

Exhibit

" Threat of Imminent
DANGER # 1 "

2

IN THE COURT OF APPEALS
FOR THE THIRD CIRCUIT ET. AL.,

DOCKET CASE NO. 21-1330

LAWRENCE L. CRAWFORD AKA JONAH GABRIEL JAHJAH T. TISHBITE

APPELLANT

Vs.

THE UNITED STATES; JUDGE LINARES ET. AL.,

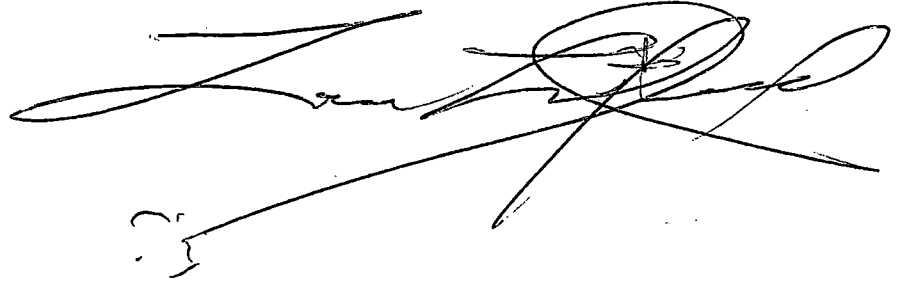
DEFENDANT(S)

AFFIDAVIT OF SERVICE

I, LAWRENCE L. CRAWFORD AKA JONAH GABRIEL JAHJAH T. TISHBITE, DO HEREBY CERTIFY, THAT I HAVE MAILED AND OR SERVED A COPY OF AN AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION TO ACKNOWLEDGE THE WITHDRAWAL OF A PARTY; MOTION AND OR PETITION TO FILE IN FORMA PAUPERIS; MOTION FOR AN EXTENSION OF TIME TO FILE INFORMAL BRIEF OR FUNCTIONAL EQUIVALENT PLEADING AND MOTION TO MOTION THEREFOR, ON THE 3rd. CIRCUIT COURT OF APPEALS AND ALL INVOLVED PARTIES, BY U.S. MAIL POSTAGE PREPAID, BY DEPOSITING IT WITH ITS EXHIBITS IN THE INSTITUTION MAILBOX ON MAY 22, 2021.

RESPECTFULLY,
JONAH THE TISHBITE

MAY 22, 2021

A handwritten signature in black ink, appearing to read 'Jonah The Tishbite', with a large circular flourish at the end.

ADDITIONAL NOTICE: CASE NO. 2020-001667 THAT WAS FILED BEFORE THE
S.C. COURT OF APPEALS IS NOW SOUGHT REVIEW UNDER CASE DOCKET NO.
2020000974 IN THE S.C. SUPREME COURT.

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FOR THE THIRD CIRCUIT ET. AL.,

DOCKET CASE NO. 21-1330

LAWRENCE L. CRAWFORD AKA JONAH GABRIEL JAHJAH T. TISHBITE

APPELLANT

Vs.

THE UNITED STATES; JUDGE LINARES ET. AL.,

DEFENDANT(S)

AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION TO
ACKNOWLEDGE THE WITHDRAWAL OF A PARTY; MOTION AND OR
PETITION TO FILE IN FORMA PAUPERIS; MOTION FOR AN
EXTENSION OF TIME TO FILE INFORMAL BRIEF OR FUNCTIONAL
EQUIVALENT PLEADING AND MOTION TO MOTION THEREFOR

IN RE: JONAH THE TISHBITE AND ALL RELATED MATTERS.

TO: THE THIRD CIRCUIT COURT OF APPEALS ET. AL.,

THE APPELLANT IN THE ABOVE CAPTIONED MATTERS AGAIN GIVE THE HONORABLE THIRD CIRCUIT JUDICIAL NOTICE. YAHYA MCQUIT HAS EXPRESSED HIS DESIRE TO NOW WITHDRAW FROM THESE PROCEEDINGS. THEREFORE, THE APPELLANT, LAWRENCE L. CRAWFORD AKA JONAH GABRIEL JAHJAH T. TISHBITE, WILL PROCEED WITHIN THESE PROCEEDINGS AS THE SOLE LITIGATOR.

INSOMUCH, THIS DOCUMENT IS FILED AS AN AFFIDAVIT AND OR MOTION AND OR PETITION TO FILE BEFORE THIS COURT IN FORMER PAUPERIS DUE TO THREAT OF IMMINENT DANGER. IMMINENT DANGER ARE THOSE DANGERS WHICH ARE ABOUT TO OCCUR AT ANY MOMENT OR ARE IMPENDING. IF THE ALLEGATIONS OF HARM MAY IN FACT BE "**IMPENDING**", IT SATISFIES THE EXCEPTION DUE CAUSE OF POTENTIAL SERIOUS PHYSICAL INJURY, MALARIK v. BEAVER COUNTY JAIL ADMINISTRATION, 2021 WL 965813 (W.D.Pa.2021); CLIFF v. SMITH, 2021 WL 1232689 (M.D.Ala.2021); JONES v. MACK, 2021 WL 867880 (S.D.Ala.2021).

