



FREE SHIPPING

New Arrivals
WITH HIGH QUALITY!

SHOP NOW

DX dealextreme
DealExtreme.com



Remembering Margaret Thatcher: 4 ways to look at her legacy



Why we hate airlines: By the numbers



Mad Men premiere recap: Death and 'The Doorway'

How were Beyoncé and Jay-Z able to visit Cuba?

How one prisoner's handwritten petition won him a Supreme Court case

After many failed lawsuits, an inmate finally gets his day in the highest court in the land

By [Jon Terbush](#) | March 27, 2013

11 COMMENTS

Like 14

Share



The Supreme Court is not above accepting a prisoner's appeal.

FK PHOTO/CORBIS

The Supreme Court ruled on Wednesday that the government could be sued for alleged abuse by guards in federal prisons.

The case is remarkable not necessarily for the ruling it produced, but for how it got to the court in the first place.

Without the aid of a lawyer, an inmate at a federal prison in Pennsylvania, Kim Millbrook, submitted his own handwritten petition to the court. In an unusual move, the court agreed to hear the case, as well as one other case brought by a lawyerless plaintiff. That the court would hear two such cases was "unheard of," according to a lawyer quoted by the *Associated Press*.

The case stems from a lawsuit Millbrook filed against the federal government in which he accused three prison guards of sexually assaulting him in 2010. Lower courts [dismissed that lawsuit](#) for lack of standing, saying that the Federal Torts Claim Act protects the government from such lawsuits.

However the Supreme Court, after accepting his case and assigning Millbrook a lawyer, unanimously overturned those rulings. Justice Clarence Thomas, writing the court's opinion, said the lower courts had erred in thinking the FTCA provided legal immunity to law

[Why do so many states still have anti-sodomy laws?](#)

[The government's ludicrous obsession with secrecy](#)

[Today in history: April 8](#)

GET 4 **FREE** ISSUES
of **THE WEEK**

[CLICK HERE](#)

Built For Businesses & Agencies

Easily Host Your Own Call Tracking Service

[Learn More](#)

Analytic Call Tracking

1. [How were Beyoncé and Jay-Z able to visit Cuba?](#)
2. [Why we hate airlines: By the numbers](#)
3. [The top 5 issues dividing Democrats](#)
4. [22 TV shows to watch in 2013 \[Updated\]](#)
5. [10 things you need to know today: April 8, 2013](#)
6. [Why do so many states still have anti-sodomy laws?](#)
7. [Remembering Margaret Thatcher: 4 ways to look at her legacy](#)
8. [Mad Men premiere recap: Death and 'The Doorway'](#)
9. [America is raising a generation of interns](#)
10. [Autism and vaccines: A timeline of the dubious theory and the ongoing debate](#)

FOLLOW US



Email Address

[SUBMIT](#)

[SAMPLE NEWSLETTER](#) / [PRIVACY POLICY](#)

enforcement officers for all actions except searches and arrests. According to the high court, the law did not offer such broad immunity.

Millbrook has a long history of jailhouse litigiousness. [According to the New York Times](#), he's done time in four corrections facilities, and has sued every one of them. In one case, a judge warned him that he could [face a fine](#) if he continued to "file frivolous papers" in court.

So why did the Supreme Court, which hears less than one percent of the estimated [10,000 petitions](#) it receives annually, decide to accept Millbrook's case? It's likely they were trying to settle a long-running question over when federal officers can be sued. Lower courts have previously disagreed over the issue, and Millbrook's case gave them a prime chance to finally offer some clarity.

[From the Associated Press:](#)

Neither case seems destined to join the ranks of *Gideon v. Wainwright*, the landmark 1960s case filed by a prisoner with no lawyer that established a criminal defendant's right to a lawyer. Both show, however, that when the court is looking to resolve finicky legal issues and the right case shows up, it doesn't matter whether the author of the appeal wears a natty suit or prison garb. [\[AP\]](#)

11 COMMENTS

Like 14

Share

Jon Terbush

Follow @jonterbush

Jon Terbush is a staff writer for *TheWeek.com* covering politics, sports and other things he finds interesting. He's previously written for *Talking Points Memo*, *Raw Story*, and *Business Insider*.

