

Original

No.

In The  
Supreme Court of the United States

In Re: David Schied,  
*Petitioner*

In Accompaniment of an Extraordinary Writ of Mandamus affiliated with  
two other Petitions for Writ of Certiorari Currently on Appeal from The United  
States Court of District Court for the Eastern District of Michigan

and the

United States Court of Appeals for the Sixth Circuit

Cited as

Application No. 10A1017

And

Application No. 10A1018

for which

Forma Pauperis status has already been recently granted

**MOTION FOR PERMISSION TO FILE PETITION FOR WRIT OF MANDAMUS  
IN FORMA PAUPERIS**

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## GROUND FOR RELIEF

In the history of this case for Writ of Mandamus, indeed the history of both of the other cases now on Appeal with Petitions for Writ of Certiorari as referenced on the cover page, Petitioner was granted “*forma pauperis*” status by both the U.S. District Court for the Eastern District of Michigan and the United States Court of Appeals for the Sixth Circuit, as well as the U.S. Supreme Court as based upon my compliance, as Plaintiff/Appellant/Petitioner, with the related statutes and Rules of Civil Procedure.

Now, accompanying this instant “*Motion for Permission to Appeal in Forma Pauperis*” to the Supreme Court, is yet another – updated – “*Affidavit Accompanying Motion for Permission to Appeal in Forma Pauperis*”. I have also signed this affidavit while in compliance with the statutes, procedures and/or rules. (See “EXHIBIT #1”)

Therefore, I, David Schied, hereby make declaration that the case being presented on Appeal to the U.S. Supreme Court from the U.S. District Court for the Eastern District of Michigan, involves violations of civil rights and criminal offenses for which my – now permanently broken – family and I are yet unrecognized “CRIME VICTIMS”.

## BASIS FOR THIS MOTION

In the course of the U.S. Supreme Court granting my previous “*Motion(s) for Permission to Appeal in Forma Pauperis*”, notice was provided to the entirety of the U.S. Supreme Court that though this case has been filed in a civil court, it calls for

a Grand Jury investigation and indictments because I have properly submitted these criminal claims with the Sheriff's departments and the offices of the Prosecutors of the Wayne and Washtenaw counties of Michigan, with the Northville City Police, the Michigan State Police, the Michigan Attorney General, the U.S. Attorney for the Eastern District of Michigan, and with the U.S. Attorney General in Washington, DC. In each instance of filing these formalized crime reports, most sworn and notarized and all referencing State and Federal laws as well as the evidence of the crimes, the government officials "*discretionarily*" refused to act, depriving my family and me of numerous rights, including the right to criminal protection from "*the accused*", the right to "*due process*" of a proper handling of these criminal matters through use of the Michigan and United States Code(s) (of criminal procedures), and to "*honest government services*".

In addition, I have sought "*victims' relief*", as guaranteed under the Michigan state Constitution, by requesting access to a criminal grand jury at both the "*State*" level and at the "*United States*" levels, only to be similarly denied, depriving me of the right to access a jury of *any* kind.

At the state level it appears that county and state grand juries of citizens have been rendered obsolete by the "*investigative subpoena statute*". (See Senate Bill 85 codified as MCL 767A1-767A9) According to the Michigan Criminal Law Annual Journal (Vol.1, No.1, 2002) that law, otherwise implemented to help in

solving “*cold cases*” beginning January 1, 1996, has effectively instead turned Michigan into a state that no longer has a “*standing grand jury system*”.<sup>1</sup>

At the Federal level, I have documented my pleas-turned-demands upon judges, courts, and federal prosecutors for access to a federal special grand jury to investigate my criminal allegations against an ever-expanding list of attorneys and their clients as government “*agents*”, who are creatively committing a variety of felony offenses “*under color of law*” to cover-up the preceding crimes of their “*peer group*” of other government officials through “*fraud upon the court*”, deprivation of *due process* and other constitutional rights, and through the issuance of grossly misleading and fraudulent judicial “*decisions*” and “*rulings*”.

As this U.S. Supreme Court is already aware by my previous submission of documents affiliated with the two Applications for Petitions for Writ Certiorari as cited on the cover page in reference to application numbers 10A1017 and 10A1018, I have submitted numerous formal letters of criminal complaint to the current and former Michigan attorney general(s), to the current and former United States