ALLEGATIONS OF IMMINENT DANGER MUST BE EVALUATED IN ACCORDANCE WITH THE LIBERAL STANDARD APPLICABLE TO PRO SE LITIGANTS, ALTHOUGH THE COURT NEED NOT CREDIT "FANTASTIC OR DELUSIONAL" ALLEGATIONS THAT ARISE TO THE LEVEL OF IRRATIONAL OR WHOLLY INCREDIBLE", TALBERT v. P.A. STATE CORR. OFFICER ASSOC., 2021 WL 963454 (M.D.Pa.2021); LEE v. GRONDOLSKY, 2017 WL 3206937 (D.Mass.2017).

THE APPELLANT GIVES THE THIRD CIRCUIT JUDICIAL NOTICE. THE PRISON LITIGATION REFORM ACT IS COMING UNDER CONSTITUTIONAL CHALLENGE WITHIN THIS CASE SUB JUDICE WHICH IS TO BE PLACED BEFORE THE JURY VIA THE APPELLANT'S 7TH. AMENDMENT RIGHTS OF THE U.S. CONSTITUTION. THUS, TO MAKE USE OF IT IN THE APPELLANT'S CASE WHEN ITS CONSTITUTIONALITY IS COMING UNDER ATTACK DUE TO THE PROVISIONS OF THE CLINTON BILL IN QUESTION, WHICH INCLUDE THE PLRA AND AEDPA, DISPROPORTIONATELY TARGET AFRICAN AMERICANS AND OTHER MINORITIES. THE THIRD CIRCUIT'S USE OF IT TO BAR THE APPLICANT FROM SEEKING APPELLATE REVIEW WHEN THESE MATTERS WERE

TO BE PLACED BEFORE THE JURY, AND DUE TO THE EGREGIOUS ACTS OF FRAUD UPON THE COURT THAT OCCURRED IN THIS CASE SUB JUDICE THIS RIGHT WAS UNCONSTITUTIONALLY DENIED? SUCH ACTION ON THE PART OF THE THIRD CIRCUIT WOULD PRODUCE STRUCTURAL ERROR NOT SUBJECT TO THE HARMLESS ERROR DOCTRINE, VIOLATING THE 7TH. AMENDMENT AND THE SEPARATION OF POWERS CLAUSE VOIDING THE THIRD CIRCUIT'S JURISDICTION FOR SUCH UNCONSTITUTIONAL ACTION WHICH IS TO BE ADJUDICATED UNDER THE CONSTITUTIONAL PRONG TO SUBJECT MATTER JURISDICTION. THE THIRD CIRCUIT'S JURISDICTION IS LIMITED SOLELY TO ADDRESSING THE EGREGIOUS ACTS OF FRAUD UPON THE COURT THAT OCCURRED IN THIS CASE OR IT WOULD ALSO PRODUCE MANIFEST INJUSTICE, CALDERON v. THOMPSON, 523 U.S. 538, 118 S.Ct. 1489 (U.S.1998); UNITED STATES v. CONRAD, 675 Fed. Appx' 263, 265 CA4 (N.C.2017); FOX EX REL FOX v. ELK RUN COAL CO. INC., 739 F3d. 131, 87 Fed.R. SERV.3d. 534 (4th.Cir.2014); MORRISON v. ACCUWEATHER, INC., F.Supp.3d., 2016 WL 3015226 (M.D.Pa.2016); HAMER v. NEIGHBORHOOD HOUSING SERVICES OF CHICAGO, 138 S.Ct. 13, 199 L.Ed.2d. 249 (U.S.2017); ELDERBERRY OF WEBER CITY, LLC. v. LIVING CENTERS-SOUTHEAST, INC., --F3d.--, 2015 WL 4430836 CA4 (Va.2015); U.S. v. ABDULWAHAB, 715 F3d. 521 CA4 (Va.2013); CURTIS LOETHER, 415 U.S. 189, 94 S.Ct. 1005, 39 L.Ed.2d. 260 (U.S.1974); PENNSYLVANIA NAT. MUT. CAS. INS. CO. v. TANNER, 2013 WL 140425 (DSC.2013); ORTIZ v. FIBREBOARD CORP., 527 U.S. 815, 119 S.Ct. 2295, 144 L.Ed.2d. 715 (U.S.1999); CITY OF MONTEREY v. DEL MONTE DUNES AT MONTEREY, LTD., 526 U.S. 687, 119 S.Ct. 1624 (U.S.1999); FELTNER v. COLUMBIA PICTURES TELEVISION, INC., 523 U.S. 340, 118 S.Ct. 1279 (U.S.1998).

