

No. 18-3315

IN THE  
SUPREME COURT OF THE UNITED STATES

In re Sontay T. Smotherman — PETITIONER  
(Your Name)

vs.

— RESPONDENT(S)

ON PETITION FOR A WRIT OF MANDAMUS TO

United States Court of Appeals For The Sixth Circuit  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF MANDAMUS

Sontay T. Smotherman

(Your Name)  
70203-061

Federal Prison Camp, P.O. Box 6000  
(Address)

Ashland, KY 41105

(City, State, Zip Code)

(Phone Number)

RECEIVED

AUG 28 2018

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

QUESTION(S) PRESENTED

1. Whether the imposed filing restrictions deny meaningful access to the courts?

## **LIST OF PARTIES**

All parties appear in the caption of the case on the cover page.

All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

## TABLE OF AUTHORITIES CITED

### CASES

### PAGE NUMBER

Bounds v. Smith, 430 U.S. 817, 97 S. Ct. 1491, 52 L. Ed. 2d 72 (1977) 4

### STATUTES AND RULES

### OTHER

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IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF MANDAMUS

Petitioner respectfully prays that a writ of MANDAMUS issue to review the judgment below.

**OPINIONS BELOW**

For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix B to the petition and is

reported at No. 18-3315; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

The opinion of the United States district court appears at Appendix A to the petition and is

reported at Doc # : 406; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

[ ] For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix \_\_\_\_\_ to the petition and is

[ ] reported at \_\_\_\_\_; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

The opinion of the \_\_\_\_\_ court appears at Appendix \_\_\_\_\_ to the petition and is

[ ] reported at \_\_\_\_\_; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

## JURISDICTION

For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was Aug 14, 2018.

No petition for rehearing was timely filed in my case.

A timely petition for rehearing was denied by the United States Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_A\_\_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1651 (a)

For cases from **state courts**:

The date on which the highest state court decided my case was \_\_\_\_\_. A copy of that decision appears at Appendix \_\_\_\_\_.

A timely petition for rehearing was thereafter denied on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_A\_\_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

**CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

United States Constitution, Fourteenth Amendment

#### STATEMENT OF THE CASE

The district court had authority and discretion in limiting inmates ability to file ... and to impose conditions upon inmate so long as they were not burdensome as to deny him meaningful access to the courts.

However, such filings never get forwarded for review and the restriction unconstitutionally bars petitioner from bringing any action what so ever concerning his imprisonment. See, Bound v. Smith, 430 U.S. 817, 97 S. Ct. 1491, 52 L. Ed. 2d 72 (1977).

Additionally, the district court offers no support that the clerk is forwarding documents for review.

Furthermore, the restriction is prejudicial because it delays the prisoner in his pursuit to justice from behind prison walls.

#### REASONS FOR GRANTING THE PETITION

Pursuant to Rule 20.1, exceptional circumstances warrant the exercise of this Courts authority because the appeals court holds that the petitioner has not shown a clear and indisputable right to the relief sought. Thus, adequate relief cannot be obtained in any other form or from any other court.

## CONCLUSION

The petition for a writ of ~~MANDAMUS~~ should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. M. C.", is written over a horizontal line.

Date: August 20, 2018