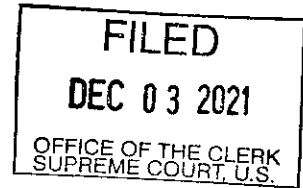


ORIGINAL

21-6866

No.



In the Supreme Court of the United States

Richard R. Lawless, Petitioner

v.

Judge Tanya Jones Bosier , Respondent  
Judge Hiram E. Puig-Lugo, Respondent  
Judge Anthony R. Epstein, Respondent

ON PETITION FOR A WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS FOR  
THE District of Columbia CIRCUIT

PETITION FOR A WRIT OF CERTIORARI

Petitioner: Richard R. Lawless  
*pro se Plaintiff*  
30279 Redding Avenue  
Murrieta, CA 92563

Defendant: Judge Tanya Jones Bosier  
*Defendant: Judge Hiram E. Puig-Lugo*  
Defendant: Judge Anthony R. Epstein  
C/O Washington DC Superior Court  
Moultire Court House  
500 Indiana Avenue  
Washington, D.C. 20001

### Question Presented for Review

Plaintiff was denied access to a jury trial and court discovery violating his seventh amendment rights through the courts inappropriate application of the D.C. Anti-SLAPP Statute.

Plaintiffs cases were dismissed with Prejudice under the D.C. Anti-SLAPP Statute, State Appellate Court denied request to hear appeal, denying Plaintiff access to further discovery and access to any other State courts within the United States.

Small Claims Judge Bosier applied the DC Anti- SLAPP in a \$10,000 small claims case, review Judge Epstein declined to review decision and Judge Puig-Lugo cited the application of the DC Anti-SLAPP Statute in the small claims case as the primary reasons he was dismissing a \$482,000,000 lawsuit with prejudice. (same Plaintiff)

“Can a State court deny access to a jury trial and court discovery through the inappropriate application on an Anti-SLAPP statute?”

#### List of Parties to Proceeding

1. Defendant: Judge Tanya Jones Bosier
2. Defendant: Judge Hiram E. Puig-Lugo
3. Defendant: Judge Anthony E. Epstein
  
4. Plaintiff: Richard R. Lawless

#### Corporate Disclosure Statement

1. Richard R. Lawless was the pro se Plaintiff in two related cases in the Washington D.C. Superior Court.
2. Judge Tanya Jones Bosier was the presiding judge in one case.
3. Judge Anthony R. Epstein was the Judge that reviewed the decision in Judge Bosier case.
  
2. Judge Hiram E. Puig-Lugo was the presiding Judge in the second case.

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## Table of Authorities

United States Supreme Court

NAACP v. ALABAMA(1964)

No. 169

Argued: March 24, 1964Decided: June 1, 1964

This is a dispute where a State Court Judge applied a State Statue Incorrectly and ignored well settled case law. The State Appeals Court declined the request to hear the case. Letting stand a ruling that violated the States own Statute, ignored their own States Appellate Court rulings and ended up denying Plaintiff and Jury Trial and Court Discovery.

The questions presented for review, expressed concisely in relation to the circumstances of the case **Rule 14.1 (g)**

"Can a State Court use their Anti-SLAPP Statute to deny a plaintiff their seventh amendment right to a jury trial and their fourteenth amendment right to the taking of property?"

The following individuals are involved with this petition;

Richard R. Lawless – Plaintiff

Washington D.C. Superior Court Judge, Tanya Jones Bosier

Washington D.C. Superior Court (Review) Judge, Anthony R. Epstein

Washington D.C. Superior Court Judge, Hiram E. Puig-Lugo

List of Proceedings;

- Washington D.C. Superior Case, Richard R. Lawless V. Kat Mulder, case number 2021 SC3 000441. Case hearing date, September 20, 21. Case dismissed with prejudice based on States Anti-SLAPP Statute on September 23, 2021. Judge Tanya Jones Bosier.
- Plaintiff's motion for verdict review was denied by Judge Anthony Epstein on October 5, 2021. Case reference number 2021 SC3 000655.
- Plaintiffs petition for approval to submit appeal to the Washington D.C. Appellate Court was denied November 3, 2021 without comment. Case number 21-DA-0003.
- In a related case, Richard R. Lawless V. Wp Company, LLC, Judge Hiram E. Puig-Lugo immediately dismisses a \$482,000,000 lawsuit against the parent company based on the lower court's application of the Anti-SLAPP Statute. This dismissal was filed on November 17, 2021. Case Number 2021 CA 003519 B.

**This filing includes all of the above decisions and filings by the court as part of the addendum.**

## **XII. Statement of the Case**

Plaintiff sued a newspapers senior manager (managing editor) for tort damages in the D.C. Superior Court. The Plaintiff alleged negligence and fraud and was seeking financial damages. The lawsuit alleged that the editors were well aware of over sixty major felonies related to a case of municipal bond fraud and hid that information from their subscribers. The Plaintiff was a thirty-year newspaper subscriber. The Plaintiff provided over one-hundred and twenty pages of "government evidence" showing that the crimes happened and that the newspapers senior

managers knew about the crimes and covered them up. The Plaintiff provided copies of the newspapers articles written by the Defendants newspaper on the topic that were meant to mislead subscribers into believing that no one was responsible for their millions of dollars in losses and that they could not recover their losses.