THE IMMINENT DANGER EXCEPTION TO PRISON LITIGATION REFORM ACT'S (PLRA) THREE STRIKES RULE, WHICH GENERALLY BARS FROM PROCEEDING IN FORMA PAUPERIS PRISONER WHO HAS ABUSED JUDICIAL SYSTEM BY FILING FRIVOLOUS ACTIONS, MAY BE INVOKED BY PRISONER ONLY TO SEEK RELIEF FROM A DANGER WHICH IS IMMINENT AT THE TIME THE COMPLAINT IS FILED, ABDUL-AKBAR v. McKELVE, 239 F3d. 307 (3rd.Cir.2001); MILTON WASHINGTON ET. AL. PLAINTIFF v. GOVERNOR

TOM WOLFE ET. AL., DEFENDANTS, 2021 WL 119 7698 (M.D.Pa.2021); CROULER v. U.S., 2011 WL 1375613; RANDALL v. BROSCO, 2018 WL 3133427 (D.RHODE ISLAND.2018); MARTINEZ v. DUFFY, 2018 WL 1224458 (D.RHODE ISLAND.2018).

THE APPELLANT IN THIS CASE MOTIONS TO EXPAND THE SCOPE AND FOR INCLUSION AND ALL DOCUMENTS FILED ON THE WEBSITE THEMAHDITHEBRANCHTHEELIJAHTHEBLACKMESSIAH.COM BE SOUGHT AND ADDED TO THESE PROCEEDINGS. THEY BEAR ON THE CLAIMS, ISSUES AND DEFENSES ARGUED WITHIN THIS CASES, U.S. EX REL KNIGHT v. RELIANT HOSPICE, INC., F.Supp.2d., 2011 WL 1321584 (DSC.2011); HARBISON v. BELL, 556 U.S. 180, 129 S.Ct. 1481 (U.S.2009); U.S. v. ATTAR, 92 F3d. 1182 CA4 (N.C.1996).

INASMUCH, HERE THE COURT AND PARTIES WILL FIND:

(1) EXHIBIT, "CASE 2020-001615". THIS IS A COPY OF THE DOCUMENT ENTITLED, "AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION TO FILE OBJECTIONS AS TO WHY THE CONDITIONAL ORDER SHOULD NOT BECOME FINAL IN CASE 2019-CP-08-1992; RENEWING THE PETITION TO INVOKE THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION; RENEWING THE NOTICE SEEKING LEAVE TO APPEAL THE CONDITIONAL ORDER SEEKING REVIEW UNDER TORRENCE v. S.C. DEPT. OF CORRECTIONS; MOTION TO CHALLENGE THE BERKELEY COMMON PLEAS COURT'S JURISDICTION DUE TO CONTINUED ACTS OF FRAUD UPON THE COURT AND UNCONSTITUTIONAL ACTION AND MOTION TO MOTION THEREFOR", (28) PAGES DATED MAY 16, 2021. THIS DOCUMENT IS FILED IN THE RON SANTA McCRAY CASE BEFORE THE S.C. SUPREME COURT UNDER CASE NO.2020-001615. THE APPELLANT IS PARTY TO THIS CASE IN THAT HE MOTIONED TO INTERVENE IN THIS CASE. THIS IS ONE OF THE CASES AND PARTIES THAT IS SOUGHT 28 U.S.C. § 1407 TRANSFER TO THE STATE OF NEW JERSEY SUB JUDICE.

(2) EXHIBIT, "DEFAULT AND VOIDING OF JURISDICTION". THIS IS A COPY OF THE DOCUMENT ENTITLED, "AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION TO CHALLENGE THE COURT OF COMMON

PLEAS JURISDICTION; MOTION FOR DEFAULT AND JUDGMENT; AND MOTION TO MOTION THEREFOR", (22) PAGES DATED MARCH 20, 2021. THIS DOCUMENT IS FILED IN THE BENJAMIN ERIC CASE CASE, ALSO PENDING BEFORE THE S.C. SUPREME COURT UNDER CASE 2021-000508.

(3) EXHIBIT, "BENJAMIN CASE". THIS IS A COPY OF THE INITIAL AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; PETITION AND OR MOTION TO INVOKE THE S.C. SUPREME COURT'S ORIGINAL JURISDICTION AND MOTION TO MOTION THEREFOR", (23) PAGES DATED APRIL 20, 2021. THAT IS ALSO FILED BEFORE THE S.C. SUPREME COURT UNDER CASE NUMBER 2021-000508.

(4) EXHIBIT, "CASE NO. 2020-001667". THIS IS A COPY OF THE DOCUMENT ENTITLED, "AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION TO SUPPLEMENT THE MOTION FOR REHEARING; MOTION TO WITHDRAW THE MOTION TO STAY DUE TO FRAUD UPON THE COURT, CRIMINAL CONSPIRACY AND OBSTRUCTION OF JUSTICE AND MOTION TO MOTION THEREFOR", (20) PAGES DATED APRIL 2, 2020. THIS DOCUMENT IS FILED WITHIN THE S.C. COURT OF APPEALS REGARDING THE APPELLANT IN THIS CASE BEFORE THE 3rd. CIRCUIT.

