

MAR 15 2019 N.F

FOR MAILING

NO. 18-7320

IN THE
SUPREME COURT OF THE UNITED STATES

NEHEMIAH WILLIAM FORD - PETITIONER

VS.

JULIE L. JONES, Secretary, Florida Department of Correction, et al.
- RESPONDENT(S)

RULE 44. PETITION FOR REHEARING

This case and the controversy, will be granted only upon a showing that the case is of such imperative public importance to justify deviation from normal appellate practice and to require immediate determination in this court. See U.S.C. § 2101(e), the "controversy" must necessarily be of a justiciable nature, thus excluding an advisory decree upon a hypothetical state of facts. The existence or non-existence of any right, duty, power, liability, privilege, disability, or immunity or of any fact upon which such legal relations depend, or of a status, may be declared. The Supreme Court present issues of importance to the Federal Judicial System or to the Nation Federal Constitutional or Statutory Law and Conflicts.

The usual rule in Federal cases is that an actual controversy must exist at stages of appellate or certiorari review, and not simply at the date the action is initiated. Supreme Court's view as to what is a "case or controversy" within the meaning of Article III of the Federal Constitution or an "actual controversy" within the meaning of the Declaratory Judgment Act (28 U.S.C. § 2201), 40 LED2D 783. The importance of these issues is Ineffective Assistance of Appellate Counsel A constitutional guarantee right under the Sixth Amendment, Fifth Amendment, Eighth Amendment and Fourteenth Amendment Equal Protection Clause, and Due Process Clause guarantee. The Supreme Court of the United States have already ruled in these issues. Remanded, the lower courts lack of guidance on these issues has a determination of fundamental character of the right. The conflicts on these issues between the Lower District and Appellate Courts needs Supreme Court Review. The Courts apply a strict scrutiny standard of review to the fundamental right protected by the liberty clause of the Fourteenth Amendment.

Constitution Law § 841 - criminal defendant - jury / The Federal Constitution gives a criminal defendant the right to demand that a jury find the defendant guilty of all the elements of the crime with which the defendant is charged. Requirements of Article III of Federal Constitution as affecting standing to challenge particular conduct as violative of federal law, 70 LED2D 941. A liberty interest under the Due Process Clause of the Federal Constitution's Fourteenth Amendment may arise from (1) the Constitution itself, by reason of guarantees implicit in the word "liberty," or (2) an expectation or interest created by state laws or policies. The Due Process Clause guarantees more than fair process, and the liberty it protects includes more than the absence of physical restraint, Due Process Clause

Protects individual liberty against certain government actions regardless of the fairness of the procedures used to implement them. The Due Process Clause provide heightened protection against government interference with certain fundamental right and liberty interests. The United States Supreme Court, when asked to break new ground by extending constitutional protection to an asserted right or liberty interest under the Due Process Clause of the Federal Constitution's Fourteenth Amendment, must exercise the utmost care, lest the liberty protected by the Due Process Clause be subtly transformed into the Police preferences of the members of the Supreme Court. Art. VI does establish that this Constitution and the Laws of the United States which shall be made in Pursuance thereof shall be the supreme Law of the Land and binds judges of State Courts to up hold it "anything in the Constitution or Laws of any State to the contrary notwithstanding under the Supremacy Clause of Art. VI, State judges are bound by the United States Constitution notwithstanding Contrary State Law. The Art. III subject matter jurisdiction of the Supreme Court includes cases arising under the Constitution in conflict with prior Supreme Court decisions. The principle that the injury in fact which Article III requires for standing may exist solely by virtue of Statutes creating legal rights, the invasion which creates standing. The injury must be "fairly" traceable to the challenged action, and relief from the injury must be "likely" to follow from a favorable decision. Missouri v. Jenkins (1990) held that the Federal court may enjoin the operation of State laws where they obstruct conformance with Federal constitutional guarantees. The Federal Courts are, therefore, permitted to "disestablish local government institutions that interfere with the Fourteenth Amendment's commands".

The Petitioner also seeked counsel under sec. 3006A. Adequate representation of Defendant, (a) choice of plain (2) Whenever the United States magistrate judge or the court determines that the interests of justice so require, Representation may be provided for any financially eligible person who (2)(B) is seeking relief under Section 2241, 2254 or 2255 of title 28. The Petitioner was Denied the right to Counsel on his 2254 Habeas Corpus by not receiving Counsel were counsel was need for the interest of justice.

CONCLUSION

WHEREFORE the Petitioner Prays this Honorable Court shows Righteousness to the Petitioner and give him a suspension of the Order denying Certiorari and Grant Certiorari with Remand, YAHWEH Bless all of you.

Respectfully Submitted,

/s/ Mr. Nehemiah William Ford

Nehemiah William Ford DC # C-108886

Jackson Correctional Institution Dorm A-2117-U

5563 10th Street

Malone, Florida 32445

Certification of Counsel (or of a party unrepresented by
counsel).

