

18-8777
No. _____

Supreme Court, U.S.
FILED

NOV 01 2018

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

ABDU-SALIM, GOULD — PETITIONER
(Your Name)

vs.

STATE OF NORTH CAROLINA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Supreme Court of North Carolina
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

ABDU-SALIM, GOULD @ Estate.
(Your Name)

General - Post office, Central Prison
Western Blvd. 1300 Raleigh Province USA

(Address) (4285 Mail Service Center)
non-Residential, non-Domestic, non-commercial
(27699)

(City, State, Zip Code)

(Phone Number)

ORIGINAL

QUESTION(S) PRESENTED

- Adw-H, Jul 3-22-19
- I. Did Trial Court Error in Denial of Pretrial Motions "Pro Se" Before the Appointment of Counsel? If Motions Entertained "Pro Se", Does Petitioner Bear the Right to Present Issues on Appeal? When Evoked, Is one entitled to the Right of Self-Representation?
 - II. If Original Indictment Fatally Flawed on Its Face, Does A Prosecution sought by the Empaneling of a second Grand Jury to seek A second Indictment from same Information After five years Constitute Double Jeopardy? If Originally Flawed, without A Bill of Particularies or A Amendment, Does Jurisdiction Over Subject Matter Exist?
 - III. Without Due Process of Law, Procedure, Proper Investigation in the Identifications Process creating Inadmissible Statements, Evidence, and Testimony Constitute a valid Conviction?

LIST OF PARTIES

b1-22-19
Sub-No. 11
[] 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:

I. Bertie County Clerk of Superior Court

Superior Court Division

Honorable Cy A. Grant

Senior Resident Judge

Bertie County Courthouse

108 Dundee Street

P.O. Box 370, Windsor NC 27983

X

II.

North Carolina Court of Appeals

Court of Appeals Building

One West Morgan Street

P.O. Box 2779, Raleigh, NC 27602

X

III.

State of North Carolina Department of Justice

Office of the Attorney General, Joshua Stein (- Served*)*

Att'n: Kenneth A. Sack

P.O. Box 629, Raleigh, NC 27602

IV.

Supreme Court of North Carolina

Justice Building, 2.E. Morgan Street

P.O. Box 2170, Raleigh, NC 27602

X

V.

District Attorney's Office, District #6

Valarie Ashbell / Lisa M. Coetain

119 Justice Drive, Suite 11

Winton, NC 27986

(- Served *)*

List of Parties

(1) All parties appear in the caption of the case on the cover page.

(2) All parties DO NOT appear in the caption of the case on the cover page.
A list of all parties to the proceeding in court whose judgement is the subject of this petition is as follows:

3-22-19
J
M.
M.
- United States Attorney General, William Barr
Office of the Attorney General of the U.S.
United States Dept of Justice
810 7th Street N.W.; Washington, D.C. 20531

- State of North Carolina
Attorney General Joshua H. Stein
Atty: Asst. Attorney General Kenneth A. Sack
P.O. Box 629, Raleigh NC 27602-0629

- District 6th of North Carolina
Office of The Attorney General
District Attorney Valerie ASHbell
Asst. Dist. Attorney Lisa M. Coletrain
119 Justice Drive, Suit 11
Winton, NC 27986

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Appendix A; ORDER of Supreme Court of North Carolina
Petition for Writ of Certiorari to Review Order of
North Carolina Court of Appeals "Dismissed"

Appendix B; *Copy* ORDER of North Carolina Court of Appeals
Dismissed without prejudice until its future filing by
Defendant's Appointed Counsel if Appropriate

Appendix C; ORDER of Supreme Court of North Carolina
Writ of Certiorari; Motion to Proceed Forma Pauperis

OK

II.

1. Writ of Immediate Appeal; Motion in limine; "Dismissed"

Sept. 27, 2018

ORDER of North Carolina Court of Appeals Writ of Certiorari

to Supreme Court of NC. on ORDER of NC. COA "Dismissed"

Certified to Superior Court of Bertie County Oct. 2, 2018

3-22-19

Appendix D; Pretrial Transcript Oct. 5, 2017

Denied Motion of Dismissal of Indictment - Information

Support Brief, Joint Appendix.

Appendix E; Response to Averment of Jurisdiction by Daniel M. Horne, Jr., Clerk of NC. Court of Appeals

Appendix F; Indictment File No. 17CRS 50; Assault with a Deadly Weapon, Intent to Kill, Inflicting Serious Injury.

Appendix G; Indictment File No. 13CRS 50001; Attempted First degree murder

Appendix H; Indictment File No. 13CRS 50002; Possession of A Firearm by Felon

Appendix I; Trial Transcript pages 6-12; Second Pre-trial Hearing (Conference) Oct. 9, 2017

dh

III.

Appendix J; Trial Transcript, pages 227-232
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Appendix K; 'Certificate of Service' Writ of Certiorari to
N.C. Court of Appeals 10-19-17

Appendix L; Petition for Discretionary Review to Supreme Court
of NC.; ~~Oct. 14, 2017~~ Nov. 11, 2017

Appendix M; *Memoranda* Writ of Certiorari - Supreme Court of NC.