(5) EXHIBIT, "FIDUCIARY HEIR". THIS IS A COPY OF DOCUMENT ENTITLED, "AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION TO FILE OBJECTIONS TO THE MAGISTRATE'S ORDER DATED OCTOBER 27, 2020; MOTION FOR AN INJUNCTION AND OR PROTECTIVE ORDER; NOTICE SEEKING LEAVE TO APPEAL PURSUANT TO FED. RULES 72(a) AND 73(c) AND MOTION TO MOTION THEREOR", (61) PAGES DATED NOVEMBER 10, 2020 THAT IS FILED IN CASE 9:20-cv-2139-TLW-MHC. THE 3rd. CIRCUIT WAS ALREADY SERVED A COPY OF THIS DOCUMENT ATTACH TO THE PLEADING OPPOSING THE FEDERAL ATTORNEY'S WITHDRAWAL FROM THIS APPEAL. THIS DOCUMENT IS ATTACHED TO THE FACE OF THIS PLEADING FOR ALL PURPOSES. FOR THE RECORD. THE DOCUMENTS FILED IN THE CRAWFORD, McCRAY AND BENJAMIN CASE, STATE CASES, ARE ALL FILED WITHIN EACH OTHERS STATE CASES FOR THE PURPOSE OF SEEKING THE 28 U.S.C. § 1407 TRANSFER THAT IS SOUGHT BEFORE THE NEW JERSEY DISTRICT COURT SUB JUDICE.

INSOMUCH, THIS IS THE SIGNIFICANCE OF THE AFORE LISTED DOCUMENTS AS IT PERTAINS TO THE AFFIDAVIT SEEKING TO FILE IN FORMA PAUPERIS AND ANY ASSERTION THAT THE CLAIM(S) ARE FRIVOLOUS, OR FANTASTIC, OR DELUSIONAL OR MERITLESS. FOR THE RECORD. THE APPELLANT HAS BEEN EXAMINED BY (9) DIFFERENT FORENSIC PSYCHOLOGIST. NOT ONE OF THEM DEEMED HIM AS DELUSIONAL OR PSYCHOTIC. THE APPELLANT WAS PERMITTED TO REPRESENT HIMSELF AT TRIAL. IF THERE WAS ANY QUESTION AS TO THE APPELLANT'S MENTAL STATE? SUCH SELF REPRESENTATION WOULD HAVE NEVER BEEN LEGALLY PERMITTED. THUS, ANY CONCERN OF DELUSION IS WITHOUT MERIT.

SECONDLY, WE ARE DEALING WITH RELIGIOUS BELIEFS THAT IN THIS RARE OCCASION ARE ATTACHED TO FEDERAL AND STATE PROBATE LAW, THE LAW OF TRUSTS, COVENANTS AND OR CONTRACTS PROTECTED UNDER ARTICLE 1 § 10 OF THE U.S. CONSTITUTION, AS WELL AS CLAIMS PROTECTED UNDER THE FREE EXERCISE CLAUSE OF THE FIRST AMENDMENT (SEE CITATIONS OF LAW WITHIN THE [61] PAGE AFFIDAVIT OF FACTS).

AS IT RELATES TO THIS MATTER, THE UNITED STATES AND ALL PARTIES THAT WERE CRIMINALLY BLOCKED FILED BEFORE THE NEW JERSEY DISTRICT COURT VIOLATING THE APPELLANT'S CONSTITUTIONAL DUE PROCESS RIGHTS OF AUTONOMY IN HOW HE SOUGHT TO BRING THIS ACTION WERE ALSO FILED BEFORE THE S.C. COMMON PLEAS COURT IN RICHLAND COUNTY UNDER CASE NO. 2013-CP-400-0084 THAT WAS PETITIONED TO BE REMOVED BEFORE THE NEW JERSEY DISTRICT COURT. THESE ARE ALSO MATTERS PENDING BEFORE THE S.C. COURT OF APPEALS AND THE S.C. SUPREME COURT WITHIN THE CASES REFERRED TO. THE APPELLANT AND ALL THE OTHER INMATES INVOLVED WITHIN THESE MULTI-DISTRICT SOUGHT LITIGATION CASES ARGUED BEFORE THE COURT THAT SINCE THE UNITED STATES GOVERNMENT MADE A BACK DOOR APPEARANCE WITHIN THOSE STATE COURT PROCEEDINGS, CONCEALED THEIR PRESENCE WITHIN THE COURT RECORD IN ACTS OF FRAUD AND OBSTRUCTION OF JUSTICE, YET THEY WERE RECEIVING COPIES OF ORDERS AND PLEADINGS SECRETLY WHERE THE JUDGES INVOLVED AIDED THEM ESTABLISHING JURISDICTION OVER THE FEDERAL PARTIES REFERRED TO. THEIR FAILURE TO TIMELY RESPOND MADE

