

PRESENT No.: _____

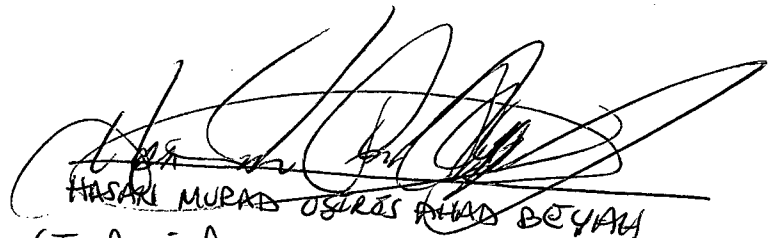
FORMER No.: _____

RELATED CASE(S): _____

IN THE
SUPREME COURT OF THE UNITED STATES

IN RE: HASAN MURAD OSIRIS AHAD BEYAH, ON PETITION
FOR A WRIT OF CERTIORARI FROM THE SUPREME COURT
OF NEW JERSEY No.: 080012 (App. Div. Dkt. No.: A-1037-14T4)

PRO SE PETITION FOR WRIT OF CERTIORARI



HASAN MURAD OSIRIS AHAD BEYAH

(In Propra Persona and In Forma Pauperis)

(Homeless Since July 2017)

Helping The Homeless

269 Mt. Pleasant Avenue
Room 8

Newark, New Jersey 07104

QUESTIONS) PRESENTED

1. Whether where ProSe (Self-Representation) Defendant, HASAN MURAD OSIRIS AHAD BEYAH (hereinafter, "HASAN MURAD") complained he had a PRETRIAL DETENTION lawsuit it was impossible (as long as he made it from "in custody" to the courthouse) to lose (and that he was thereafter deprived of his "trip to the courthouse"); that, he had seen, used, and in Application for Rehearing with Suggestion for Rehearing, En Banc specifically said the same reasoning in a subsequently handed down Circuit court of appeals case (relevant and applicable to his own); that, in anticipation of later arguments by this Court - served and filed a "SUPPLEMENTAL COMPLAINT" against "TRIAL- AND-APPELLATE COUNSELS"; and, Petitioned for CERTIORARI for "SELF-REPRESENTATION ON APPEAL" - this Court would reach the conclusion "HASAN MURAD" was not unconstitutionally deprived of the right of "self-representation" in this "single" case?
2. Whether Ganger v Harris applies where not paying damages owed in continuous, preceding claims is alleged to be the governmental motive and reason for refusal to give "reversal as a matter of law" on INCORPORATED-BY-REFERENCE, prior convictions RECORD?
3. Whether where HASAN MURAD is and throughout has been claiming prior convictions ~~are~~ and were the result of a "railroading" a HEARING to prevent relitigation is preferable?
4. Whether where HASAN MURAD petitioned prior conviction relies upon "physically impossible" CSI and THEORY ON ENTRY findings of fact the

government has any interest against a HEARING being required to determine the constitutional trustworthiness and validity of the factual findings of the timely challenged (from every exhaustion required direction) prior conviction(s)?

5. Whether where HASAN MURAD has never been given a HEARING (GROUND TWO of the presently pending and related habeas corpus "APPEAL") and raised his "physically impossible" claims through Pretrial Motion To Dismiss (New York and New Jersey) Post Trial Motion(s) (New York and New Jersey) Motion for Judgment of Acquittal (New Jersey) and Pro Se SUPPLEMENTAL APPLICATE BRIEF(S), issue(s) of FACT remain?

6. Whether subsequent RECORD OF CONVICTIONS against HASAN MURAD incorporating a preceding, timely challenged, RECORD OF CONVICTIONS against HASAN MURAD reiterates the FACT RECORD of the - until CERTIORARI, preceding, constitutional, prior conviction(s), FOUND TO BE INCREDIBLE AS A MATTER OF LAW and INCORPORATED-BY-REFERENCE?

7. Whether, as HASAN MURAD is saying: THERE MUST BE FACT(S) AS THE RECORD to constitutionalize prior, state court, criminal conviction(s)?

8. Whether the FACT(S) "affirmed" in the case of HASAN MURAD by the Appellate Division, Fourth Judicial Department of the State of New York were "controlling" in all subsequent proceedings in "New Jersey," incorporating them by reference?

