

18-6678

No. 17-3492

ORIGINAL

Supreme Court, U.S.
FILED

OCT 30 2018

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Jermeal White — PETITIONER
(Your Name)

VS.

Charmaine Bracy, warden — 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

Jermeal White #654-040
(Your Name)

S.O.C.F. Po. Box 45699
(Address)

Lucasville, Ohio 45699
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

1. Did the United States Court of Appeals for the Sixth Circuit evaluate petitioner's Certificate of Appealability under the Law?
2. Did the petitioner show a substantial denial of his constitutional right as to claim two of petitioner's Certificate of Appealability?
3. Did the United States District Court process petitioner's insufficient evidence claim under the rules and Law?
4. Did the United States Court of Appeals for the Sixth Circuit properly deny petitioner's application for rehearing?
5. Is petitioner's convictions supported by sufficient evidence at all?

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

Jackson v. Virginia. ~~1979~~ 1979 443 U.S. at 307, 316 } page #
White v. Steel 602 F.3d 707; 2009 U.S. at 710 } 4
(6th circuit)

STATUTES AND RULES

OTHER

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 CASE NO. 17-3492 (6th circuit); 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☐ is unpublished.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 CASE NO. 1:16-cv-1593; 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☐ is unpublished.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 Ohio Eighth District Court of Appeals court appears at Appendix C to the petition and is

☒ reported at State v. White, case no. 1015710; 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 March 13, 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: June 13, 2018, and a copy of the order denying rehearing appears at Appendix D.

☒ An extension of time to file the petition for a writ of certiorari was granted to and including November 15 (date) on 2018 (date) in Application No. 18 A 329.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

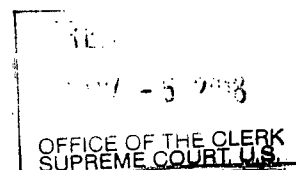
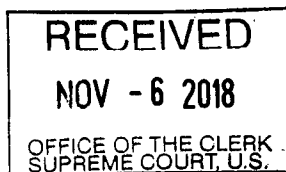
☐ For cases from **state courts**:

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

Insufficient evidence violates a person's due process rights under the sixth and fourteenth amendments to the U.S. Constitution.

STATEMENT OF THE CASE

The U.S. District court did not process petitioner's insufficient evidence claim under the Law and Rules - the U.S. magistrate Judge applied the second layer ~~of~~ ~~difficult~~ to petitioner's insufficient claim, the magistrate Judge did not apply the ~~first~~ ~~layer~~ layer of deference to petitioner's, insufficient evidence claim, which is required under Jackson v. Virginia.

The United States Court of Appeals for the Sixth Circuit did not properly process petitioner's insufficient claim, or petitioner's certificate for appealability.

At rehearing petitioner explained that the U.S. ~~District~~ District court adopted an incorrect legal standard. That the court did not apply the standard ~~of~~ of Jackson v. Virginia (1979) or White v. Steele, 602 F.3d 707, 710 (6th circuit) before the unreasonable application can be applied. And that jurists of reason would dispute the denial of petitioner's insufficient evidence claim. The United States Court of Appeals for the Sixth Circuit denied petitioner's application for rehearing June 18, 2018.

REASONS FOR GRANTING THE PETITION

The court should grant the petition on the fact that the U.S. District court did not follow ~~the~~ the Law or the general rule as to all sufficiency of the evidence claims.

And the fact that the United States court of appeals ~~did~~ for the Sixth circuit did overlook petitioner's application for an certificate of appealability, and did ~~not~~ ~~process~~ process the facts of petitioner's insufficient evidence ~~claim~~ claim, or the application.

The petitioner did ask the United States court of Appeals for the Sixth circuit to review his convictions under the standard that there was sufficient evidence to prove him guilty beyond a reasonable doubt.

The rules of this court have not been followed, and the court should grant the petition based on the facts, the Law, and rules.

Conclusion

petitioner is not an attorney and ask that this honorable court process the facts of his unlawful convictions with the rules of the law, and the facts of the petition. Also petitioner is under extraordinary circumstances was not able to attach certain Appendixes of the case, also petitioner ask the court to forward a copy of this petition to the United States Court of Appeals for the Sixth Circuit, and prays that the petition for a writ of certiorari is granted.

~~CONCLUSION~~

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

Respectfully submitted,

Journal White

Date: October 22, 2018