THE CLAIMS TRUE NO MATTER HOW FANTASTIC THEY SOUND, ESPECIALLY IN LIGHT OF THE FACT THAT WE ARE DEALING WITH EGREGIOUS ACTS OF FRAUD UPON THE COURTS INVOLVED, OBSTRUCTION OF JUSTICE, CRIMINAL CONSPIRACY, AND POTENTIAL RELIGIOUS PROPHECY PROTECTED UNDER THE FREE EXERCISE CLAUSE OF THE FIRST AMENDMENT AND THE LAW OF CONTRACTS PROTECTED UNDER ARTICLE 1 § 10 OF THE U.S. CONSTITUTION, AND THE LAW OF TRUSTS, DONATONI v. DEPARTMENT OF HOMELAND SECURITY,--F.Supp.3d.--, 2016 WL 1755871; ANDERSON v. LIBERTY LOBBY INC., 477 U.S. 242, 106 S.Ct. 2505. 91 L.Ed.2d.202 (U.S.1986); FERRARA v. OUADDROZZI EQUIPMENT LEASING CORP., 2013 WL 3226755 (E.D.N.Y.2013); McCOY v. LOUISIANA, 138 S.Ct. 1500, 200 L.Ed.2d. 821, 86 U.S.L.W. 4271(U.S.2018); FOBES v. FORBES, 341 P.3d. 1041, 2015 Wy. 13 (2015); AMERICAN MUT. LIBERTY INS. CO. v. PLYWOODS-PLASTIC CORP., 81 F.Supp. 157 (DSC.1948); PROTESTANT EPISCOPAL CHURCH IN THE DIOCESE OF SOUTH CAROLINA v. EPISCOPAL CHURCH, 2013 WL 12148371 (DSC.2013); MINTS v. U.S., 842 F2d. 1291 CA4 (S.C.1988); MASTERPIECE CAKESHOP LTD. v. COLORADO CIVIL RIGHTS COM'N, 138 S.Ct. 1719, 201 L.Ed.2d. 35(U.S.2018); NEW HOPE FAMILY SERVICES INC. v. POOLE, 966 F3d. 145(2nd.Cir.2020); CHELSEY NELSON PHOTOGRAPHY LLC. v. LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT,--F.Supp.3d.--, 2020 WL 4745771 (W.D.Ky.2020).

THE ISSUE AT HAND THAT GIVES THE APPELLANT'S CLAIMS CREDIBILITY DEMONSTRATING THEY ARE ENTITLED TO FULL FAITH AND CREDIT WITHIN ALL COURT RECORDS, BEING SUFFICIENT TO MEET THE PROCEDURAL REQUIREMENTS RELATED TO FILING IN FORMA PAUPERIS, IS WHETHER OR NOT THE UNITED STATES, THE (193) MEMBER STATES OF THE UNITED NATIONS AND OTHER DEFENDANTS ARE IN DEFAULT ON ALL THE CLAIMS MAKING THEM TRUE BY THAT CLAIM OF DEFAULT AND VOIDING OF JURISDICTION, THE SAME CLAIM THAT IS PRESENTLY BEFORE THE STATE CASES REFERRED TO.

WE ARE DEALING WITH PROCEDURAL PROCESSING RULE CLAIMS THAT ARE JURISDICTIONAL IN NATURE THAT ARE THE SOURCE OF THE DEFAULT IN QUESTION WHICH WOULD NOW LEGALLY PERMIT THE APPELLANT TO ACT

