

No. _____

18-7890

IN THE

SUPREME COURT OF THE UNITED STATES

ORIGINAL

In Re: Jose Joaquin Ramirez

(Your Name)

vs.

PETITIONER

FILED

JAN 08 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

— 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~~

Extraordinary Writ

José Joaquin Ramirez

(Your Name)

Employed At: Mid-Hudson Forensic Psychiatric Center
2834 Route 17M

(Address)

New Hampton, New York - 10958

(City, State, Zip Code)

347-209-1325

(Phone Number)

(Francis St. John Melby Robinson)

RECEIVED

FEB 11 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

QUESTION(S) PRESENTED

Can a college graduated individual from a top ranked college, with a complete control of the English Language, with absolutely No sincere history of mental illness, disease or defect - with medical documents from over a dozen mental health professionals affirming No mental illness - be deemed legally incompetent strictly by State Government doctors? Without a chance to appeal? Without procedural guards? Viotellu Jans (1980)

Can the Government Force a "Mental Health" Attorney upon a political opponent with absolutely no history of mental health - who repeatedly refuses State defense Attorney, who repeatedly waives right to counsel, who repeatedly asserts *Forett v. California* (1975) rights? Please see S.D.N.Y. 18-cv-6203, now on appeal to 2nd Circuit at # 19-89 titled *José Joaquín Ramírez vs. Jeffery C. Bloom et al.*

Is a Streamline of informal complaints, formal Attorney Grievances, repeated efforts to seek an Order of protection and Restraining Order against State Defense Lawyer and a Federal lawsuit enough to assert a clear and absolute Conflict of Interest in having a State Paid Defense Lawyer (What if it was acknowledged as such by a separate member of the same exact law firm - Legal Aid Society?)

Can the Government enslave an accused for over 18 plus months and counting without a trial, even when trial is repeatedly demanded? What if the State uses a pretended, non existing mental illness to render the delay the fault of the accuse who was completely competent?

Can the Government repeatedly refuse to afford bail to an individual with no previous Felony Convictions, with no documented instances of violence, with no flight risk? Even after 19 months of pre-trial conviction, enslavement with no trial in sight?

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:

This is absolutely an Ex Parte Request. The undersigned has petitioned the State Courts for Relief of Freedom, to which the gov't caused purposeful delays, See Supreme Court Docket # 18-5425 (pending rehearing)

The Undersigned petitioned the Federal Courts for Relief See S.D.N.Y. # 17-CV-9103, See Second Circuit # 18-705, Now at Supreme Court Docket # 18-7058

The undersigned has a current pending suit for Freedom at S.D.N.Y. that the Gov't has caused further delay, See # 18-CV-6610, response adjourned till March 20th, 2019 at request of a Gov't that refuses to provide a trial.

This is absolutely an Ex Parte Request to avoid the Gov't that refuses to provide a trial with any further avenues for delay. Jose Joaquin Ramirez is the sole party to this suit. In Re Jose Joaquin Ramirez.

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APPENDIX A Document may produced showing exhaustive Efforts for Assistance
and Factum and Legal Arguments detailed

APPENDIX B

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TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
Farrell v. California (1975)	3, 5
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Estelle v. Smith (1981)	3, 5
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STATUTES AND RULES

OTHER

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR ~~WRIT OF CERTIORARI~~

Extraordinary Writ

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.

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 _____.

See ☐ No petition for rehearing was timely filed in my case.

Docket # ☐ 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 _____.

18-7058 ☐ 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).

This is an Original Proceeding After Exhaustive measures at each and every other court

☐ For cases from **state courts**:

See The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

Docket # ☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

18-5425 ☐ 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).

The Jurisdiction of this court is invoked under 28 U.S.C. Section 1651(a) and Rule 20 of Supreme Court

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CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Right to a Speedy trial - 6th Amendment, See Attaching Exhibit

The Right to defend self, Faretta v. California (1975) and the 6th Amendment right to do so

The 14th Amendment Procedural due Process set forth in Vieth v. Jones (1980) and the Gov't repeatedly having the petitioner enslaved at a Madhouse with absolutely NO WRITTEN NOTICE

The 5th Amendment Right to remain silent as set forth by Estelle v. Smith (1981) 451 U.S. 351 and the Attaching rights of Miranda v. Arizona (1966) 384 U.S. 436. The undersigned was forced to speak with "doctors" - refusal would have resulted in hospitalization but speaking was bound to the same result. This is repeated.

Equal Protections of 14th Amendment - white man accused in nearly identical accusation received \$50,000 bond right away - on a threat to a U.S. Senator - See Attachment

The 8th Amendment Right to Bail, No previous Felony Convictions, No Flight Risk, No threat to self or others, yet still no bail provided After over 560 plus days and counting.

The 5th and 6th Amendment Right to be accused and furnished with copies of complaint, indictment and some form of discovery/particulars See S.D.N.Y. 18-CV-6203 (at 2nd Cir #19-89) See S.D.N.Y. 18-CV-6610 See Supreme Court docket #18-5425 (pending rehearing) - the Gov't refuses to furnish a single document upon the accused.

STATEMENT OF THE CASE

Petitioner is locked away for over 560 plus days and counting (started 07/18/2017) on a low level class D Felony accusation the Gov't refuses to take to trial

Petitioner has repeatedly demanded trial and consistently and continuously asserted the 6th Amendment *Faretta v. California* (1975) rights and Title 28 U.S.C. Section 1654

Petitioner has presented cases to every available court, NYS Appellate Div. - 1st Dept, NYS Court of Appeals (see Pocket 18-5425 at court) and S.D.N.Y. Court, #17-CV-9103, 17-CV-10171, 18-CV-3486, 18-CV-4040, 18-CV-6610, 18-CV-6612, 18-CV-9260 and the 2nd Cir, see #18-705, 18-1564, 18-2684 and of course the Supreme Court, see Pocket 18-5425 and 18-7058. Proving legal Ability.