9. Whether Full Faith and Credit obligated New Jersey in the case of HASAN MURAD to the "controlling" FACT(S) found, and "affirmed",

by the Appellate Division, Fourth Judicial Department of the State of New York Court reversed, modified, or found by a higher court to be "clearly erroneous") incorporated by New Jersey in crossing state lines) subsequent (criminal conviction and sentencing) proceedings?

10. Whether impermissible in-court, trial identification proceedings in New York prevented New Jersey from incorporating by reference to New York, the identity of "HASAN MURAD" in subsequent, New Jersey proceedings?

11. Whether COUNSEL (ON DIRECT APPEAL) is obligated to restate as well as follow the Pro Se ("self-representation") Defendant, Trial-and-Appeal strategy of "HASAN MURAD" absent HEARING and "Strickland" Trial-and-Appeal reasons?

12. Whether where Ineffective Assistance of Appellate Counsel (Beyah v Senkowski; FIRST Federal Habeas Corpus - New York, herein) and Martinez v California Court of Appeals (same) are claimed as the reasons for the questions regarding "preservation" of the prior conviction(s) "facts and evidence" as well as of the criminal instead of contempt (non-compliance) present following crossing of state lines) proceedings the proper (after moving for Judgment of Acquittal) "channel(s)" for "timely" challenge against the constitutionality of the now "inseparable" criminal "conviction(s)" of HASAN MURAD is through 28 USC 2254?

13. Whether the case of HASAN MURAD is a case the Court recognizes as having "no channel of review... available to a defendant

- with respect to a prior conviction, due to no fault of his own"?
14. Whether the subsequent to invocation of the right to "self-representation" including "in custody" - movement from one point to the next proceedings crossing state lines (from New York to New Jersey) so deviated - not inconsistent with status as a prisoner - of Foretta v California for this Court to violate the right of HASAN MURAD to "self-representation"?
15. Whether it was error for both "New York" and "New Jersey" appellate courts to hear and decide the appeals of HASAN MURAD without (FACT FINDING) "HEARING" or "RECONSTRUCTION OF (CONFISCATED BUT ALLEGEDLY LOST COURT BAG) RECORD"?
16. Whether Negan's Laws (and the statutes legislatively enacted) is "enhancement" in nature (or Ex Post Facto prohibited) inasmuch as (otherwise) it adds to the previous sentence (and conviction) of HASAN MURAD?
17. Whether Negan's Laws and the statutes legislatively enacted should be "contempt" (jurisdictionally) rather than "criminal" (punishment) as legislatively claimed - or declared in the case of HASAN MURAD to be unconstitutional (amongst other things - pursuant to Sessions v Dimaya)?
18. Whether due to during the initial ten (10) day(s) period in the case of HASAN MURAD - relevant, indigent "Counsel" (in Franklin County, New York) was possessed, the New Jersey "criminal" instead of "contempt" proceedings of this case: from the point

indicated to this Petition - are JURISDICTIONALLY DEFECTIVE?

19. Whether HASAN MURAD was deprived of Effective Assistance of Counsel when Counsel refused in front of "the Jury" to PREVENT admission-and-entry-into-evidence of the Box Hill, Franklin County, New York "documents" especially in light of the arguments of the prosecution goading HASAN MURAD to "represent" himself?
20. Whether this Court should revisit the previous application for writ of certiorari of HASAN MURAD (94-2298 and 94-7252) Martinez v California Court of Appeals (as distinguishable, above, from the "indisputable facts" of the case of HASAN MURAD); the pro se SUBMISSIONS of HASAN MURAD (since invocation of the right to "self-representation"); find itself left with an unshakable feeling, that, something during the judicial process, herein has gone TERRIBLY WRONG; a conflict between the Circuits and States (on the basis of "THE STANDARD OF EVIDENCE" - if nothing else - in this case); reconsider, amongst others: Yanger v Harris and Martinez v California Court of Appeals (pursuant to Rule 1 of the Federal Rules of Civil Procedure); and, resolve this "ENTIRE CONTROVERSY" between "THE GOVERNMENT" and "HASAN MURAD" (by HEARING this CRIMINAL CASE INCORPORATING-BY-REFERENCE its CAUSATICS) once and for all?

