits A clear error of Judgment, see In pennington v. State 305, Ark. 312, 315, 807 S.W. 2d 660 662 (1991) District court Judge ABuse its discretion by refuse to do An Independent Review and written Findings of the Facts, Evidence and Law. (DKt NOS 25, 26) by District court Judge going off the magistrate Judge mis Interperation of the Law while mis ADDressing and mischareterizing Petitiower claims (DKt NOS. 10-1, 20) by District court Judge Adopted the magistrate Judge recomm endation violate Fed. R. Civ. P. 56(c)(1)A party to ADDress the supported Factual Assertions made by Another Party Stanford v. Nat'l Grange Inn. Co., 64 Supp. 3d 649 E.D. PA 2014 Fed. R. Civ. P. 56(e) given the court discretion to consider Facts undisputed if A Party Fails to properly support An Assertion of Fact or Fail to properly ADDress Another party

Assertion of Fact As required by Rule 56(C) petitioner File opposition to recommendation (DKT NO. 20) but the District court judge refuse to Consider or written Findings of FACT or Federal Law on the Reason the Allegations and Federal Law stated was Not accepted as Law District Court Judge just Adopted Magistrate Judge recommendation (Dkt NO. 25, 26) without written Findings of Fact of Federal Law District Court Judge Abuse it discretion by given the magistrate Judge Authority of Fact Finding of Federal Law without Review the Facts see (DKt NO. 15) where Magistrate Judge error by stating if You Do Not File objections CHIEF Baker may Adopt this Recommedation without Independ ently reviewing ALL of the Evidence in the record This statement violate The Federal Magistrate Act 28 U.S.C. 631 et.seq ~~As~~ and 28 U.S.C. 636(b) Federal Judge is required to summary Hear and determind the FACTS and depose of the matter AS Law and Justice the Magistrate Act give the

District Judge broad Authority to Assign a vote range of duties on the magistrate Congress Carefully circumscribed Permissive scope of Assignment to only such Additional duties As Are Inconcisted With the Constitution and Laws of the united states See 28 U.S.C. 636(b) Decision of District Judge Having Jurisdiction over the case; Speiser v. Randall 357 U.S. 513, 520 7. S.Ct 1332, 1338 2. L.Ed 2d 1760(1958) Just as in Darryl A. PHELPS V. N. KAPNOLAS 308 F.3d 180 (2d cir 2002) District Court Judge Adopted magistrate judge recommendation (Dkt no. 15) magistrate judge recommendation District Court Judge order and Judgment Dkt nos. 25,26) which fail to respond on claim of The 42. U.S.C. 1985 And 1986 conspiracy claims 1985(2) provides For Action Against person who Conspire to obstruct the due course of Justice in State Courts with Intent to deny Any Citzen equal Protection of the Law or Harm a Citzen For enForcing or Attempt equal Protection, 1985(3) provide For Damage

action Against person who conspire For the purpose of depriving Any person or class or people the equal protections of Law or equal privilledge and Immunities under Law, District Court Adopted magistrate Judge recommendation (Dkt No. 15) without excessive Force Claims, deliberate Indifference to Medical Serious Medical Needs Magistrate Judge Mischaracterized and mis Address Claims thats in compliant see (Dkt No. 10-1) See Phelps v. Kapnolas, 123 F. 3d 91 (2d cir 1997) THE Sixth Circuit Court of APPEAL had jurisdiction over petitioner APPEAL pursuant to 28 U.S.C. 1291. THEY review is denovo A district court dismissal of A Compliant just As In pheleps v. N. KAPNOLAS 308 F. 3d 180 (2d cir 2002) THE District Court improperly APPLIED a more Stringent pleading standard to petitioner Compliant THAN that set out in Federal Rule of Civil Procedure 8(9)(2) THE Court Reverse its decision District Court Judge Adopted

Magistrate Judge recommendation (Dkt No. 15) with District orders and Judgment (Dkt nos. 25, 26) Magistrate Judge stated in recommendation (Dkt No. 15) on pg 4 which state As Lee is well aware From Lee1 He is not excused from Complying with procedural rules, including Federal Rules of Civil Protedure 8, which requires a short and plain statement showing the plender is entitled to relief and that each allegation in pleading be simple Concise and direct Cody v. Leon, 468 F. App. x 644, 645 (5th cir 2012) (emphis added) Lee has Failed to Comply with Rule 8 requirements in the submission of his Amended complaint this mis Interpret of Law See Also petitioner Compiaint (Dict No. 20) Amended Compiaint was short and Concise Also in Magistrate ~~J~~ recommendation (Dkt No. 15 pg 5) other Fed. R. Civ. P. 18 and Rule 20 was mis Interpreted see opposition to recommendation (Dict No. 20) magistrate Judge stated Fed R. Civ. P 18 and 20 Both Rules where mis Enterpreted

Magistrate Judge just made up law to dismiss complaint with made up rules and laws District court judge made a clear error by adopting Magistrate recommendation (Dkt no. 15) District court orders Judgment (Dkt nos 25. 26) which shall be review by the united state court of appeal eighth circuit de novo For clear error and Abuse of Discretion As the court could see in Petition that petitioner was taking advantage of cause he was without counsel which petitioner file several motions For appoint ment of counsel see Dkt nos 5, 8, 17) was denied even with the complet of the case) Appointment of counsel was pursuant to 28. U.S.C. 1915(e)(1) Plaintiff ask for Appointment 28 U.S.C. 2261 District Judge also Abuse of Discretion by Dismissing motion to Alter or Amend Judgment pursuant To Fed. R. Civ P. 59(e)(Dkt no. 28) and Abuse of discretion For Denial of Appoint ment of counsel. District court Abuse of Discretion on certificate of

APPEALABILITY by Terry Lee constitutional Rights where violated and he makes A substantial showing of denial of A constitutional Right. Barefoot v. Estelle 463, U.S. 880, 893, (1983) Held this means that he would prevail on the merits but must demonstrate that the issue are debatable Among Jurists of Reason that A Court could resolve the issue in A different manner or that the questions are Adequate to deserve encouragement to Proceed Further Citation omitted see Flieger v. Delo 16. F. 3d. 878, 883 [8th cir 1994] miller-EL v. Cockwell 537 U.S. 322-338 (2003) Certificate of Appealability was granted where petitioner made substantial showing he was denied right to Counsel Flemins v. Evans 481. F. 3d 1249, 1255 [10th cir 2007] Weaver v. Massachesetts, 137. S.Ct 1899 582 U.S 198 L.Ed 2d. 20 2017 Just because A district Court has the inherent power to rescind a discharge order does not mean that

it is Appropriate to use that Power in Every case. because the exercise of an inherent Power in the interest of promoting efficiency may risk under mining other vital interests related to the Fair Administration of Justices A District courts inherent Powers must be exercised with restraints see Chambers 501 U.S at 44 111 S. ct 2123 (Because of their very potency inherent powers must be exercised with restraint and discretion by ALL of the ABUSE of Discretion in Case the united state ~~Supreme~~ court of Appeals Eighth Circuit should de novo and Review all claims and mis Interpreted of Federal Rules and Laws

Conclusion

1. grant Relief on injunction and other claims
2. reverse for certificate of Appealability
3 grant Hearing
4 reverse for trial
5 discharge from custody
6. reverse re sentence
7. Reverse for trial