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Supreme Court, U.S.
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SUPREME COURT OF THE UNITED STATES

DAVID L. WHITEHEAD,
PETITIONER,

V. USCA9 No. 24-3829

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA,

RESPONDENT.

ORIGINAL CASE RESPONDENT GRAND CANYON UNIVERSITY

MOTION FOR INJUNCTIVE RELIEF

PETITIONER DAVID L. WHITEHEAD moves this honorable high court for injunctive relief requesting the court to order FBI to unseal Government investigative records on whether or not Attorney William Hughey obtain \$14 million dollars from publishers and studios pertaining to petitioner's intellectual properties, including books "Musicals on the Stars" and "The Fight: Prince v. Michael Jackson" and others.

The Government's Attorney was not available to consent. Grand Canyon University's Attorney does not consent to anything.

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History

On or about January 26, 2024, Attorney Hughey and petitioner signed retainer agreement for legal representation associated with Xlibris Publishers and Ingram Books. However at page 2, of the Client Contract agreement, Attorney Hughey signed his name but failed to initial the date change as number 5 over number 6 or number 6 over number 5 for January 26, 2024. (See attached Client Contract as Exhibit 1, and Exhibit 2, Teacher Kwame Ford email dated December 3, 2023, and Attorney William Hughey's email dated December 4, 2023). Also see Attorney Hughey's emails dated December 9 & 11, 2023 concerning a Zoom meeting with his IP Attorney Friend). In short, because of the confusion concerning the date after Attorney Hughey's signature, petitioner believes and assert that the contract retainer agreement is invalid.

Attorney Hughey drafted the contract agreement prior to petitioner's arrival in his Texas office.

The attached emails provides evidence to the court on Attorney Hughey contacts with petitioner concerning petitioner's intellectual properties which were copyrighted. Moreover, the court ordering the FBI to produce investigative records on the question whether Attorney Hughey defrauded petitioner \$14 million dollars based on worldwide book sales and film rights associated with Amazon, Google, Ingram, Apple and other publishers and studios.

Grounds for Relief

1. The alleged \$14 million can assist petitioner to obtain legal counsel to file his petition for certiorari.
2. The Federal Judge in District Court in Arizona failed to interpret grounds to unseal petitioner's request for FBI records on several issues:

- a. Student violated petitioner's privacy and engaged in cyber theft placing his thumb disk into petitioner's laptop computer while petitioner briefly left the class room at Grand Canyon University's Residency.
- b. The cyber theft involves screenplays on petitioner's laptop computer requiring the Government of the United States to investigate the case in which the FBI has records.
- c. Another area is that FBI records will show that petitioner has been wronged by Governmental Corruption, leading to even the possible theft of his copyrights: Musicals on the Stars and The Fight: Prince v. Michael Jackson.

Here, the District Court Judge interpret that petitioner's pleading to unseal FBI leads to conspiracy among US Officials and Judges in the State of Louisiana, including the FBI. However, petitioner did not allege any FBI corruption as stated by the court's order denying relief. FBI has sent petitioner numerous of correspondence relating to this federal probe, including July 12, 2024, letter on Attorney Hughey which mounts to organized crime and RICO. For instance, FBI response to petitioner's Freedom of Information Act Request (FOIA) states the following:

Key Points on FBI FOIA's letter and response dated July 12, 2024 (Exhibit A and attached FBI July 12, 2024 letter)

- You have requested records on one of more third party individuals.
- Please be advised the FBI will neither confirm or deny the existence of such records.