LIST OF PARTIES

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:

STATE OF NEW JERSEY

PLAINTIFF-RESPONDENT,

- vs -

MURAD H. BEYAH

DEFENDANT-PETITIONER.

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

Petitioner respectfully petitions that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

The opinion of the highest state court to review the merits appears at Appendix "H" to the petition and is reported at:
State v. Beyah, 2017 WL 3747648 (August 31, 2017) (pages D1-D26)

The opinion of the Supreme Court of New Jersey appears at Appendix "I" to the petition and is reported at:

State v. Beyah, 232 N.J. 287, 179 A3d 1045 (February 9, 2018)
(page D29)

JURISDICTION

The date on which the highest state court decided the case was 9 February 2018. A copy of that decision appears at Appendix "I" (page D27)

The jurisdiction of this Court is invoked under 28 USC § 1257 (2) (et seq.)

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED
(In Order of Accrual, or Serial Movement)

AMENDMENT(S) TO U.S. CONSTITUTION

FOURTH
FIFTH
SIXTH
SEVENTH
FIRST
EIGHTH
FOURTEENTH

CONSTITUTION OF NEW YORK

CONSTITUTION OF NEW JERSEY

PENAL LAW OF THE STATE OF NEW YORK

CRIMINAL PROCEDURE LAW OF THE STATE OF NEW YORK

CIVIL PRACTICE LAW AND RULES OF THE STATE OF NEW YORK

COUNTY LAW OF THE STATE OF NEW YORK

NEW JERSEY STATUTES ANNOTATED

NEW YORK CODE OF RULES AND REGULATIONS

NEW JERSEY ADMINISTRATIVE CODE

DEPARTMENT OF HUMAN SERVICES RULES AND REGULATIONS

OTHER(S)

Title 42 United States Code §§ 1981 (et seq.)

The Bivens Act

New Jersey Habeas Corpus

CASE(S)

State v Krements, 52 NY 303 (1968)

Trustees of Amherst College v Ratch, 151 NY 282 (1897)

People v Garson, 6 NY 3d 604 (2006)

Beyah v State, #13-3156 (DCNY)

State v Figuero, 186 NY 589 (2006)

State v Precioso, 129 NY 451, 462 (1992)

Beyah v Putnam, 885 F. Supp. 371 (NDNY 1995)

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Alcorza v Texas, 355 US 28 (1957)

State v Marshal, 123 NY 1 (1991)

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State v Marshal, 130 NY 109 (1992)

Sessions v Dimaya, -US-, 138 S. Ct. 1204 (2018)

Appendi v New Jersey, 530 US 466 (2000)

People v Mateo, 2 NY 3d 303 (2004)

Beyah v Coldlaw (2d Cir. on appeal from 88CV1053: NDNY)

People v Trasso, 110 Misc.2d 438, 440 NY 52d 504 (Sup. Ct. NY 1981)

French v Banco Nacional de Cuba, 23 NY 2d 46 (1968)

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Liverpool & G.W. Steam Co v Phoenix Ins. Co., 129 US 387 (1889)

Borden's Farm Products Co v Baldwin, 293 US 194 (1934)

Brown v Dillon, 28 Fed. Appx 77 (2000)

STATEMENT OF THE CASE

When deciding the direct appeal of HASAN MURAD the Appellate Division, Fourth Judicial Department of the State of New York did not restate THE FACTS of the trial evidence and testimony leaving presumed THE FACTS as related by the prosecution (on Page 5 of the "Brief for Respondents") to be THE FACTS adopted by the court and therefore to be the "controlling" facts of the case. People v Beyah, 171 AD2d 1043, 569 NY2d 235 (4th Dept. 1991) app den. 77 NY2d 992, 571 NY2d 918, 575 NE2d 404 (1991) app den 78 NY2d 962, 574 NY2d 941, 580 NE2d 413 (1991)

