

NO. 18-8530

IN THE  
SUPREME COURT OF THE UNITED STATES

ORIGINAL

STEVEN D. YOUNG - Petitioner.

VS.

MARK S. INCH - RESPONDENT  
SECRETARY DEPARTMENT OF CORRECTIONS

ON PETITION FOR WRIT OF CERTIORARI TO

ELEVENTH CIRCUIT COURT OF APPEALS

PETITION FOR WRIT OF CERTIORARI

Steven D. Young #861067  
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Institution  
P.O. Box 1000  
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Petitioner pro se

Supreme Court, U.S.  
FILED

MAR-11 2019

OFFICE OF THE CLERK

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**

[1] The opinion of the Eleventh Circuit Court of Appeals appears at Appendix A to the Petition and is unpublished.

[2] The Motion For Reconsideration to the Eleventh Circuit Court of Appeals appears at Appendix B to the Petition and is unpublished.

[3] The opinion of the Eleventh Circuit Court of Appeal to the Motion For Reconsideration appears at Appendix C to the petition and is unpublished.

**TABLE OF CITED AUTHORITIES**

**FEDERAL CASES:**

Martinez v. Ryan,-----2, 9, 11  
566 U.S. 1, 132 S.Ct. 1309 (3/20/2012)

Trevino v. Thaler,-----2, 9, 11  
569 U.S. \_\_\_, 133 S.Ct. 1911 (5/28/2013)

**STATUTES**

28 u.s.c. §1254(1)-----7

**CONSTITUTIONS:**

5<sup>th</sup> Amendment-----2, 8, 11  
6<sup>th</sup> Amendment-----2, 8, 11

14<sup>th</sup> Amendments-----2, 8, 11

**LIST OF PARTIES**

[1] All parties appear in the caption of the case on the cover page.

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**INDEX TO APPENDIX**

APPENDIX A	Opinion of Eleventh Circuit dated 12/13/2018.
APPENDIX B	Motion For Reconsideration dated 1/3/2019.
APPENDIX C	Opinion of Eleventh Circuit dated 1/17/2019.

**JURISDICTION**

[1] The date on which the United States Court of Appeals decided my case was 12/13/2018.

[2] A Motion For Reconsideration was filed on 1/3/2019.

[3] The date on which the Motion For Reconsideration was returned was 1/17/2019.

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

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

[1] The constitutional issues involved is the due process & access to court clauses of the 5<sup>th</sup> & 14<sup>th</sup> Amendments to the United States Constitution.

[2] The constitutional issues involved is the right to counsel per the 6<sup>th</sup> Amendment to the United States Constitution.

## STATEMENT OF THE CASE

1. Mr. Young has tried to obtain justice in the State and Federal court system but the merits of his claims was never ruled on.

2. Mr. Young has tried to obtain counsel to represent him pursuant to Martinez v. Ryan, 566 U.S. 1, 132 S.Ct. 1309 (3/20/2012); Trevino v. Thaler, 569 U.S. \_\_\_, 133 S.Ct. 1911 (5/28/2013), but the courts refused to appoint counsel for him.

3. Mr. Young tried to appeal his denial of due process and access to court to the Eleventh Circuit Court of Appeals and filed on August 3, 2018 the following documents:

- [a] Certificate of Appealability
- [b] Motion For In Forma Pauperis
- [c] Certificate of Interested Persons

instead of ruling on these motions, the Clerk of the Eleventh Circuit Court of Appeals dismissed the appeal for want of prosecution for failing to pay the filing fee. **Mr. Young has no money** and he has almost a two thousand dollar lien on his account. (Appendix A).

4. The Petitioner filed a Motion For Reconsideration attaching proof that the above documents was filed but the Clerk of the Eleventh Circuit Court of Appeals returned the motion without considering the merits. (Appendix B).

5. Through out the Petitioner's postconviction proceeding, Mr. Young has never had counsel appointed for him and he had to rely soley on prison law clerks who are improperly trained to assist him.

6. Mr. Young has not received due process or his day in court because he cannot afford to pay an attorney to represent his due process claims.

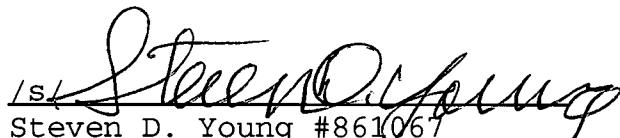
**REASONS FOR GRANTING THE PETITION**

The reason that this Court should grant this certiorari is because the Eleventh Circuit Court of Appeals entered a decision that conflicts with the 5<sup>th</sup>, 6<sup>th</sup>, & 14<sup>th</sup> Amendments of the U.S. Constitution and this Courts opinions found in Martinez v. Ryan, 566 U.S. 1, 132 S.Ct. 1309 (3/20/2012); Trevino v. Thaler, 569 U.S. \_\_\_, 133 S.Ct. 1911 (5/28/2013).

**CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted:

  
\_\_\_\_\_  
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