

No. 17-4292

IN THE
SUPREME COURT OF THE UNITED STATES

Sontay T. Smotherman — PETITIONER
(Your Name)

vs.

United States of America — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

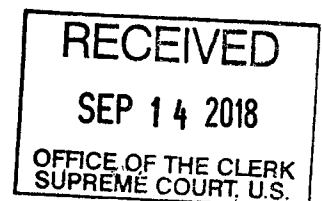
United States Court of Appeals For The Sixth Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Sontay T. Smotherman
(Your Name) 70203061
Federal Prison Camp
P.O. Box 6000
(Address)

Ashland, KY 41105
(City, State, Zip Code)

(Phone Number)



QUESTION(S) PRESENTED

1. Whether a defendant has an "unqualified right to inspect jury selection records" in order to aid in the preparation of a constitutional claim?

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:

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TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

United States v. Edmond, 815 F.3d 1032
(6th Cir. 2016)

5

United States v. Royal, 100 F.3d 1019
(1st Cir. 1996)

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Test v. United States, 420 U.S. 28, 42
L. Ed. 2d 786, 95 S. Ct. 749 (1975)

5

STATUTES AND RULES

28 USCS 1867 (f)

3, 5

28 USCS 1867 (e)

5

Fed. R. Crim. P. 12 (b)

5

Fed R. Crim. P. 12(c)(3)

5

OTHER

H. Rept. 1076, 90th Cong., 2d Sess. p. 16

5

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari 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 A 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☒ is unpublished.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 United States district court appears at Appendix B to the petition and is

☐ reported at _____; 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☒ is unpublished.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 August 28, 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. § 1254(1).

☐ 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

Under the provisions of Title 28 Section 1867 (f), litigants have "essentially an unqualified right to inspect jury lists... in order to aid... in the preparation of motions challenging jury-selection procedures."

The fourteenth amendment right to equal protection of the laws incorporated in the due process clause of the fifth amendment,

STATEMENT OF THE CASE

The court below overlooked and failed to address the petitioner's invoked right to inspect jury selection records.

The court below overlooked and failed to address the fact a judge other than the one who presided at the trial had reviewed the docket but failed to review the record of the same before performing the post-trial duties.

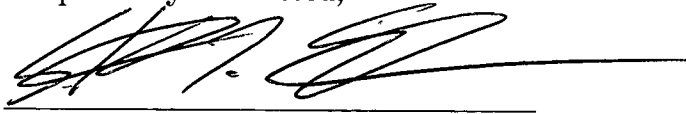
In addition, there's inaccuracies of the record by no fault of the petitioner in his criminal case according to the Court Reporter Act, in particular, Section 753(b)(1).

Furthermore, the petitioner, a prisoner filing pro se is being denied meaningful access to the court with regards to misplaced filings and ignored request for verification purposes.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in black ink, consisting of stylized initials and a surname, followed by a horizontal line.

Date: September 6, 2018

APPENDIX A