

18-6714

No. \_\_\_\_\_

Supreme Court, U.S.  
FILED

JUL 19 2018

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

SUAREZ PLASENCIA MAIKEL — PETITIONER  
(Your Name)

vs.

UNITED STATES OF AMERICA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

\_\_\_\_\_  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

SUAREZ PLASENCIA MAIKEL  
(Your Name)

ADAMS COUNTY P.O. BOX 1600  
(Address)

WASHINGTON, MS. 39190  
(City, State, Zip Code)

\_\_\_\_\_  
(Phone Number)

## QUESTION(S) PRESENTED

BEFORE I WAS SENTENCED MY SENTENCE WAS BETWEEN 24 - 33 MONTHS  
WHAT WAS TAKEN IN INTO ACCOUNT TO GIVE ME A SENTENCE 18 MONTHS  
GREATER THAN WHAT IT WAS ACCORDING TO THE GUIDE LINES?

HOW IS POSSIBLE THAT IT TOOK 4 MONTHS TO MAKE A PSI AND ONLY  
ONE DAY FOR THE JUDGE TO MANIPULATE THE TRIAL AT HIS PLEASE.  
WHERE EVERYTHING APPEARED TO BE IN FAVOUR OF THE COURT AND THE  
PROSECUTOR AND ~~NOTHING IN FAVOUR OF THE DEFENDANT?~~

WHY IN THIS COUNTRY THE LAW IS NOT APPLIED IN THE SAME WAY ON  
HISPANIC PEOPLE AS IT IS ON AMERICAN CITIZENS, WHEN THE CONSTITUTION  
STATES THAT IT MUST BE EQUAL TO EVERYBODY?

## LIST OF PARTIES

- [ ] All parties appear in the caption of the case on the cover page.
- [X] 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:

\* UNITED STATES OF AMERICA

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~~\* UNITED STATES DISTRICT COURT~~

FOR THE SOUTHERN DISTRICT OF FLORIDA.

\* ELEVEN CIRCUIT COURT OF APPEALS.

\* ELEVEN CIRCUIT OFFICE OF THE CLERK  
ATLANTA, GA.

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

I AM PROCEEDING IN PRO SE FORM AND I DO NOT KNOW TO MUCH ABOUT THE LAW. I AM CONFINED IN A CORRECTIONAL CENTER AND MY ACCESS TO SOME OF THE INFORMATION YOU ARE REQUESTING IS LIMITED. I AM PROVIDING AS MUCH INFORMATION AS I CAN.

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STATUTES AND RULES

OTHER

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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 \_\_\_\_\_ to the petition and is

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☐ is unpublished.

*I HAVE NO ACCESS TO IT*

The opinion of the United States district 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.

☐ 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 JUNE 15 2018.  
APRIL 11 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: APRIL 11 2018, 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).

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## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

I AM PROCEEDING IN PROSE FORM, I AM CONFINED IN A CORRECTIONAL CENTER WHERE THE INFORMATION YOU ARE REQUESTING IS HARD TO GET TO, THAT IS THE REASON I AM PROVIDING AS MUCH INFORMATION AS I CAN.

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## STATEMENT OF THE CASE

THE TESTIMONY GIVEN BY ONE OF THE WITNESS MR DAVID FUELLNER WHO TESTIFIED ON MY BEHALF THE FIRST DAY OF THE TRIAL, AND FOR A REASON I STILL DONT UNDERSTAND THE THIRD DAY OF THE TRIAL HE PRESENTED A DIFFERENT TESTIMONY, CONTRADICTING HIMSELF OF WHAT HE HAD SAID THE FIRST DAY OF THE TRIAL, AND IN FAVOUR OF THE PROSECUTOR.

THE EVIDENCE PRESENTED IN TRIAL (GPS) WAS FALSE, A GPS

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~~THAT WAS NOT A PROPERTY OF THE DEFENDANT~~

THE ONLY EVIDENCE THE PROSECUTOR HAD ~~TO~~ AGAINST ME WAS FABRICATED.

## REASONS FOR GRANTING THE PETITION

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SINCE I CAME TO THE UNITED STATES OF AMERICA, I HAVE BEEN WORKING HARD, I AM A GOOD FATHER, HUSBAND, HUMAN BEING, HONEST, NOBLE, RESPONSIBLE, ALWAYS TRYING TO DO WHAT IS RIGHT, AND TO SET A GOOD EXAMPLE FOR MY KIDS, WHICH ARE RESIDENTS OF THIS COUNTRY. I HAVE TO HELP MY WIFE, BECAUSE SHE IS HAVING A HARD TIME RIGHT NOW SUPPORTING ~~MY~~ OUR KIDS, TAKING IN CONSIDERATION ALL THE RESPONSABILITIES THAT SHE HAS RIGHT NOW AND NOT HAVING ANY HELP AT ALL.

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I AM ASKING THIS HONOURABLE SUPREME COURT TO GIVE ME THE OPPORTUNITY TO SHOW YOU THAT I AM A GOOD MAN, AND I COULD ACCOMPLISH ALL MY GOALS AND BE A GOOD CITIZEN.

ANOTHER REASON WILL BE THAT I WANT THROUGH A TRIAL WHICH WAS NOT FAIR FOR ME AT ALL, I SAW A LOT OF DISCRIMINATION, A LOT OF FACTS THAT WERE NOT RIGHT, LIKE I SAID A TRIAL THAT SHOULD HAVE BEEN FAIR FOR ME AND IT WAS NOT.

I AM ASKING AGAIN TO THIS HONOURABLE COURT TO SHOW COMPASSION AND FAIRNESS TO MY PERSON, AS A HUMAN BEING, MY WIFE AND KIDS ARE SUFFERING FOR THIS SITUATION, I KNOW THAT THEY NEED ME AS MUCH AS I NEED THEM TOO. I KNOW THAT AS A CUBAN I AM NOT DEPORTABLE, AND I AM FIGHTING TO OBTAIN THE FREEDOM THAT I NEVER SHOULD NOT HAVE LOST IN THE FIRST PLACE, AND BE ABLE TO BE BACK WITH MY FAMILY AGAIN. THANK YOU VERY MUCH.

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CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Maikel Suarez Plasencia

Date: 07/16/2018