In April 2014 the CITY OF NEWARK, COUNTY OF ESSEX, and STATE OF NEW JERSEY initiated a prosecution against HASAN MURAD on the basis of the case "affirmed" by the Appellate Division, Fourth Judicial Department of the State of New York and proceeded to enter a verdict and then a judgment of conviction against HASAN MURAD, again not restating THE (INCORPORATED) FACTS as "affirmed" by the Appellate Division, Fourth Judicial Department of the State of New York, remanded, and, eventually sentenced HASAN MURAD to a term of imprisonment which was "affirmed" by the Appellate Division of the Superior Court of New Jersey, State v Beyah, 2017 WL 3747648 (August 31, 2017) and denied discretionary review by the Supreme Court of New Jersey, State v Beyah, 232 NJS 287, 179 A3d 1045 (February 9, 2018)

Throughout the New York and New Jersey proceedings, the

New York and New Jersey incarcerations of HASAN MURAD and the judicial processes of New York and New Jersey - HASAN MURAD complained about the conduct of indigent, court-appointed (on direct appeal in New York - retained - or secondly assigned) "Counselors" to no avail and elected to proceed and continue on his own behalf - attempting to acquire "relief" in the form of "JUSTICE" and "COMPENSATION" while, he says - receiving NO HEARING, "resistance", and UP TO THE PRESENT "surveillance". See e.g. People v Trosso, 110 Misc.2d 438, 440 NYS 2d 504 (Sup. Ct. N.Y. 1981)

HASAN MURAD now petitions for writ of certiorari to the United States Supreme Court having served each SENTENCE (that is to say: New York and New Jersey) to the "maximum expiration date" and has been "released from custody" without a RECORD OF LEGALLY SUFFICIENT TESTIMONY AND EVIDENCE TO "AFFIRM" THE FINDING(S) OF FACT AND CONCLUSIONS OF LAW OF THE "NEW YORK" AND "NEW JERSEY" CONVICTIONS AND SENTENCES.

REASONS FOR GRANTING THE PETITION

RULE 1, F.R. CIV. PROC.

Rule 1 of the Federal Rules of Civil Procedure affirms the equipment of any party seeking to initiate the judicial process against any other party with accommodations to add and include every indispensable party to the controversy in a single case.

In an attempt to place behind HASAN MURAD the initiatives taken by governmental officials over a thirty four year period (as of this writing) HASAN MURAD, finding it of primary importance, first to cover the aspects of a criminal nature (and the civil remedies sprinkled interchangeably inbetween the "dots" at which the governmental officials took custodial arrest, detention, and penal sentence, over HASAN MURAD), commenced a federal application for writ of habeas corpus on behalf of state prisoner regarding, and entitling, it (to cover all relevant, under color of state law governmental actors) In re HASAN MURAD CUSTODIAL ABUSE BEYAH.

(FOOTNOTE #1: This was done knowing it is the spirit of "Rule 1" of the Federal Rules of Civil Procedure for a party to add as many "other parties" to a proceeding in a single lawsuit: Genesis Healthcare Corp v Synczyk, 569 US 66 (2013) (claim for damages cannot evade review; it remains live until it is settled, judicially resolved, or barred by a statute of limitations); Shady Grove Orthopedic Associates, PA v Allstate Ins. Co., 559 US 393 (2010) (state statute limiting class actions against multiple claimers or parties not enforceable individual-diversity action); Sprint Communication Co. LLP

v APCC Service Inc., 554 US 269 (2008) (assignee allowed suit... as legal holder of claim... real party); Arbaugh v Yett Corp, 529 US 815 (1999) (party or by a party on its own initiative, at any stage); Ortiz v U.S., 545 US 596 (2005) (necessary parties... complete relief cannot be given without their joinder); Koussick v Ryan, 540 US 443 (2004) (a party's application can... be forfeited if the party... waits too long to raise... point); Ortiz v Fibreboard Corp, 529 US 815 (1999) (all parties that ought to be made parties to the suit); Provident + Traders Bank & Trust Co. v Patterson, 390 US 102 (1968) (object of rule is to accomplish justice between parties in interest); Bristol Myers Squibb Co v Superior Court of California San Francisco County, 2019 WL 2621322 (June 19, 2019) (Types of jurisdiction); Walden v Fiore, 571 US 279 (2014) (jurisdiction over officers delaying return of funds seized); Peacock v Thomas, 516 US 349 (1996) (ancillary jurisdiction); Burnham v Superior Court of California, County of Marin, 495 US 604 (1990) (service while in that state); Branden v 30th Judicial Circuit Court, 410 US 484, 494-495 (1963) (citing Waller v Whitney, 114 US 564 (1885)) (habeas corpus acts not upon prisoner, but those allegedly subjecting him to unlawful restraint)...). (END OF FOOTNOTE #1)