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Appendix O; Motion and Order Committing Defendant to Central Regional
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Appendix P; Writ of Immediate Appeal - "Motion to Withdraw" United States
Supreme Court * * *

Appendix Q; "Various" "Averment of Jurisdiction" - "Quo Warranto"

Appendix R; Litigation History Supreme Court of NC. No. 91P14 (1-5)

dn

IV. Appendix S.

For the Record to be Read Into the Record

- Common-law Copyright ©

JALIMABOU GOULD © Estate. XXX-XX-0198 35A

- SEAL OF THE GREAT ZULU NATION ©

- Title-Deed

- Certificate of Rights - Preservation of Rights -
Registry of Title-Deed

Shk, 3-22-19

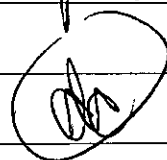
I.

Table of Authorities Cited

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Statutes and Rules

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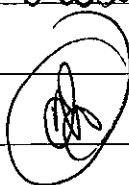
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US const. Art. 3, 4, § 6

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Motion of Dismissal of Indictment - Information

Support Brief, Joint Appendix; Jan. 28, 2014 Bertie Co. Clerk of
Superior Court File No. 13RO4130 - Supreme Court of NC No. 91P14



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

3-22-19
Sh
Sh
[] 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 A 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 North Carolina Court of Appeals court appears at Appendix B to the petition and is

- [] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[✓] is unpublished.

②

JURISDICTION

[] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

[] 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: _____, 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 20th Sept. 2018.
A copy of that decision appears at Appendix C.

[] 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).

②

I. Constitutional and Statutory Provisions Involved

Due Process of Law, A Fundamental, constitutional guarantee that all legal proceedings will be fair and that one will be given notice of the proceedings and an opportunity to be heard before the government acts to take away one's life, liberty, or property, Also a constitutional guarantee that a law shall not be unreasonable, Arbitrary, or capricious.

The 5th & 14th Am. USC "In Re:" to the NC GS-37A-49.4 Superior Court Criminal case docketing requiring in 37A-49.4(b)(4) under Administrative Settings, The Court may hear pretrial motions, set such motions for rehearing on a date certain or defer rulings on motions until the trial of the case, Also 37A-49.4(b)(5) constitutes, the trial shall not occur no sooner than 30 days after the final administrative setting upon docketing the case for trial, Except by agreement of state and the defendant.

In the Pretrial Hearing (Appx. D) it is clear that Trial Attorney Tonza Ruffin-Buffaloe is not afforded any copies of Defendants Pretrial Motions and is unclear as to the representation of such. This provision by NC Gen. Stat. which would settle the matter in Administrative Settings upon docketing the case for trial.

Likewise Petitioner A prisoner at time of filing of Motion of Dismissal of Indictment - Information etc., Neither held a copy, Nor at such time (Jan. 2, 2013 - Jan. 21, 2016) Represented by any Counsel. It is not for the Court to force Counsel and Bar litigations or Access to Courts. This Constitutional guarantee of the Right of Self-Representation and Conflict of Interest, Becomes the topic of such Pretrial Hearing (Appx. D) The

II.

State argues by way of State v. Peterson, that one does not hold the right to present such motions 'pro se'. Petitioner in defense filed no Affidavit for Indigent Counsel Court Appointed, Nor waived the right to hire Counsel of Choice, or Self-Representation. In Conflict if one can not represent self the 5th, 6th and 14th Am. USC. Renders any Counsel Ineffective that is not in Representation of such motion. The Judge Hon. Cy A. Grant entertains such motions 'pro se' (Appx. D.) and denied motions for the fact they are "pro se" when Counsel available, Neither is Presented motions in Administrative settings (N.C.G.S. 37A-49.4) where Representation of such matters would be established, The Trial Attorney Tonza Ruffin-Buffaloe did not become Counsel until Jan. 21, 2016. Previously Jamal M. Summey was Attached by the Courts unwarranted by Petitioner, and allowed to step down from proceedings Jan. 21, 2016 due to Petitioners Continuous Assertions, Namely March 23, 2015 Motion to Substitute Parties.

In Faretta v. California, 422 US 806, 95 S. Ct. 2525, 45 L. Ed. 2d 562, 1975 Lexis 83; The Court said that while the right to effective assistance of counsel of US Const. Am. VI to defendants in state criminal courts, counsel thrust upon petitioner would not be an assistant, but a 'master'; Representing petitioner only through a legal fiction.

In 2002, The Court found that the Arbitrary Actions by a Trial Judge in a murder case violated the due process of the defendant. (Lee v. Kemna, 534 U.S. 362, 122 S. Ct. 877, 151 L. 3d 820 (2002) The Bill of Rights contains provisions that are central to procedural due process, Double Jeopardy, Self-Incrimination,

III.

etc. In a series of U.S. Supreme Court cases during the twentieth Century, all of these Rights were applied to state proceedings. In one case Gideon v. Wainwright, 372, US 355, 83 S. Ct. 792, 91. 3d. 2d 799 (1963) The court ruled that the Due Process clause of the 14th Am. USC incorporates the Sixth Am. USC right to have an attorney in all criminal prosecutions by a state.