[Click here](#) for your 4 FREE issues of The Week

More From The Week

- ▶ How Facebook knew a man was gay before he came out
- ▶ 24 Canadianisms way more interesting than 'eh?'
- ▶ 4 secret societies you probably don't know about
- ▶ Why I am no longer a Republican
- ▶ 10 things you didn't know about the president's secret army
- ▶ 8 crazy pop-culture lawsuits

From Around the Web

- ▶ Judge delivers scathing rebuke and \$177K fine to Obama... [\(Allvoices\)](#)
- ▶ Finally Chemotherapy Game Changer for Stage 4 Cancer [\(Envita\)](#)
- ▶ Two Great Lakes hit lowest water levels in history [\(Cottage Life\)](#)
- ▶ Jenna Wolfe and Stephanie Gosk are Having a Baby Girl [\(Elizabeth Street\)](#)
- ▶ How to Study in Six Simple Steps [\(Dummies.com\)](#)
- ▶ If You're Using Gmail, you Should try This! [\(MacLife\)](#)

[?]

11 comments

★ 0



Best ▾ Community

Share ▾ ⚙



Disenfranchised American • 12 days ago

The BIGGEST problem with the so called Judicial and Penal system in the USA is that NONE of the people who put other people in Prison have ever spent one day in prison. It is horribly destructive to any person and especially to non violent first time offenders. But it's all about MONEY and POWER in the hands of the US Government and the Government will never relinquish it or be caught looking foolish.

5 ^ | ▾ • Reply • Share ▾



Shay Geron

Disenfranchised American • 14 days ago

DOES A CONGRESSIONAL BUDGET REALLY MATTER?

The Week's **Leadership Dialogues** series.

brought to you by ZURICH INSURANCE

GUILTY CLICKS

- ▶ WATCH: Lindsay Lohan and Charlie Sheen make fun of themselves in *Scary Movie 5*
- ▶ The daily gossip: Justin Bieber is in trouble for tattooing without a license, and more
- ▶ WATCH: The 12 funniest *Mad Men* parodies
- ▶ The week's best of the internet
- ▶ I'm addicted to TV. Help!

Cartoons



Restless sleep

Stories from Slate

- ▶ NASA may be towing an asteroid to a planet near you
- ▶ The *Mad Men* scorecard
- ▶ A war without innocence
- ▶ Florida Republicans investigate Beyoncé and Jay-Z's trip to Cuba
- ▶ Suicide bombing in Afghanistan leaves 5 Americans dead

[SEE MORE STORIES ON SLATE](#)

Easily Host Your Own Call Tracking Service

Built For Businesses & Agencies

Learn More

Analytic Call Tracking

TAEGAN GODDARD'S POLITICAL WIRE

- ▶ Why it's hard for Obama to push his agenda
- ▶ Donors get gold-star ambassador gigs
- ▶ Obama budget hit from both sides



Andy Gerow • 11 days ago

And almost all of the A holes in DC should do time

4 ^ | v • Reply • Share ›

► Prospects for gun control improve

► Newtown families speak out

SEE MORE STORIES ON POLITICALWIRE



databaseben • 12 days ago

i think people working for any level of the government feel they are entitled to immunity and that all their actions are condoned. and in most cases the employees get away with a lot and still do .

3 ^ | 1 v • Reply • Share ›



Just Me → databaseben • 12 days ago

Under the doctrine of "sovereign immunity", the King or Queen WAS above the law. In American law, this doctrine is somewhat modified, based on the entity being sued and the legal authority the entity holds. The Federal government (with certain exceptions) may only be sued if it agrees to it; likewise States limit some legal remedies to Court of Claims (statutory courts of limited jurisdiction). However, neither the Feds or States are exempt when illegal conduct is alleged, such as Federal Section 1983 civil rights lawsuits, or writs of certiorari in State courts seeking judicial review of governmental decisions when no other remedy exists.

0 ^ | v • Reply • Share ›



Dave → Just Me • 3 days ago

Yes, however try taking them to court. It is not likely to ever happen, or at least very seldom would you ever see it happen.

They all look after each other's back. You yourself would be threatened with something or ran out of town. I have learnt that from personal experience.