STANDARD OF EVIDENCE

Respondent-Defendants invoked the "jurisdiction" of the court and thereby this "entire controversy" through initiation and continuation of state "criminal" legal proceedings against HASAN MURAD having alleged HASAN MURAD, while in the CITY OF NEWARK, COUNTY OF ESSEX and STATE OF NEW JERSEY

"fled jurisdiction to avoid apprehension", and was subsequently arrested "on the run" while in the CITY OF SYRACUSE, COUNTY OF ONONDAGA and STATE OF NEW YORK.

Throughout this thirty four year "controversy" between governmental officials and HASAN MURAD - employees and officers of the CITY OF SYRACUSE, COUNTY OF ONONDAGA and the STATE OF NEW YORK alleged to be by phone in contact with employees and officers of the CITY OF NEWARK, COUNTY OF ESSEX, and STATE OF NEW JERSEY (and while being "prosecuted" in the CITY OF NEWARK, COUNTY OF ESSEX, and STATE OF NEW JERSEY) the employees and officers of the CITY OF NEWARK, COUNTY OF ESSEX, and STATE OF NEW JERSEY claimed (by phone and through testimony and documentary evidence) to have been in touch, or "contact" with those of the STATE OF NEW YORK.

Whether it was in connection with the EXTRADITION, ROBBERY-BATTERY, ATTEMPTED MURDER, or "OBSTRUCTION OF JUSTICE" (RECENTLY CONTROVERSED INTO A: "FAILURE TO REGISTER") the BURDEN OF PROOF, or "STANDARD OF EVIDENCE" (up to ORDER AND DECISION by this Court) remained by choice of allegations on Respondent-Defendants depending on which accusation, or "charge" is under consideration when moving from one point to the next during review. AMENDMENTS FOURTH, FIFTH, SIXTH, SEVENTH, FIRST, EIGHTH, FOURTEENTH TO THE CONSTITUTION OF THE UNITED STATES.

FINAL ORDER OR JUDGMENT

Release of HASAN MURAD from "detention," due to "extension" of the one case started by Respondent-Defendants (who alleged they were, and had been "in contact" with detectives in "NEWARK," New Jersey) in the CITY OF SYRACUSE, COUNTY OF ONONDAGA and STATE OF NEW YORK has preceded "direct review" of this case by this Court, the United States Supreme Court (in WASHINGTON, D.C.) and, for that reason has brought up a question about what is to be done when (and where) an accused ("criminal defendant") who is alleging Respondent-Defendants never sustained their BURDEN OF PROOF in either of two (2) respective States, during two (2) separate trials, and therefore the accused (criminal defendant) should not be "viewed as someone already proven to be" nor "to have been duly convicted of any crime(s)" (herein) but one who is, and has been, and remains, "accused" of allegedly having committed various "defendant" acts) (until Respondent-Defendants, in days to come, having already been, and is presently being, "accused" of having perpetrated a "fraud upon the Court," is able to produce a RECORD freeing themselves of this accusation) vindicating, until then, HASAN MURAD: the accused - "criminal defendant," a RECORD that satisfies the STANDARD OF EVIDENCE of whichever accusation, or "charge," against HASAN MURAD they have allegedly already made as a RECORD.

This uncompensated wait for the "instant replay" (PRODUCTION OF THE RECORD) has made the question of whether it remains the responsibility of Respondent-Defendant(s) to provide HASAN MURAD with FOOD, CLOTHES, SHELTER (and all that follows of that "package of goods") calling into question the ambiguous "finality" of the ORDER of the District Court not addressing the "release from detention" of HASAN MURAD back "out into the streets." (Goldberg v Kelly, 397 US 254 (1970); NYSA Title 44 (et seq.)