The case was immediately **dismissed with prejudice under the Washington D.C. Anti-SLAPP Statute**. The court also sighted other reasons for the case dismissal but the application of the D.C. Anti-SLAPP Statute required them to dismiss the case with prejudice. Preventing any attempt by Plaintiff to ever seek legal redress again. The case was appealed to a review Judge and the appeal was declined. The plaintiff petitioned the Washington D.C. Appellate Court for permission to appeal the decision and that was declined.

Unrelated to the Anti-SLAPP Statute, the only reason for this petition, the Judge unbelievably ruled that Editors and Journalists have "no duty" to anyone so Plaintiff's lawsuit was frivolous and without merit. This nonsense could have been overcome by appeal or through a new lawsuit filed in another venue. The newspaper sells the news and the plaintiff buys the news. The Editors and Journalists have a "standard of care" that creates a "duty" to their subscribers. But the Anti-SLAPP provision allowing a dismissal with prejudice will prevent the Plaintiff from arguing against the Judges absurd claim that no duty exists, in any court, ever again. The Judge never reviewed the evidence submitted by the Plaintiff or identified any specific written or oral statement that applied to the Anti-SLAPP provision under which the Plaintiff made a claim. The Plaintiff was arguing that a "cover-up" took place. Non-Action, not covered by the Anti-SLAPP Statute. Plaintiff was suing for what the newspaper didn't write or didn't make any oral statements about.

### **XIII Reason for Granting the Petition**

The D.C. Superior Court used their States Anti-SLAPP Statute to deny the Plaintiff his right to a jury trial, a violation of the Plaintiffs seventh and fourteenth amendments (taking of property). The denial of the Plaintiffs two appeals will prevent the Plaintiff from seeking redress in any court in the country.

The application of States various versions of Anti-SLAPP laws has been a long-running issue for the Federal Courts and for victims seeking redress.

#### Anti-SLAPP statutes in federal courts

*An interesting question is whether and to what extent federal courts may or even must enforce anti-SLAPP statutes in federal proceedings. Consider in this regard the First Circuit's decision in *Godin v. Schencks*, 629 F.3d 79, 86 (1st Cir. 2010), a case involving a section 1983 procedural due process claim against various defendants as well as pendent state law claims against three school system employees who had separately said in meetings with school officials that the plaintiff, a former principal, had acted abusively toward students.*

*In Godin, the First Circuit extensively analyzed the relationship between the Federal Rules of Civil Procedure and a Maine anti-SLAPP statute (Section 556) "that governs both procedure and substance in the state courts. The issue [as to the pendent state law claims] is whether Federal Rules of Civil Procedure 12(b)(6) and 56 preclude application of Section 556 in federal court."*

*Confronting this issue of first impression in its circuit, the First Circuit held that Maine's anti-SLAPP statute must be applied to the plaintiff's state law claims against these three individual defendants.*

*In the court's view, neither of these two Federal Rules was meant to control the issues under Section 556 in federal courts. In addition, the dual purposes of Erie R. Co. v. Tompkins, 304 U.S. 64 (1938)—discouraging forum shopping and avoiding inequitable administration of the laws—were best served by enforcement of Section 556. The defendants could therefore defend against the pendent state law claims under the anti-SLAPP statute.*

*The First Circuit observed that it was joining the Fifth and Ninth Circuits in reaching this conclusion. It cited as support Henry v. Lake Charles Am. Press, LLC, 566 F.3d 164 (5th Cir. 2009), and United States ex rel. Newsham v. Lockheed Missiles & Space Co., 190 F.3d 963 (9th Cir. 1999).*

*Note that a state's anti-SLAPP statute should not be a defense to a section 1983 claim in federal court by virtue of the Supremacy Clause.*

#### **XIV. Conclusion**

The Plaintiff had his seventh amendment rights to a jury trial and his fourteenth amendment rights regarding the taking of his property violated by the implementation of the Washington D.C. Anti-SLAPP Statute. Simply because the newspaper wrote about this topic of great interest the Judge applied a "prohibition" against the Plaintiff from ever seeking recourse from this newspaper's senior managers. A single Judge's ruling to dismiss with prejudice has forever denied the Plaintiff his right to a jury trial anywhere in the country.

No single Judge or venue should be given jurisdiction under the Anti-SLAPP statute to deny plaintiffs of a jury trial. It is obscene to suggest that if a newspaper writes about a topic, it automatically insulates itself from litigation on that topic under the Anti-SLAPP provisions. If a Jury were to see the evidence in this case they would have very likely ruled against the defendant. How can a State Statute trump a person's constitutional rights? Plaintiff respectfully petitions the court to answer this important legal question once and for all. The Anti-SLAPP provisions requirement to dismiss cases with prejudice often leaves the victims without any further redress. **One Judge, one five-minute hearing and the Plaintiff legal rights are obliterated.**

The petition for a writ of certiorari should be granted.