

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

IN THE  
SUPREME COURT OF THE UNITED STATES

MARIO AKOTH E — PETITIONER  
(Your Name)

vs.

10th Cir. Appeals Court — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

10th, Cir. Court of Appeals  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

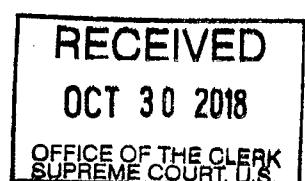
MARIO AKOTH E, #673106  
(Your Name)

2115 S C-Unit, Box 508  
(Address)

LAWTON, OK 73051  
(City, State, Zip Code)

None  
(Phone Number)

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QUESTION(S) PRESENTED

- (1)- What AVENUE IS AVAILABLE TO SEEK  
HABEAS ENFORCEMENT OF THE ATTACHES  
TREATY BARING THE STATE OF OKLA  
FROM HAVING JURISDICTION OVER  
KICAPOO - INDIANS ?
- (2)- What AVENUE IS AVAILABLE TO SEEK  
HABEAS OR APPAL WHEN A CERTIFICATE  
OF APPALABILITY IS DENIED WITHOUT  
DUE PROCESS OF A HEARING ?
- (3)- What AVENUE IS AVAILABLE TO COMPEL  
STATE COURT TO COMPLY WITH U.S.  
SUPREME COURT RULING WHEN FEDERAL  
COURT BAR ACCESS FOR ATTACHES ?
- (4)- Are FEDERAL COURTS CONSTITUTIONALLY OBLIGED  
TO WRITE HABEAS CORPUS APPLICANTS BEFORE  
THE COURT FOR AN INQUIRY (HEARING) BEFORE  
IT HAS JURISDICTION TO DENY ATTACHES RELIEF ?

## 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

LONGHORN v- THOMAS, 116 S.Ct 1293, 1792, 1303  
 MURRAY v- CARRICK, 106 S.Ct at 2651 n. 500  
 AWAO v- OKLA, 670 F.3d. 441  
 U.S. v- HAYMAN, 342 U.S. 250  
 ELLIS v- MABAY, 601 F.2d 363  
 HICKS v- OKLA, 106 S.Ct 2227  
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 STRONG v- MARKLEY, 86 S.Ct 67  
 WICKWOOD v- HOPKINS, 118 S.Ct 356 (1886)-  
 ALLEN v- McCARTY, 101 S.Ct 411  
 MURDOCH v- MADISON, 5 U.S. 137 (1-CRANCH 1803).  
 U.S. v- SLATFORD, 865 F.2d 767 (DC 2017)  
 U.S. v- FERGUSON, 106 S.Ct 125  
 U.S. v- STANDS, 968 F.2d. 1058 (10th Cir 1992).

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### STATUTES AND RULES

28 U.S.C § 1165  
 28 U.S.C § 2241  
 28 U.S.C § 2254  
 28 U.S.C. § 1658

OTHER  
 U.S. CONST ART (2) BRIEFLY ON RIGHTS (10)  
 U.S. CONST ART (6) - CL (2)  
 U.S. CONST ART (1) SEE (9)  
 U.S. CONST ART (1)(4) (8), see 10th  
Attachment TREATY

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 \_\_\_\_\_ N/A; 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 \_\_\_\_\_ N/A; 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 \_\_\_\_\_ N/A; 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 8/29/18.

[ ] 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: 7/11/18, 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**:

N/A

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

ENFORCEMENT OF U.S. TREATY WITH MEXICO  
ACT OF CONGRESS BANNING STATES FROM DOING  
(18 U.S.C. § 1165 - 42 U.S.C. § 1861) - Acts of Congress  
occur to court for HABEAS  
1st, 4th, 6th, 8th, 9th, and 14th, AMEND.  
S.C. decisions

## STATEMENT OF THE CASE

Due to mental disabilities, this petitioner had to  
seek assistance from another person.

No court will enforce the treaty (Attachment).

No court will bring him before the court

for a hearing (intoxicated).

No court will appoint counsel to assist him-

Also the crime took place on an Indian, by an Indian,  
IN AN INDIAN RESERVATION, in INDIAN TERMINITY, IN INDIAN  
country, in AN INDIAN COMMUNITY, OPPOSING OKLAHOMA STATE  
COURT OR JURISDICTION.

Due to petitioner's mental disability to this day,  
he still does not know to him, how he got in AN  
OKLAHOMA STATE PRISON.

No OKLAHOMA or FEDERAL COURT will hear his

CASE.

## REASONS FOR GRANTING THE PETITION

U.S. Treaty with Kickapoo Indians Should Be Enforced.  
Federal ~~Am~~ State Courts Should Be Compelled  
to WRT HABEAS CORPES - APP wants to Court ~~For~~ A  
HABEAS OR INJUNCTIVE, BECAUSE IT'S DISMISSED  
Federal court should enforce acts of Congress  
Federal Constitution ~~by~~ Statutes.

There must be some means available to this  
Petitioner to APEAL A DENIAL OF A CERTIFICATE OF  
APPEALABILITY, OR COMPEL A HEARING ON that matter.

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Mario Agosto

Date: 7/28/2018