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<sup>1</sup> “Although we do have two very specific “*Grand Jury*” statutes, they are unique creatures of the law, and only utilized rarely, in very special circumstances. *MCL 767.3, et seq.* authorizes the use of a “*one-man grand jury*”- that being a judge. Witnesses can be summoned before a judge to answer questions under oath regarding a particular crime. At the end of the investigation, the judge decides whether to return an indictment. The proceedings are held in secret, and any violation of secrecy can result in criminal punishment being imposed against the violator. This type of grand jury is typically utilized to investigate public corruption cases. *MCL 767.7b et. seq.* also authorizes a “Multi-County Grand Jury” to be convened solely for the purpose of investigating crimes crossing two county borders. The attorney general, or each participating county prosecutor, must file a motion seeking permission in the Michigan Court of Appeals to convene such a multi-county grand jury. Its membership must consist of not less than 13 nor more than 17 members. Secrecy provisions also govern the multicounty grand jury. These grand juries are most commonly used to investigate drug-dealing organizations, which generally operate in several counties. These statutory provisions are the only ones authorizing a grand jury in the state of Michigan. There are no provisions for a regular, standing grand jury by which normal crimes are to be routinely investigated and reviewed for charging and indictment.” (Citation found at: <http://www.michbar.org/criminal/pdfs/CLJ2002-InvestigativeSubpoenas.pdf>)

attorneys employed at the Eastern District of Michigan, and to the current and former U.S. attorney generals.

Copies of just a smidgeon of my correspondence to these above-referenced “state actors”, including numerous formalized crime reports, are referenced below and provided in their entirety as Evidence in the Appendix to this instant Motion as follows along with their “answers” when provided:

“EXHIBIT #2” is my letter, dated 3/31/11, written in report of government racketeering and corruption, and addressed to the “*new*” Michigan Attorney General Bill Schuette. This letter, also in demand of a criminal grand jury investigation, follows years of letters, formal criminal complaints, and even State and Federal litigation in demand for the former attorney general Mike Cox to properly investigate and prosecute government criminals in Michigan. My letter to the new Attorney General Bill Schuette was accompanied by a listing of 10 supporting Exhibits, some with their own compilation of exhibits in support of Affidavits and previous crime reports I had turned over to the previous attorney general Mike Cox.

To date, nearly five (5) months later, this letter and all these supporting exhibits remain ignored and unaddressed in any way by either the former or the new Michigan Attorney General.

It should be noted that though the Michigan Attorney General has been involved in representing the State of Michigan as a party in the Supreme Court Application No. 10A1018, and curiously, the attorney general has declined to

respond to my filing and 23 itemized categories of Exhibits as Evidence mostly against Michigan government officials acting under the protection of the Attorney General. See "EXHIBIT #3" as the Michigan Solicitor General John J. Bursch's filing of "*Waiver*" to the Supreme Court of the United States in decline of the Attorney General's response in this matter "*unless requested by the Court*".

"EXHIBIT #4" is a formal letter of criminal complaint, dated the same at the letter to the Michigan Attorney General, on 3/31/11, address to BARBARA McQUADE, the U.S. Attorney for the Eastern District of Michigan.

That letter referenced numerous supporting documents provided to Ms. McCullough for forwarding to U.S. Attorney McQuade and/or to the "*Criminal Civil Rights Division*" official (thus far unnamed). Note that the subject line heading of that letter reads as follows:

*"Report of large scale conspiracy of multi-tiered government crimes (misdemeanor and felony); Request and/or Demand for access to a federal grand jury; for reporting these crimes (as they occurred individually and collectively) to a federal special grand jury as statutorily provided under 18 U.S.C. § 3332."*

I delivered this letter of criminal complaint by hand to Assistant U.S. Attorney Regina McCullough. Subsequently, I wrote a letter in follow up to my meeting with the "*assistant U.S. Attorney*" for the Criminal Division (McCullough) to memorialize what transpired between us and her decision to turn my "*criminal complaint*" over to the reported "*head*" of "*Criminal Civil Rights Division*" of the U.S. Attorney's office. (See "EXHIBIT #5" as my letter to McCullough)

Two weeks beyond the two-week date I was told by McCullough that I should expect a reply, I telephoned and was informed that the Criminal Civil Rights Division “chief” JUDITH LEVY did not find that my complaint “*did not constitute a valid civil rights complaint*”; and that rather than to forward my criminal complaint back to Regina McCullough or others in the “*Criminal Division*”, my entire package would be returned back to me with no further action. I specified that I wished that determination to be placed into writing along with the basis for denying my demand for criminal grand jury investigation under 18 U.S.C. §3332.