UPON THE NOW CONSTITUTIONALLY PROTECTED RIGHTS ESTABLISHED THEREBY. THUS THE CLAIM IS NOT MOOT, AS THE CONSPIRING STATE AND FEDERAL ACTORS ATTEMPTED TO DO TO PREVENT FEDERAL REVIEW, CANNOT BE WAIVED OR FORFEITED BY THE APPELLANT, CAN BE RAISED AT ANY TIME, AT ANY STAGE, EVEN AFTER A FINAL ORDER HAS BEEN ISSUES, ESPECIALLY IN LIGHT OF THE FACT THAT WE ARE ALSO DEALING WITH THE EGREGIOUS ACTS OF FRAUD UPON THE COURTS, CRIMINAL CONSPIRACY AND OBSTRUCTION OF JUSTICE INVOLVING THE PARTIES AFOREMENTIONED, DONE ACTING BEHIND RELIGIOUS AND RACIAL HATRED. THE ISSUE OF THE PROCEDURAL PROCESSING RULE(S) RELIED UPON HAVE ALREADY BEEN ESSENTIALLY DECIDED WITHIN THE WHEELER AND FORTBEND CASES WHERE THE UNITED STATES SUPREME COURT DETERMINED THAT EVEN IF THE PROCEDURAL PROCESSING RULE IS NOT JURISDICTIONAL, THOUGH IN THIS CASE THE RULE RELIED UPON IS, IT STILL BECOMES MANDATORY IF TIMELY AND PROPERLY ASSERTED, WHICH IT WAS IN THE APPELLANT'S CASE ESTABLISHING ALL FOREIGN SOVEREIGN HEIR RIGHTS AND TITLES PLACED BEFORE THE COURTS INVOLVED. THUS, ANY CLAIM OF FRIVOLOUS, DELUSIONAL, INCREDIBLE OR MERITLESS WOULD BE AN ABUSE OF DISCRETION, AN ACT OF OBSTRUCTION OF JUSTICE AND FRAUD UPON THE COURT, UNITED STATES v. WHEELER, 886 F3d. 415 (4th.Cir.2018); 139 S.Ct. 1318 (U.S.2019); MATHENY v. BRECKON, 2020 WL 871085(W.D.Va.2020); UNITED STATES v. JOHNSON, 451 F.Supp.3d. 436(D.Md.2020); UNITED STATES v. EDWARDS, 456 F.Supp.3d. 953, 959+ M.D.Tenn.; UNITED STATES v. SMITH, 2020 WL 2063417, * 2+ N.D.OHIO; UNITED STATES v. RANDOLPH, 2020 WL 8455501. *1 S.D.IOWA; GONZALEZ v. THALER, 565 U.S. 134, 141, 132 S.Ct. 641, 181 L.Ed.2d. 619(U.S.2012); UNITED STATES v. KWAI FUN WONG,--U.S.--, 135 S.Ct. 1625, 1632, 191 L.Ed.2d. 533(2015); FORTBEND COUNTY, TEXAS v. DAVIS, 139 S.Ct. 1843(U.S.2019); WALTER McFADDEN, PLAINTIFF v. JENNIFER HOBBY, DEFENDANT, 2021 WL 1197502, * 6+ D.Conn..

WITH THIS FOUNDATION BEING LAID. THE APPELLANT BRINGS THE COURT AND PARTIES ATTENTION TO:

(6) EXHIBIT, "NOTICE SEEKING LEAVE TO APPEAL # 2".

THIS IS A COPY OF THE AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION TO CHALLENGE THE MAGISTRATE JUDGE'S JURISDICTION AND TO FILE OBJECTIONS TO HER ORDER ENTRY NUMBER 26 DATED FILED DECEMBER 10, 2020; SUBSEQUENT NOTICE SEEKING LEAVE TO APPEAL PURSUANT TO FED. RULES 72(a); 73(c) AND MOTION TO MOTION THEREFOR", (14) PAGES DATED DECEMBER 21, 2020 THAT WAS FILED IN CASE 9:20-cv-2139-TLW-MHC.

(7) EXHIBIT, "NOTICE SEEKING LEAVE TO APPEAL # 3". THIS IS A COPY OF THE DOCUMENT ENTITLED, "AFFIDAVIT OF FACTS GIVING JUDICIAL NOTICE; MOTION TO CHALLENGE THE MAGISTRATE JUDGE'S JURISDICTION AND TO FILE OBJECTIONS TO HER ORDERS ENTRIES NO.(S) 26 AND 27 DATED FILED DECEMBER 10, 2020; THIRD SUBSEQUENT NOTICE SEEKING LEAVE TO APPEAL; MOTION TO SUPPLEMENT THE PREVIOUSLY FILED MOTION FOR AN INJUNCTION AND PROTECTIVE ORDER PURSUANT TO FED. RULES OF PRO., RULE(S) 72(a) AND 73(c) AND MOTION TO MOTION THEREFOR", (14) PAGES DATED DECEMBER 24, 2020 THAT IS FILED IN CASE 9:20-cv-2139-TLW-MHC.

THESE DOCUMENTS CONSTITUTE ONE SOURCE OF THE THREAT OF IMMINENT DANGER RELATED TO THE APPELLANT IN THIS CASE. IF THE THIRD CIRCUIT WOULD GO ON-LINE AND REVIEW THE WEBSITE THEMAHDITHEBRANCHTHEELIJAHTHEBLACKMESSIAH.COM IT IS PERSPICUOUS THAT THE WEBSITE IS SET UP HIGHLIGHTING THE EXISTENCE OF THE PENDING SOUGHT MULTI-DISTRICT CASES. SINCE THE TIME OF THE DOCUMENTS AND THE WEBSITE BEING SET UP WHICH WAS VIEWED BY MANY. THE APPELLANT HAS RECEIVED NUMEROUS THREATS OF PHYSICAL INJURY AND ASSAULT FROM WHITE SUPREMICIST AGENTS AT THIS INSTITUTION BECAUSE THEY DID NOT APPROVE OF THE APPELLANT'S DISPARAGING RHETORIC AGAINST THE FORMER PRESIDENT TRUMP. THE APPELLANT RECENTLY HAD TO FIGHT OFF TWO SUCH ATTACKS. BY NO MEANS CAN SUCH A CLAIM BE DEEMED DELUSIONAL OR FANTASTIC OR INCREDIBLE IN LIGHT OF THE FACT THAT WE JUST WITNESSED A RESURRECTION AT THE CAPITOL BUILDING IN WASHINGTON D.C.. YOU COMPOUND THIS WITH THE FACT THAT