BEFORE BEING CHARGED

On both occasions in the STATE OF NEW YORK, prior to being arrested and detained HASAN MURAD had a job and was working to support and pay his own way; on both occasions, due to accusations by governmental officials HASAN MURAD was physically apprehended, arrested, and detained (taken into "custody") for a long enough period for him to lose his employment, and following release on the last two (2) occasions in the STATE OF NEW JERSEY due to this "one (1) case" ("controversy" between government officers - prosecutors, and HASAN MURAD) HASAN MURAD found himself having to resort to applying for public "assistance" (welfare) to attempt to restore

his previous lifestyle of being able to pay his own way, and to remain "independent."

Respondent-Defendant(s) have not, in these proceedings, come forward with a RECORD validating freedom from responsibility for the loss of the two(s) "pre-charged" forms of employment had by HASAN MURAD, nor for the reason HASAN MURAD has been unable in the manner, previously to pay his own way, and to retrieve the dignity, decency, and comfort of his previous (before being "taken into custody," and "charged") lifestyle.

Notwithstanding all of the programs and "words and phrases" about "education and employment" accompanying, amongst others, the "WORK FIRST" and "FAMILY FIRST" programs of the Department of Human Services, HASAN MURAD has complained about being by state (42 USC § 1981, et seq.) and federal (The "Biven's" Act) "third-parties," made to be unable to get into his own possession "capital" advanced to him by "celebrity" actors, (psychics) and "stars" due to his refusal to become an "informant" through "informants" ambient to him since "in custody" within the Department of Correctional Services of the STATE OF NEW YORK, Henderson v US, 205 WC 2340840 (May 18, 2015); Huddle v Garrison, 525 US 121 (1998); Captin Drysdale, Chartered v US, 491 US 617 (1989); see, also, e.g., Johnson.

v Avery, 393 US 483, 485-486 (1969) for the purpose of starting-up his own "proprietor," "partnership," or "corporation" businesses - and fulfilling the responsibilities of his "ERP" (Individual Responsibility Plan) and "IDA" (Individual Development Account).

According to HASAN MURAD, these "correctional officer" influences have extended to his present (and "daily") whereabouts (and are the "reason" HASAN MURAD has, in spite of having been "home" from incarceration for "eight (8) years," been unable to get a single "studio apartment...").
E.B. v Verniero, 119 F3d 1077 (3d Cir. 1997)

EX POST FACTO, OR CONTEMPT OF COURT?

Not having been able to produce a RECORD that does not result in liability to Respondent-Defendants, see, e.g. Bonds v Smith, 430 US 817, 824-825 (1977) has permitted the "PRESUMPTION OF INNOCENCE" to appear able to be stripped away from HASAN MURAD without an obligation to rely upon anyone other than himself. That is to say: without the "money" to "prepay for a RECORD" to "prove his innocence", HASAN MURAD and similarly situated welfare-recipient-indigent(s) as HASAN MURAD (who does not, and does

not wish to, "represent" a "class") will, and would be "dependent" upon someone other than themselves to pay the costs of "ACTUAL INNOCENCE," Wingo v Wedding, 418 US 461, 468 (1974); see also Bornedine v Bush, 553 US 723 (2008)

In the absence of the RECORD awaited from Respondent-Defendants - when did HASAN MURAD begin to be GUILTY, and not ACTUALLY INNOCENT, of ANY THOUGHT, FEELING(S), WORD(S), ACTION(S), OR EXCHANGE(S). TO-THE-THOUSANDTH-OF-A-CENT in this UNDERTAKING? Why is HASAN MURAD not even able to get a "studio apartment," Goldberg v Kelly, supra at 261 and 264; EB v Verniero, supra.

If the posts of INVOLUNTARY COMMITMENT are not dug deep enough to become visible by this, Youngberg v Romeo, 457 US 307 (1982); Rhodes v Chapman, 452 US 337, 347 (1981) (conditions must not involve the wanton and unnecessary infliction of pain, nor may they be grossly disproportionate to the severity of the crime warranting imprisonment); see also Deshaney v Winnebago County Dept. of Social Services, 489 US 189 (1989) (citing Dandson v Cannon and Daniel v Williams) then some tragic event must be necessary, Helling v McKinney, 509 US 25 (1993)

to prove the mens rea element of the claims of HASAN MURAD, Id.; see also Smith v Turner, 48 US 283, 294 (1849) (powers of State government); Board of Regents v Roth, 408 US 564 (1972) (creation of property interests).
CIVIL OR CRIMINAL "CASE"?