When my complaint was sent back to me therefore, it was accompanied by a letter signed by Assistant U.S. Attorney Judith Levy stating her discretionary denial of my crime report and demand for criminal grand jury. The letter read, in part,

*“We have carefully reviewed the various materials and information which you have provided to this office with regard to your allegations of public corruption on the part of state and local government officials and your request for access to a federal grand jury....Based upon our review of the documents you provided, there does not appear to be a basis for federal jurisdiction in this matter. As our office has indicated to you previously on several occasions, we will not be taking action on this matter.”*  
(“EXHIBIT #6”)

I maintain that neither U.S. Attorney Barbara McQuade nor any previous U.S. Attorney had EVER responded to my recent criminal complaint pointing to the latest evidence of the crimes being committed by the Lincoln Consolidated Schools and the Northville Public Schools. Though these recent crimes (2009) were essentially the same as the previous ones I had reported to the U.S. Attorneys Stephen J. Murphy in 2007 and Terrence Berg in 2008 and 2009, these recent

crimes were NEVER addressed by the U.S. Attorney's office. This letter demonstrates the type of fraud being perpetrated when the executive branch of federal government in the Eastern District of Michigan creates "*official*" records of response and criminal "*cover up*" to my "*official*" crime reports.

This U.S. Court of Appeals should note that, as shown by "EXHIBIT #7" earlier crimes were indeed reported to the former U.S. Attorney Stephen J. Murphy, who took no action himself but instead recommended that I take a dual course of action which I subsequent undertook. Per the letter written by Murphy, who subsequently left his office to travel through the "*revolving door*" to become a U.S. District Court judge, I was told to take the criminal matter to the FBI and the civil matter to a federal court. Both courses of action have brought me to this instant place in Demand for a Criminal Grand Jury Investigation. This is because the FBI refused to do anything and the federal courts refused to do anything either about my crime reports. ("Exhibit #7 contains both my complaint and the U.S. Attorney's written response.)

In following up to U.S. Attorney Murphy's letter, both the criminal and civil matters ended up being filed by me as a single criminal racketeering and corruption complaint naming numerous FBI agents, DOJ employees, a former U.S. Pardon's attorney, and three Sixth Circuit Court judges. That case is known as "*Case No. 08-14944; David Schied v. Martha Craig Daughtrey, et. al.*". The Complaint also named U.S. Attorney Terrance Berg as by that time Berg was representing federal



co-defendants in the instant case now before the U.S. Supreme Court. (Application No. 10A1018)

The judge that dismissed that complaint was U.S. District Court judge Lawrence P. Zatkoff, and the U.S. Supreme Court is in possession of his rulings by inclusion in the Appendix of my various filings. The USSC is also in possession of my “*judicial misconduct*” complaints against Judge Zatkoff resulting from his own mishandling of these criminal allegations and for his using “*color of law*” to depriving me of constitutional *due process* in denying my “*demand for criminal grand jury investigation*” and denying my getting to a jury of any kind. (See the exhibits affiliated with Petition for Writ of Certiorari Application No. 10A1018.)

In regard to the U.S. Attorney Generals Michael Mukasey and Eric Holder, Jr., both were closely involved in the case outlined above (“*Case No. 08-14944; ‘David Schied v. Martha Craig Daughtrey, et. al.’*”) as well as the instant case now before the U.S. Supreme Court (Application No. 10A1018).

In fact as shown by “EXHIBIT #8”, on 9/16/09 after being victimized again by both the Lincoln Consolidated Schools and the Northville Public Schools, I wrote to U.S. Attorney General Eric Holder and later submitted yet another sworn and notarized detailed crime report, which was provided to the U.S. Attorney General along with sworn and notarized witness Affidavits supporting the more recent criminal offenses that had been sloughed off by the former Attorney General and the former U.S. Attorneys. The letter to Holder was captioned, “*Allegations of criminal corruption and ‘false claims/reports’ to Washington, D.C. by U.S. Attorneys*

*for the Eastern District of Michigan, Southern Division: Stephen J. Murphy and Terrence Berg”.*

U.S. Attorney Eric Holder has never directly replied to my 9/16/09 letter nor to any other of my criminal complaints. Instead, he continues to collect all the documents I am compelled to send to him as my civil and criminal complaints against federal government employees continue to escalate and with the Courts requiring that I provide the U.S. Attorney General, as well as the U.S. Attorney for the Eastern District of Michigan, with copies of my federal complaints.

## CONCLUSION

As a result of these crimes continuing for over seven (7) years, my family and I have been subjected to millions of dollars in added suffering and damages. At the time of filing of this instant “*motion*” with the United States Supreme Court, divorce proceedings in State court have been finalized resulting in the ultimate destruction of the my immediate “*family*” by these “*government racketeering and corruption*” crimes.

The trilogy of court case now before the U.S. Supreme Court involves allegations of criminal fraud upon the court, conspiracy to deprive of rights under color of law, misprision of felony and treason, obstruction of justice, obstruction of a criminal investigation, retaliatory suspension of a child with a disability, interference with federal grand jury proceedings, deprivation of a child’s rights under the Individuals with Disabilities in Education Act (IDEA) and the Family

Educational Rights to Privacy Act (FERPA) through “*color of law*”, other denials of due process, and the denial of the crime victims’ rights to criminal protection, among other offenses being also committed against the government itself and the People of the State of Michigan and the United States.