Petitioner is college educated / graduated with no history of mental illness but has been repeatedly hospitalized for asserting *Faretta* Rights and opposing a Corrupt Regime, see S.D.N.Y. 17-CV-10171 Amended Complaint, see attaching medical documents on file at S.D.N.Y. #18-CV-6610 proving Absolutely No Mental Illness at all.

The Gov't has consistently and continuously forced a "mental health" lawyer upon petitioner for the sole purpose of stopping a trial by Jury - see *Jesse Jaramin Ramirez vs. Jeffery C. Bloom* S.D.N.Y. #18-CV-6203 (On Appeal, 2nd Cir #19-89)

Petitioner provided extensive reasons for bail, for release, provided numerous character statements as well as an abundance of medical documents affirming mental stability.

Petitioner has already been bankrupted, family evicted and displaced, lost All worldly possessions and the Gov't still refuses a trial. The Gov't refuses to offer a "Plea Deal" and refuses to accept a tortured plea of Guilty to the pretended crime.

Petitioner has asserted All Rights multiple times to all courts to no avail, and opposing Gov't repeatedly does everything for dilatory purposes and tactics. Enough is Enough.

Petitioner is now in Madhouse, due to October 2nd, 2018 "evaluation" that labeled Petitioner delusional for wanting to have case pending before National Supreme Court. Pocket #18-5425 was denied one week later on October 9th, 2018. (pending retrial) The Petitioner now labeled with "adjustment disorder" is in limbo, no trial dates, no relief, no end in site. This is the second abuse of Political Psychiatry (S.D.N.Y. 17-CV-10171) The Gov't refuses to lose control of Starr Chamber with a proper Jury Trial.

REASONS FOR GRANTING THE PETITION

Relief has been repeatedly petitioned at every available court to absolutely no avail, even when the reasons for denial have been improper - See Supreme Court 18-5428, and 18-7058. There is No other available forum for Relief. This is Obvious.

What the Gov't has done to Petitioner is a National Urgent systemic ordeal, one that demands the prompt and Swift Justice of the Supreme Court.

The fact that an individual can file an Amended Complaint in a Federal District Court (See S.D.N.Y. #18-CV-3486), submit motions and brief in a Federal Court of Appeals (see 2nd Cir #19-89) and petition the National Supreme Court in this petition, but still be labeled legally incompetent Proves the Severe Urgent Plight, the overwhelming exceptional circumstance the Court mandates. Over a dozen medical professionals affirm the assertions of petitioner of no mental disease or defect - the lower courts all are aware of said documents, and still Petitioner is creating this document under the pretended legal status of being "incarcerated" from a madhouse, and was Not Given the well established rights of Vieth v. Jones (1980) 448 U.S. 480 to make such an horror occur.

The lower courts seem unwilling to intervene and this has been the plight in both State and Federal Courts, Still 19 months later, No Relief is Had.

Should the Supreme Court Refuse this Case, a Raging Gov't will continue to oppress Political opponents with pretended criminal "charges" and indefinite torture of imprisonment in horrible conditions (See S.D.N.Y. 18-CV-9260) and with Political Hospitalizations - (See S.D.N.Y. 17-CV-10171) - and Nothing will be done. If a Gov't can force petitioner (college graduated, No Mental Illness at ALL) into the Madhouse, for the sole purpose of breaking human will and for refusing a Public Trial, No individual in this Greatest Nation of America can ever demand a trial by Jury - there are no Barker v. Wingo (1972) rights. If the Court refuses to take this case, no individual can represent self, there are no Faretta v. California (1975) rights. If the Court refuses to hear this case, there are no Vieth v. Jones (1980) rights and there are no Estelle v. Smith (1981) rights. For anything more, please see the Attachment Exhibit and the mentioned cases upon public Pockets.

ination and in conclusion, Petitioner has repeatedly asserted all rights, has repeatedly exhausted available remedies and the facts detailed are so outrageous to warrant extraordinary relief at this point and time.

The problems detailed are of sincere National concern, affecting hundreds of thousands of individuals across this Nation and as for this reason warrants the discretion of this court to properly adjudicate upon the merits of the case presented.

For the reasons set forth in this petition, and the facts affirmed by the attachment, and numerous intervenor suits, This Petition for Extraordinary Relief Pursuant to Title 28 U.S.C. Section 1651(g) and Rule 20 for a Title 28 U.S.C. Section 2241 Writ of Habeas Corpus should be Granted Ex Parte. Please Grant the Petition and afford a Bail pending the Final disposition of the case. The Law is clear on the positions asserted and the Supreme Court should not hesitate to furnish Petitioner with the requested relief. This is still America, there is still a Constitution.

CONCLUSION

Extraordinary Writ of Habeas Corpus

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

Respectfully submitted,

J Ram-Hotq Hotq

Date: Friday - February 1st, 2019

Jose Joaquin Ramirez
Proper Person - Sui Juris
Political Prisoner
Prisoner of Conscience

- Dolefully Enslaved; deprived of life, liberty and property without due process of law and forced into shackles, chains, peonage, involuntary servitude and slavery without being duly convicted of any crime whatsoever !!!!!!!