The "remedy" of habeas corpus has been recognized to go beyond the surface of a RECORD of proceedings to get to THE FACT(S) involved in a "controversy", In re Mayfield, -US-, 115 Ct. 939, 941, 35 LEd 635; In re Cuddy, 131 US 280, 95 S.Ct. 703, 33 LEd 164. It is, in fact, actually the commencement of a "new," or "investigative" RECORD OF INQUIRY, Frank v Magnum, 237 US 309, 330; cf. Mooney v Holohan, 294 US 103; Moore v Demsey, 261 US 86; Ex parte Hans Nielson, 131 US 176, and claims to be "the master" of "the controversy," Nahomedican LLC v Research Foundation of State of New York, 784 F. Supp. 2d 153 (CDNY 2011) rectilinearly giving (according to the "style" of "HASAN MURAD") - "one-side-of-the-story" in INTRODUCTORY and RESUME form. In re HASAN MURAD OSTRETS AHAD BEYAT, #15-6962 (DCNY) (CC); then see Gompers v Buck's Store & Range Co, 221 US 418 (1911); Matter of Abrams, 62 NY2d 183 (Ct. App. 1984); State v Robertson, 288 NY 138 (NY 2017)

RESTORATION AND DAMAGES

There was no arrest, detention, nor RECORD reversion to J+E Miller and Sealtest Ice Cream (Silence and Liberty of the Subject Identity until Respondent-Defendants produce a RECORD bringing up the Name and Alleged Actions of the RECORD).

It has been since the writing and adoption of the Constitution of the United States the right of HASAN MURAD "to be let alone" while attempting to HOME, PROPERTY and BUSINESS himself, Tehan v US ex rel Slott, 382 US 406, 415 (1960); see also New Jersey v TLC, 469 US 325 (1985), Volume I, "Self-Explanatory", International (that is to say: last "Appeal" to Appeals Unit, Board of Trade, State of New York - 100 pages).

HASAN MURAD has pointed out how he has educated and attempted to make himself more marketable for employment until resolution of the "third-party interference" claim of the present case, Legal Tender Cases, 79 US 457 (1870); The Legal Tender Cases, 110 US 421 (1884).

There is no explanation in the RECORD for refusal of Respondent-Defendants to compensate HASAN MURAD

enough to pay his own way and enjoy his daily living without loss of dignity, decency or comfort. See, e.g., Dockets # 101 and # 109 of Beyah v Caidlow, 88CV1053 (NDNY); In re HASAN MURAD OSTRIS AHAD BEYAH, Docket # 17-2323 (3rd Circuit Court of Appeals); In re HASAN MURAD OSTRIS AHAD BEYAH # 15-6962 (DCND)(CC); In re HASAN MURAD OSTRIS AHAD BEYAH, Docket # A-003110-17 (Super. Ct. App. Div. N.J.)

INJUNCTION REQUEST(S)

Since Beyah v Rabsoff (incorporated by reference in Beyah v Canty & Onadaga, 03CV0050 (NDNY)) HASAN MURAD has been attempting to get the Court to intervene through "resort to the judicial process" while being held by Respondent-Defendant as "in custody." Id.

The most recent attempts by HASAN MURAD to successfully get the Court to "intervene" in this single case has been directly sent to the Offices of the Clerk of this Court, of the Third Circuit, and of the Appellate Division of the Superior Court of New Jersey, respectively, in combinations and all of them together. See Single Set of Papers: "HASAN MURAD OSTRIS AHAD BEYAH", herein,

Although "injunction" is generally a preventive and not an affirmative remedy - the semantics of past practice and litigation skills have made the requests of HASAN MURAD - "Self-Explanatory," Walkley v City of Muscatine, 173 U.S. 481 (1867); see also Weinberger v Romero-Barcelo, 456 U.S. 305 (1982)

SELF-REPRESENTATION

As indicated within the federal application for writ of habeas corpus (in "New Jersey" not "New York") from New York through New Jersey a JUDGMENT was entered ("CRIMINAL" instead of "CONTEMPT") during the trial, direct appeal, and discretionary review processes of which (it is being argued - due to the above) HASAN MURAD, in violation of the constitution and laws, was deprived, since actual (in New York) and prevented from (in New Jersey) invocation of the right to "SELF-REPRESENTATION," In re HASAN MURAD OSTERIS AHAD BEYAH #15-6962 (DCNJ) (CCC); In re HASAN MURAD OSTERIS AHAD BEYAH #17-2323 (3rd Cir. 2017-2018).