CONGRESSMEN, WOMEN AND SENATORS ARE STILL UNTIL THIS DAY BEING SUBJECTED TO DEATH THREATS. IF SUCH ACTORS WOULD DARE TO COME AFTER PROTECTED STATE AND FEDERAL GOVERNMENT OFFICIALS? IT IS MORE THAN REASONABLE AND CREDIBLE THAT SUCH THREAT WOULD BE LEVIED AT THE APPELLANT AS WELL DUE TO THE DISPARAGING LANGUAGE HE USED IN THE LEGAL DOCUMENT WHICH ARE INDEED IN THE PUBLIC ARENA BY THE WEBSITE AS WELL. THIS IS SUFFICIENT TO MEET THE THREE STRIKE REQUIREMENT FOR FILING IN FORMA PAUPERIS.

(8) EXHIBIT, "THREAT OF IMMINENT DANGER # 1". THIS IS A COPY OF THE DOCUMENT CAPTIONED, "IN RE: TO BEING DENIED ACCESS TO THE LAW LIBRARY HINDERING MY ACCESS TO THE COURTS BEHIND RETALIATION", (12) HANDWRITTEN PAGES DATED MAY 4, 2021. ONE OF THE ESSENTIAL WAYS THIS DOCUMENT BEARS ON THE OBSTRUCTION DONE BY THE DEFENDANTS IN THIS CASE, IS THAT THEY HAVE TRIED JUST ABOUT EVERY CONCEIVABLE WAY TO HINDER AND OBSTRUCT THE APPELLANT AND OTHER INMATES INVOLVED FROM PLACING THESE CASES IN PROPER FORM TO PRODUCE UNJUST METHODS OF DISMISSAL IN VIOLATION OF DUE PROCESS LAW.

(9) EXHIBIT, "THREAT OF IMMINENT DANGER # 2". THIS IS A COPY OF THE MEDICAL STAFF DOCUMENT SENT TO ANTONIO ALSTON S.C.D.C. # 258953. THE FACT THAT I HAVE THIS DOCUMENT HIGHLIGHTING THE PERSON'S CELL/ROOM NUMBER IS IDENTICAL TO THE APPELLANT PROVES THIS MAN AND THE APPELLANT RESIDE IN THE SAME CELL AS OF MAY 19, 2021.

THE SIGNIFICANCE OF THESE TWO DOCUMENTS ARE THAT THE DEFENDANTS IN THIS CASE VIA USE OF THE S.C. DEPT. OF CORRECTIONS AS PROXY, HAVE MADE ATTEMPTS IN ONE FORM OR THE OTHER TO HAVE THE APPELLANT ASSAULTED AND OR ATTEMPTED MURDERED OVER THE YEARS WHICH IS A THREAT THAT CONTINUALLY EXIST TO THIS VERY DATE DUE TO THE EXTRAORDINARY CIRCUMSTANCES THAT SURROUND THIS CASE. IF THE COURT WOULD LOOK IN THE RECORD SUB JUDICE. IT WILL SEE THAT THE APPELLANT WAS ONCE IN F2A. RM.2138. THE DEFENDANTS TOOK THE APPELLANT'S NORMAL CELLMATE WHO HAVE BEEN IN THE CELL WITH HIM

FOR ALMOST TWO YEARS OUT OF THE CELL. THEN THEY PLACED ANOTHER INMATE IN THE CELL WITH THE APPELLANT WHOSE ASSIGNMENT WAS TO "WET THE APPELLANT UP" AS THE INMATE IN QUESTION SAID. THE INMATE WAS IN POSSESSION OF LEGAL DOCUMENTS THAT WERE SERVED ON THE DEFENDANTS IN THIS CASE. THE COURT WOULD SEE THIS CONTINUAL PATTERN OF ATTEMPTED ASSAULTS AS IS ARGUED UNDER CASES 9:19-cv-1400-TLW-BM AND 9:20-cv-2139-TLW-MHC. THIS DEMONSTRATES THAT THE CLAIM IS NOT INCREDIBLE AND HAS BEEN CONSISTENTLY DOCUMENTED THROUGHOUT THE STAGES OF THE VARIOUS RELATED ACTIONS FILED.