At the base of this chain conspiracy of government agencies are two school administrations and their representative law firms, the PLUNKETT-COONEY law firm and the KELLER THOMA, P.C. law firm, both in Michigan. These attorneys, against which I have filed numerous “attorney grievance” complaint that have all been denied without supporting basis, have been defrauding numerous State and Federal courts while committing crimes against my family and me. The details of these complaints are provided in the Appeals themselves, as well as in the Exhibits accompanying the Applications to the U.S. Supreme Court. Altogether these crimes have placed my family and me in severe financial hardship, while the crimes continue to be perpetuated by the co-defendants/respondents, and with new government offenses being committed with virtually each place I go for crime victims’ relief.

I therefore lack the funds to pay for the costs of filing, and simply cannot afford the plethora of copying costs, notices of service and mailing costs, and other costly fees required in presenting the multiplicity of arguments and evidence to the Court and to the Defendants in this federal case.

## RELIEF SOUGHT

I hereby move for the Court to issue an Order to:

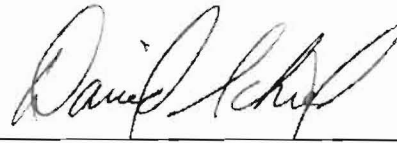
- Permit me as the Petitioner to proceed without payment of filing or any other court related fees, or service fees;
- Direct the clerk of the court to file the pleadings without payment of filing or any other court related fees; and
- Direct the Respondents to allow me as Petitioner to serve future papers in this action upon the Respondents in accordance with the Michigan court rules [Rule 2.107(F)] allowing for a “Motion for Filing of a Pleading and Service on an Adverse Party Constituting Notice of It to All Parties”.<sup>2</sup>
- Grant an Order in response to my “Request for Criminal Grand Jury Investigation” to allow me to have direct contact with the Special Grand Jury to provide them with my Evidence of years of “top-to-bottom” criminal government corruption in the Southern District of Michigan and region of the Sixth Circuit Court of Appeals.

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<sup>2</sup> Michigan Court Rules, Rule 2.107(F), provides that, “The Court, on motion or on its own initiative, may order that (4) the filing of pleading and service on an adverse party constitutes notice of it to all parties.” In addition, MCL 775.20 holds that, “The expense of all prosecutions against persons holding or who may have held state office, for malfeasance in office, shall be paid from the general fund, by the state treasurer, and the board of state auditors are hereby authorized and empowered to all just and legal claims for such prosecutions, and this section shall be deemed to apply to the expenses of any prosecution already commenced, as well as to any which may occur in the future.”

Respectfully submitted,

By:



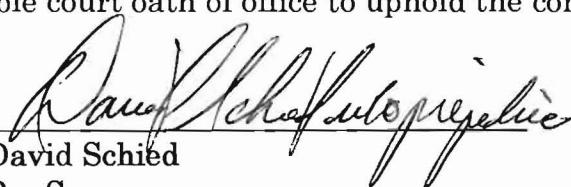
DATED: August 15, 2011

### VERIFICATION

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct based upon my personal knowledge.

As the aggrieved party, UCC 1-102(2) Reserving my rights Without Prejudice UCC 1-308, I, David Eugene Schied, from the family of Schied, am pursuing my remedies provided by [the Uniform Commercial Code] UCC 1-305.

This AFFIDAVIT, is subject to postal statutes and under the jurisdiction of the Universal Postal Union. No portion of this affidavit is intended to harass, offend, conspire, intimidate, blackmail, coerce, or cause anxiety, alarm, distress or slander any homo-sapiens or impede any public procedures, All Rights Are Reserved Respectively, without prejudice to any of rights, but not limited to, UCC 1-207, UCC 1-308, MCL 440.1207. Including the First Amendment to The Constitution of the Republic of the united States of America, and to Article One Section Five to The Constitution of the Republic of Michigan 1963 circa. The affiant named herein accepts the officiate of this colorable court oath of office to uphold the constitution, and is hereby accepted for value.

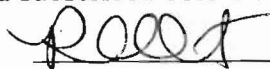


David Schied  
Pro Se

Executed on August 15, 2011.

David Schied  
Pro Se  
PO Box 1378  
Novi, Michigan 48376  
248-946-4016  
Email: deschied@yahoo.com

Sworn to and subscribed before me this 15 day of Aug, 2011.



Notary Public, Wayne County, MI acting in Oakland County Michigan.

My Commission Expires: 6-23-14

REBECCA QUERTERMOUS  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF WAYNE

My Commission Expires: June 23, 2014  
Acting in the County of Wayne