1 ^ | v • Reply • Share ›



databaseben → Just Me • 11 days ago

sure. there are some illegal activities that are basically taboo'd, like discrimination. but most other things are open for interpretation, that is if it can be brought forward to a higher power / court.

which begs the question, can states ordain what can be brought forward in a state court and how much a citizen can sue for? personally i don't think so, especially when state offices and employees are partially funded via federal funds, like local police.

1 ^ | v • Reply • Share ›



justiceforall • 2 days ago

It is about time that government officials, police officers, officers of the courts, parole officers, prison and jail guards, etc. are help responsible for their actions and behaviors. They get on these power trips and act like they are above the law....shame!

0 ^ | v • Reply • Share ›



Wicked • 2 days ago

America could be a much better country if everyone was held accountable for their actions.this is just one reason our great country is no longer great ! Pray for a miracle , seems that is what it will take.

0 ^ | v • Reply • Share ›



WTF • 3 days ago

it will only get worse when the jails become privatized..

0 ^ | v • Reply • Share ›



vzio • 12 days ago

way to open up pandoras box

0 ^ | v • Reply • Share ›



C. Anon → vzio • 12 days ago

GOOD!

1 ^ | v • Reply • Share ›

ALSO ON THE WEEK

What Sen. Rob Portman's embrace means for gay marriage - The Week

139 comments • 24 days ago



Just Deserts — What Rob Portman's embrace of his son means is that he is a hypocrite He's only concerned about civil rights when they happen to ...

Why people are outraged over the shooting of 16-year-old Kimani Gray - The Week

33 comments • 25 days ago



Benny the Icepick — Amendment IV The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable ...

Why conservatives are already fuming about Obama's next big Cabinet pick - ...

9 comments • a month ago



Andrew Bierce — "Partisan hack?" I don't think they understand what that means. Perez received an A.B. in international relations and political science ...

Google's \$7 million wireless-snooping settlement: Too little? - The Week

1 comment • a month ago



CalvinballPro — The real problem is that American voters put up with allowing industry shills and lobbyists to be appointed to the regulatory bodies ...

[Comment feed](#) [Subscribe via email](#)

**GET 4 FREE ISSUES**[CLICK HERE](#)**FROM OUR PARTNERS****Slate**

Why I Was a Card-Carrying Member of a Thatcher-Hating Society

In Defense of the Wasteful, Delusional Luxury of Getting a Literature Ph.D.

It's Alive! ALIIIVVVEEE!

newser

Annette Funicello Dead at 70

Woman Robs Bank Using ... Spaghetti Sauce: Cops

Reactions to Margaret Thatcher's Death

WEST WING REPORTS

Monday Note: April 8

The Best Margaret Thatcher Quotes

Riding in a Tank - Sometimes It Helps, Sometimes It Doesn't

SALON

Annette Funicello, pioneering Mouseketeer, dies at 70

Drug war and mass incarceration, by the numbers

Detroit archbishop to pro-gay marriage Catholics: Skip communion to avoid shaming your church

mental_floss

8 Things To Know About Pablo Picasso

The Latte Portrait Artist

Kim Jong-un's Less Responsible, Disney-Obsessed Older Brother

BuzzFeed

I'm A Bisexual Man: Why Is That So Hard For Me To Say?

Musicians Have Been Writing About Margaret Thatcher's Death For Decades

Exclusive Clip: Joan Rivers In "Scatter My Ashes At Bergdorf's"

THE WEEK

[SUBSCRIBE](#) / [SUBSCRIBER LOGIN](#) / [CURRENT ISSUE](#) / [GIVE A GIFT](#) / [CUSTOMER SERVICE](#) / [BACK ISSUES](#) / [CLASSROOM SUBSCRIPTIONS](#) / [PRIVACY POLICY](#) / [TERMS & CONDITIONS](#) / [AD INFO](#) / [THE WEEK UK](#) / [SITE MAP](#) / [ARCHIVE](#) / [RSS](#) / [CONTACT US](#)

© 2013 THE WEEK PUBLICATIONS, INC. ALL RIGHTS RESERVED.
THE WEEK® IS A REGISTERED TRADEMARK OWNED BY FELIX DENNIS.
THEWEEK.COM IS A TRADEMARK OWNED BY FELIX DENNIS.