Activities of Attorney Hughey

- Attorney Hughey was in contact with petitioner since 2021.
- Signed two retainer agreements with questions on date changes by petitioner and Attorney Hughey. The first Agreement signed for 5% on representation for CBS Studios relating to the books: Musicals on the Stars and others. The second agreement involved representation on Xlibris and Ingram publishers connected to Barnes and Noble stores.
- Attorney Hughey held Zoom meeting with petitioner and a Houston Intellectual property attorney (His friend) on petitioner's copyrighted works.
- Attorney Hughey received petitioner's contract with Xlibris publishers associated with Amazon Books, Google, Ingram, Apple and others (Barnes and Nobles).
- Attorney Hughey's contract demand was 33% or 40% for trial on representation involving Xlibris tied to Amazon, Apple, Ingram and others. In contrast, Attorney Hughley wanted 5% for CBS Studios contract.

Contract Termination

- In 2021, Petitioner terminated his contract with Xlibris publishers associated with Amazon, Google, Apple and others.
- In 2024, Amazon continued selling petitioner's books although contract was terminated in 2021. Amazon sold petitioner's books at a higher price worldwide.

Evidence: Email from Teacher, Ms. Ford purchasing petitioner's book "Musicals on the Stars" from Amazon in 2024.

- Attorney Hughey received Ms. Fords' receipt and records concerning her Amazon book purchase "Musicals on the Stars". This is a fact Amazon sold petitioner's intellectual property after contracts were terminated providing merit to the petitioner's argument and request for relief.

It appears that Attorney Hughey drafted the invalid retainer agreement; obtain the contract between petitioner and Xlibris associated with Amazon and other publishers and studios; use the invalid retainer agreement to obtain compensation for petitioner's copyrighted works (Musicals on the Stars and others) from Amazon and then, once petitioner fired him on April 5, 2024, Attorney Hughey voided the CBS and Xlibris contracts. In short, The High Court has enough information to order FBI to provide records concerning this case, including the sales of petitioner's books from 2019, 2020, 2021, 2022, 2023, 2024. FBI stated in its July 12, 2024 letter that multiple party records were involved in this FOIA Requests pointing to Organized Crime and RICO. See Boyle v. United States, 556 U.S. 938 (2009), 18 U.S.C. Section 1962 C, and 18 U.S.C. Section 371.

In conclusion, petitioner prays that the court in part unseal the question on whether petitioner was defrauded by Attorney Hughey and other third parties members involving the amount of \$14 million dollars. This said and alleged amount would support plaintiff to obtain legal counsel to file his petition for Certiorari due in October 2024.



David Whitehead

1906 Scott St.

Bossier, Louisiana 71111

August 9, 2024

Director

Office of Information Policy (OIP)

United States Department of Justice

441 G Street

NW 6th Floor

Washington, DC 20530

EXA

Re: Notice of Appeal (Request No.: 1640412-000)

Subject: Hughley, William

Dear Office of Information (OIP):

I am appealing FBI decision not to provide me with information pertaining to records of possible criminal activity as follows:

I have requested FBI records on this particular case in which FBI states that the organization will neither confirm nor deny. The matter pertains to questions of Attorney William Hughey defrauding me regarding compensation based on Amazon Books and Xlibris Publishers and possible other on worldwide book sales:

* Musicals on the Stars.

* The Fight: Prince v. Michael Jackson.

Allegedly, this matter involves publishers' payment to Attorney Hughey and other third parties a sum of \$14 million (2019-2024). Attorney Hughey was fired on April 5, 2024, and he himself voided the retainer agreement on April 6, 2024, and therefore, he does not have any rights to my book moneys from publishers. Further, noting that FBI states that the records involve multiple third parties, including Attorney Hughey. (See attached FBI letter dated July 12, 2024).



David Whitehead

1906 Scott St.

Bossier, Louisiana 71111



Federal Bureau of Investigation
Washington, D.C. 20535

July 12, 2024

MR. DAVID LOUIS WHITEHEAD
1906 SCOTT STREET
BOSSIER, LA 71111

Request No.: 1640412-000
Subject: HUGHEY, WILLIAM

Dear Mr. Whitehead:

This acknowledges receipt of your Freedom of Information Act (FOIA) request to the FBI. The FOIPA Request Number listed above has been assigned to your request. Below you will find information relevant to your request. Please read each paragraph carefully.