151 Mr. Nehemiah William Ford.

Nehemiah William Ford DC #C-108886

Jackson Correctional Institution Dorm A-2117-4

5563 10th Street

Malone, Florida 32445

Cited Authorities and Authorities

Missouri v. Jenkins, (1990)
 Strickland v. Washington, 466 U.S. 668, 104 S.Ct. 2052, 80 L.Ed.2d 674 (1984)
 Booker v. United States, 160 L.Ed.2d 621, 125 S.Ct. 738 (2005)
 Glover v. United States, 531 U.S. 198, 203, 121 S.Ct. 696, 148 L.Ed.2d 609 (2001)
 Ewith v. Lacey, 469 U.S. 387, 105 S.Ct. 830, 83 L.Ed.2d 821 (1985)
 Luis Mariano Martinez v. Charles L. Ryan, 182 L.Ed.2d 272, 566 U.S. 1
 Allen v. Wright, 468 U.S. 737, 751, 82 L.Ed.2d 556, 104 S.Ct. 3315 (1984)
 Custon v. United States, 160 L.Ed.2d 991, 543 U.S. 1117 no. 03-10490
 40 L.Ed.2d 783
 70 L.Ed.2d 941
 Brady v. Maryland 373 U.S. 83 (1963)
 Giglio v. United States 405 U.S. 150 (1972)
 Todd v. Waldman, 266 U.S. 547, 45 S.Ct. 193 (1925)
 Wilkinson v. Austin 162 L.Ed.2d 174, 545 U.S. 209
 Miranda v. Arizona, 16 L.Ed.2d 694, 384 U.S. 436
 G.A.O.L. v. State, 2018 Fla. App. LEXIS 15240 October 24, 2018
 DeLeon v. Wachovia Bank, NA 946 S.2d 626 January 17, 2007
 Cuservo v. State, 967 S.2d 155 July 12, 2007 Supreme Court of Florida
 Freddie Lee Hall v. Florida, 572 U.S. —, 134 S.Ct. 1986, 188 L.Ed.2d 1007, 2014 U.S. LEXIS 3615
 Atkin v. Virginia, 153 L.Ed.2d 335, 536 U.S. 304
 Jamey L. Wilkins v. GAOBY, 559 U.S. 34, 130 S.Ct. 1175, 175 L.Ed.2d 995, 2010 U.S. LEXIS 1036
 Laffey v. Cooper, 182 L.Ed.2d 398, 566 U.S. 156
 O'S Mc Donald vs. City of Chicago, Illinois, 561 U.S. 742, 130 S.Ct. 3020, 177 L.Ed.2d 894, 2010 U.S. LEXIS 5523

MAR 15 2019 N.F.

FOR MAILING C

NO. 18-7320

IN THE
SUPREME COURT OF THE UNITED STATES

NEHEMIAH WILLIAM FORD - PETITIONER

VS.

JULIE L. JONES, Secretary, Florida Department of Corrections, et al
- RESPONDENT(S)

RULE 22. APPLICATIONS TO INDIVIDUAL JUSTICES
TO HONORABLE RUTH BADER GINSBURG

The petitioner asks HONORABLE RUTH BADER GINSBURG in the name of YAHWEH to suspend the Order of Denial of his writ of Certiorari and show him Righteousness in his behalf in which he feels he has been Done Wrong by this SUPREME COURT for over looking the truth on issues that has been brought to this SUPREME COURT and REMANDED for other's with the Same Issues. Therefore the Petitioner asks HONORABLE RUTH BADER GINSBURG to over look his case in Righteousness and asks YAHWEH to Bless you in the name of YAHWEH OF HOSTS.

RECEIVED

APR 02 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Cited Authorities and Authorities

Missouri v. Jenkins, (1990)

Strickland v. Washington, 466 U.S. 668, 104 S.Ct. 7052, 80 L.Ed.2d 674 (1984)

Booker v. United States, 160 L.Ed.2d 621, 125 S.Ct. 738 (2005)

Glover v. United States, 531 U.S. 198, 203, 121 S.Ct. 696, 148 L.Ed.2d 604 (2001)

Evitts v. Lucey, 469 U.S. 387, 105 S.Ct. 830, 83 L.Ed.2d 821 (1985)

Luis Marisno Martinez v. Charles L. Ryan, 182 L.Ed.2d 272, 566 U.S. 1

Allen v. Wright, 468 U.S. 737, 751, 82 L.Ed.2d 556, 104 S.Ct. 3315 (1984),

Criston v. United States, 160 L.Ed.2d 991, 543 U.S. 1117 no. 03-10490

40 L.Ed.2d 783

70 L.Ed.2d 941

Brady v. Maryland 373 U.S. 83 (1963)

Giglio v. United States 405 U.S. 150 (1972)

Toy v. Waldman, 266 U.S. 547, 45 S.Ct. 193 (1925)

Wilkinson v. Austin 162 L.Ed.2d 174, 545 U.S. 209

Miranda v. Arizona, 16 L.Ed.2d 694, 384 U.S. 436

G. A. Q. L. v. State, 2018 Fla. App. Lexis 15240 October 24, 2018

De Leo v. Wachovia Bank, NA 946 So.2d 626 January 17, 2007

Cuevo v. State, 967 So.2d 155 July 12, 2007 Supreme Court of Florida

Freddie Lee Hall v. Florida, 572 U.S. —, 134 S.Ct. 1986, 188 L.Ed.2d 1007, 2014 U.S. Lexis 3615

Atking v. Virginia, 153 L.Ed.2d 335, 536 U.S. 304

Tamey L. Wilkins v. GADDY, 559 U.S. 34, 130 S.Ct. 1175, 175 L.Ed.2d 995, 2010 U.S. Lexis 1036

LAHler v. Cooper, 182 L.Ed.2d 398, 566 U.S. 156

Otis McDonald vs. City of Chicago, Illinois, 561 U.S. 742, 130 S.Ct. 3020, 177 L.Ed.2d

894, 2010 U.S. Lexis 5523

Certification of Counsel for of a party unrepresented by
Counsel).

151 Mr. Nehemiah William Ford

Nehemiah William Ford Oc # C-108886

Jackson Correctional Institution Dorm A-2117-u

SS 63 10th Street

Malone, Florida 32445