The culmination of the differences made by the PRO SE party, "HASAN MURAD" (and "Counsel(s)") unable to be denied - and that HASAN MURAD has, on his own

behalf, gotten successfully entered see, e.g. Brown v Dillon, 28 Fed. Appdx. 77 (2d Cir. 2000) are able to be judicially noticed through Docket(s) of Entry(s) #101 and #109 of Beyah v Cridlow, 88 CV 1053 (UDNY) wherein "TERMINATION(S) IN FAVOR OF THE ACCUSED" are seen to be the 100% PACT - even here.

No HEARING (to date) has been given (nor "preclusion of the issues") docketed) on the question(s) as to whether prevention of exercise of the right to "self representation" (e.g. throughout the ATTEMPTED) AMENDED COMPLAINT OF FAMILY as captioned by "HASAN MURAD" to be sure "MOTHER, CHILDREN and FAMILY" become the "beneficiaries" and "dependent beneficiaries" - DUA PROTECTED: "ATTICA" and "CRAFT" (where taken) - if anything ever happened to "HASAN MURAD"; and, the NEW JERSEY, FEDERAL APPLICATION FOR WRIT OF HABEAS CORPUS, incorporated by reference in the presently pending "appeal" - and to prevent any further appearances of this being a "deliberate injustice": "APPLICATION FOR COUNSEL". In re HASAN MURAD OSTRAS AHAD BEYAH, supra

APPLICATION FOR JUDICIAL NOTICE

HASAN MURAD is asking the Court to take - due to indigency - judicial notice of "THE FACTS" (unable

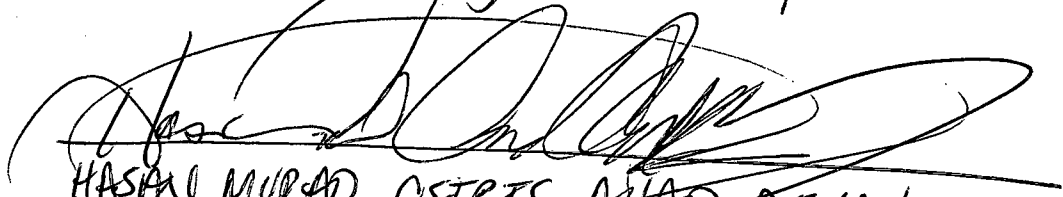
to be reproduced - reproduction of which is being asked to be dispensed with and "judicial notice" not be thought to be too burdensomely inconvenient). See Docket No.: 03CV0050 (NDNY) Beyah v County of Onondago; 94-2298 (Beyah v Senkowski) and 94-7252 of this Court - wherein an 815 Paragraph attempted AMENDED COMPLAINT OF FANCY is "entered" pursuant to New Jersey Rules of Evidence ("NJRE") 202. Garner v State of Co, 368 US 157 (1961); Liverpool & G.W. Steam Co v Phoenix Ins Co, 129 US 397 (1889); Borden's Farm Products Co v Baldwin, 293 US 194 (1934).

Again, and for the same reason, in Docket No. 15-6962 (DCNY) and 17-2323 (3rd Cir. 2017-2018) due to the absence of a HEARING not meaning the complained about events were and are not taking place - nor that the limitations, restrictions, supervisions, and prior restraint(s) happening and, according to HASAN MURAD - constituting daily "injuries" are and were not taking place - HASAN MURAD requests the Court take judicial notice of GROUND TWO (including effects on having to make "CONTEMPORANEOUS OBJECTOR(S)") of the federal application for writ of habeas corpus having been "entered".

CONCLUSION

The petition for writ of certiorari should be granted.

Respectfully submitted,


HASAN MURAD OSTRI AHAD BEYAH

Date: 30 April 2018