You have requested records on one or more third party individuals. Please be advised the FBI will neither confirm nor deny the existence of such records pursuant to FOIA exemptions (b)(6) and (b)(7)(C), 5 U.S.C. §§ 552 (b)(6) and (b)(7)(C). The mere acknowledgement of the existence of FBI records on third party individuals could reasonably be expected to constitute an unwarranted invasion of personal privacy. This is our standard response to such requests and should not be taken to mean that records do, or do not, exist. As a result, your request has been closed. Please visit www.fbi.gov/foia and select "Requesting FBI Records" for more information about making requests for records on third party individuals (living or deceased).

If you submitted your request through the FBI's eFOIPA portal and you are receiving correspondence through standard mail, it was determined your request did not meet the eFOIPA terms of service.

Should you have questions regarding your request, please feel free to contact foipaquestions@fbi.gov. Please reference the FOIPA Request number listed above in all correspondence concerning your request.

If you are not satisfied with the Federal Bureau of Investigation's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by emailing the FBI's FOIA Public Liaison at foipaquestions@fbi.gov. The subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified. You may also contact the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Enclosed for your information is a copy of the Explanation of Exemptions.

Sincerely,

A handwritten signature in black ink, appearing to read "M. G. Seidel", is positioned above the typed name.

Michael G. Seidel
Section Chief
Record/Information Dissemination Section
Information Management Division

Enclosure

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

U.S. Department of Justice
Federal Bureau of Investigation
200 Constitution Drive
Winchester, VA 22602-4693

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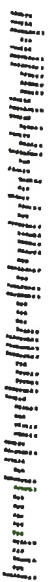
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7111-384905



THE HUGHEY LAW FIRM CLIENT CONTRACT

WHEREAS, the undersigned David Whitehead, hereinafter referred to as "Client", hereby retains and employs The Hughey Law Firm, hereinafter referred to as "Firm", to represent Client in all causes of action for damages associated with the sale of multiple Client's Copyrighted Book/Manuscripts by "Xlibris" and "Ingram" on various platforms without compensation being paid to Client for his Copyrighted Books/Manuscripts which has occurred for an extended period time reflected by public records.

WHEREAS Firm agree to represent Client, it is agreed as follows:

I.

Attorney agrees to represent Client in the above-mentioned cause of action to settlement of final judgment of such claim against any all parties deemed by Firm to be responsible for damages arising out of the above referenced cause of action.

II.

In consideration for the legal services to be rendered to Client by Firm, Client hereby agrees to pay, assigns, and grant to Firm 33% of any all recovery obtained on behalf of Client, which is obtained by settlement and/or compromise of said claim before suit is filed; or 40% of all recovery obtained for Client after suit is filed, whether actually tried or not.

III.

Client agrees to reimburse Firm for all actual expenses include Appeal Expenses, other than ordinary office expenses, incurred in handling the claim shall be deducted from any recovery obtained for client.

IV.

It shall be the exclusive privilege of Firm to determine when and where suits shall be filed and whether or not an appeal should be perfected from any judgment rendered. No compromise or settlement of Client's claim will be made without the consent of both Client and Firm.

V.

Firm is hereby granted full authority to sign all legal instruments, pleading, drafts, authorizations and papers as shall be reasonable necessary to conclude settlement and/or reduce to

possession any and all monies or other things of value due to Client under this claim as fully as Client could do so in person.

VI.

It shall be the privilege of Firm to associate other Firm(s) or Attorney(s), but, in such event, the fee of such Associate Firm/Attorney shall be paid by the Firm herein employed.

VIII.

All sums due and to become due are payable at the office of Firm in Harrison County, Texas.

IX.

Client acknowledges that all aspects of the case are not presently known and or incident the persons and entities actually involved have been less than forthright in supplying information regarding the occurrence. Consequently, Firm make absolutely no representations as to the merit of the case. Further, Firm may withdraw from the case at any time should Firm feel that the prospects for recovery do not merit further effort.