NOW THE DEFENDANTS HAVE PLACED A VIOLENT PSYCHOTIC INMATE IN THE CELL WITH THE APPELLANT WHO IS KNOW MENTAL HEALTH AND BY S.C.D.C. CLASSIFICATION POLICY, SHOULD HAVE NEVER BEEN PLACED IN THE CELL WITH THE APPELLANT. THE APPELLANT'S FAMILY HAS SENT EMAILS TO S.C.D.C. HEADQUARTERS OBJECTING TO THIS OUTRAGEOUS CRIMINAL BEHAVIOR VIA DAVID MARTINEZ THE ADA COORDINATOR. OVER THE PAST (5) DAYS THE APPELLANT HAS FOUGHT OFF TWO SUCH ATTACKS UNTIL THE LEE SHAKEDOWN CREW HAD TO MOVE THIS HOMICIDAL INMATE OUT TODAY IN HANDCUFF ON MAY 20, 2021. HOW DID ALSTON GET ASSIGNED TO THE APPELLANT'S CELL WHEN BY CLASSIFICATION POLICY SUCH A THING SHOULD HAVE NEVER OCCURRED? THE PSYCHOTIC INMATE'S PERSON ITEMS ARE STILL IN THE CELL. THERE IS NO TELLING IF THEY WILL BRING HIM BACK OR PLACE ANOTHER IN THE CELL WITH THE APPELLANT AS AN INDIRECT ACT OF ATTEMPTED MURDER. THESE FACTS AS WELL ARE SUFFICIENT TO MEET THE EXCEPTION REQUIREMENT TO FILING IN FORMA PAUPERIS. THE APPELLANT'S MEDICAL RECORD REFLECTS THE ATTACKS BY THESE OFFICERS EVEN AT THE TIMES THEY USED THESE INMATES AS PROXY OVER THE YEARS AND EXISTED THE TIME THIS ACTION WAS FILED AND EXIST TODAY. THE APPELLANT KNOWS NOT WHEN THE NEXT VIOLENT ATTACK WILL OCCUR.

STATE PRISONER CLAIM THAT HE SUFFERED UNPROVOKED ASSAULTS BY PRISON OFFICIALS WHICH RESULTED IN SERIOUS INJURIES, THAT HE WAS ALSO THREATENED WITH SERIOUS BODILY INJURY OR DEATH UPON ENTRY

INTO PRISON, WHICH CLEARLY BEARS NEXUS TO THESE PENDING PROCEEDINGS, AND THAT THE APPELLANT KNOWS NOT WHEN THE NEXT VIOLENT ATTACK WILL OCCUR, WERE SUFFICIENT TO DEMONSTRATE EXISTENCE OF IMMINENT DANGER OF SERIOUS PHYSICAL HARM, AS REQUIRED TO COME WITHIN THE EXCEPTION TO THREE STRIKE RULES PRECLUDING PRISONER WHOSE 3 PRIOR ACTIONS WERE DISMISSED FROM PROCEEDING IN FORMA PAUPERIS, ESPECIALLY UNDER THESE CIRCUMSTANCES WHERE THE CONSTITUTIONALITY OF THOSE CASES ARE BEING CALLED INTO QUESTION DUE TO THEIR USE OF THE PLRA WHICH IS UNCONSTITUTIONAL BECAUSE THE PROVISION DISPROPORTIONATELY TARGET AFRICAN AMERICANS AND OTHER MINORITIES TO THEIR DETRIMENT, JOHNSON v. WARNER, 200 Fed. Appx' 270, 2006 WL 2711957 (4th.Cir.2006). IT IS A DANGER GREATER THAN FEAR WHERE REPEATED AND RECENT ATTACKS HAVE ALREADY OCCURRED AND THE CONDUCT THREATENS CONTINUING AND OR FUTURE INJURY. IT IS A PATTERN OF IMMINENT SERIOUS PHYSICAL INJURY, BRYAN v. McCALL, 2016 WL 529574 (DSC.2016); JOHNSON v. KISER, F.Supp.2d., 2012 WL 293286 (W.D.Va.2012); SAYRE v. KING, F.Supp.3d., 2014 WL 4414509 (W.D.Va.2014); COLE v. ELLIS, 2015 WL 6407205 (N.D.Fla.2015); HENDERSON v. GEORGIA, 2015 WL 4492743 (Ga.2015).

BY THE AFOREMENTIONED, IN FUNDAMENTAL FAIRNESS TO THE APPELLANT. HE MUST BE PERMITTED TO INVOKE THE EXEMPTION AND THIS CASE BE PERMITTED TO MOVE FORWARD. THE APPELLANT MOTIONS FOR AN EXTENSION OF TIME TO RESET AND THE APPELLANT BE GIVEN NOTICE RELATED TO THE FILING OF AN INFORMAL BRIEF OR THE FUNCTIONAL EQUIVALENT. IT DOESN'T MAKE SENSE FOR THE APPELLANT TO PREPARE ANY DOCUMENT UNTIL THE COURT RULES ON WHETHER OR NOT THE APPELLANT IS PERMITTED TO MOVE FORWARD WITHIN THESE PROCEEDINGS.

RESPECTFULLY,
JONAH THE TISHBITE

MAY 20, 2021

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