X.

This agreement is binding on the heirs, successors, representative and assigns of Client.

Signed on this 26 day of JAN 2024

By: [Signature] CLIENT [Signature] DATE

By: [Signature] FIRM Jan 26, 2024 DATE

THE HUGHEY LAW FIRM
P.O. Box 2012
Marshall, Texas 75671
Email: HugheyLaw@sbcglobal.net
Ph. No. (903) 472-3719
Fax No (866) 823-7185

----- Forwarded Message -----

From: William Hughey <hugheylaw@sbcglobal.net>
To: David Whitehead <daouddavidlouis@yahoo.com>
Cc: William Hughey <hugheylaw@sbcglobal.net>
Sent: Monday, December 4, 2023 at 12:44:01 AM CST
Subject: Re: I got your book.

David

Good morning; call me today

On Sunday, December 3, 2023 at 01:46:00 PM CST, David Whitehead <daouddavidlouis@yahoo.com> wrote:

Copy. Paper \$18 dollars and hardcover \$49 (Amazon Books).

----- Forwarded Message -----

From: Kwame Ford <kwameford@yahoo.com>
To: "daouddavidlouis@yahoo.com" <daouddavidlouis@yahoo.com>
Sent: Sunday, December 3, 2023 at 09:33:45 AM CST
Subject: I got your book.

Pictures attached

Fw: Musicals on the Stars

Yahoo/Inbox

From: William Hughey <hugheylaw@sbcglobal.net>

To: David Whitehead <daouddavidlouis@yahoo.com>

Cc: William Hughey <hugheylaw@sbcglobal.net>

Sent: Monday, December 11, 2023 at 09:15:58 AM CST

Subject: Re: Musicals on the Stars

David, Thanks!!! please see Invite below. I would like to talk with you at some point in time before our Zoom tomorrow.

William Hughey is inviting you to a scheduled Zoom meeting.

Topic: William Hughey's Zoom Meeting Whitehead Matter

Time: Dec 12, 2023 05:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/84963505666?pwd=c3EwTFdWaVNmanlvRH12Yz1BeTntZz09>

Meeting ID: 849 6350 5666

Passcode: 544686

One tap mobile

+13462487799,,84963505666#,,,,*544686# US (Houston)

+17193594580,,84963505666#,,,,*544686# US

Dial by your location

- +1 346 248 7799 US (Houston)
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 669 444 9171 US
- +1 669 900 9128 US (San Jose)
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 646 558 8656 US (New York)
- +1 646 931 3860 US
- +1 689 278 1000 US
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)

• +1 360 209 5623 US

Meeting ID: 849 6350 5666

Passcode: 544686

Find your local number: <https://us02web.zoom.us/j/kdzauXSijX>

On Sunday, December 10, 2023 at 02:16:35 PM CST, David Whitehead <daouddavidlouis@yahoo.com> wrote:

Tuesday at 5pm is fine.

Thanks,

David Whitehead

On Saturday, December 9, 2023 at 04:05:18 PM CST, William Hughey <hugheylaw@sbcglobal.net> wrote:

David are you available on Monday and Tuesday [Dec. 11/12]

I would like to set a Zoom with my friend in Houston an

Intellectual Property Attorney. I would like work in a

[5p-7p]Time Slot and give him times for both dates.

William Hughey

Certificate of Service

I, David Whitehead certify that he mailed copy of pleading to (Solicitor General of the US for US District Court for Arizona and Defendant-Respondents' Counsel Chris Feasel on September 3, 2024.



David Whitehead

1906 Scott St.

Bossier, Louisiana 71111

Solicitor General of the United States for:

US District Court for Arizona

Sandra Day O'Connor Federal Building

401 W. Washington St.

Phoenix, AZ 85003-2118

Copy to Attorney Chris Feasel of

Resnick & Louis, P.C.

8111 E. Indian Bend Road

Scottsdale, AZ 85250