NC Gen. Stat. § 7A-26 and § 7A-32, provides the Jurisdiction of Subject matter in the powers of Appellate courts in the state of N.C. whereas the Indigent Defense Services; Part 3, Rules for Providing legal Representation in Non-capital Criminal Appeals etc, Rule 3.2, Appointment of Appellate Counsel; subsection (a)(3); cases in which the Appellate Defender is contacted by Appointed Trial Counsel concerning the need for Immediate Review of a Pretrial Ruling should be challenged in the Appellate Courts by means of a Petition for an extraordinary writ, Rule 3.2 subsection (g.1); This Provision was added in Nov. 2002 to Authorize the Appellate Defender or IDS Director to Appoint counsel to litigate a non-capital Motion for Appropriate Relief pending Direct Appeal. Subsection (g.2); This Provision was added in Nov. 2002 to Authorize the Appellate Defender or IDS Director to Appoint Counsel to litigate an evidentiary Hearing in the Trial Division on Remand from the Appellate Division S.L. 2007-323, § 14.19(a); GS § 7A-451(b)(8), Rule 3.4 standard of Appellate Counsel, (d) Waiver; Rule 4.7

In Re: Where the Trial Court lacks Jurisdiction as Does the Appellate Division. Trial Court and Counsel neither assigned the matter for Appointment of

(5)

do

322-14

IV.

Appellate Counsel, Part of Record on Appeal (13R04130), and Entertained "Pro Se". The Court denies Jurisdiction by Denial of Appeal. The N.C. Court of Appeals states pursuant to N.C. Gen. Stat. § 1-11 (Appx. E) "A party can not proceed both with Counsel and 'Pro Se'. The File as Documented with the Supreme Court of N.C. No. 91P14, 'Motion of Dismissal of Indictment-Information et. al.' From Bertie No. 13R04130 is Not Represented on Appeal by any Party other than Petitioner, thus Denial of Review is Denial of Due Process Rights Integral to a fair litigation, In Accordance 'A Writ of Immediate Appeal - Motion in Limine is Entered' (Appx. P)

In all Fairness in Administrative Procedures one is not provided Counsel on Appeal in such matters, the denial of without proper outlet to litigate 'Pro Se' A layman Prisoner who strives to make service of Parties etc, is a Injustice in Equal liberty, Equal Protection of Law in Due Process, Denial of Access to Courts, and Rights of Legal provisions in Statute and Constitution.

(6)

DR

I.

Statement of the Case

3-22-19 On July 29th, 2012 Petitioner found Incompetent to stand Trial in Bertie County, North Carolina General District Courts. Released without Referral, Medication, or Commitment.

On Jan. 2nd, 2013 Petitioner is Contacted by Detective Harris Williams "In Re:" To a alleged crime taking place on Dec. 31, 2012, and asked to perform a Interview. On the Morning of Jan. 2, 2013 Petitioner is Detained by Chief Winston Pantor of Lewiston Police Department pertaining to said incident, who is assisted by Officer Knowles of neighboring Aulander, NC Police Dept. At Dennis Little of Bertie County, N.C. Sheriff's Dept arrives and Petitioner is transported to the Bertie County Detectives Office where Detectives Harris Williams and Naomi Wiggins (Mizelle) performed a Interview. At the closing of Interview Petitioner is transported to Bertie County Sheriff's Dept and served with a warrant Issued Jan. 1, 2013 (Appx. G) Not only is the warrant previously Issued the Detective Wiggins (Mizelle) performing Interview is one who filed Affidavit for warrant.

The Petitioner Violated in His 4th Am. USC "to be told he is under arrest" and Granted choice to perform Interview. Said Interview violating such provisions as the Miranda Clause now is Considered "A coerced illegal Custodial Interrogation", in Violation of Petitioner's 5th Am. Privilege against Self-Incrimination, Due Process, & Equal Protections of Law, for it is said to be "3" suspects in Alleged crime. "In Re:" one's Right in Confrontation and Assistance of Counsel is in Violation of the 5th & 14th Am. USC Due Process of Law, Equal Protections, and 6th Am. Right to Effective Assistance of Counsel, and Notice of Accusation (Confrontation Clause) Notice of Psychological Evaluation for the

II.

Sheriff Dept are Now Interviewing a Legally Incompetent -
Incarcerated Individual According to lack of Commitment for
Future Findings of Competency

Upon first Appearance in Bertie County General District Court, One is Again
Stripped of 6th Amend. Right of Self-Representation when Petitioner Elects to do
so, Does not Ask Affidavit for Indigent Counsel, Nor waives Right to hire
Counsel of choice.

The Court Attaches Counsel to the case unwarranted to Petitioner, Attached
Counsel "Motions" For Order Committing Defendant to Central Regional
Hospital, Butler Campus for Examination on Capacity to proceed 1-3-13 (Appx. D.)
Again without Notice to Petitioner the Evaluation of March 2013 Revealed in
Competency Hearing April 2013 Petitioner Competent to Proceed. (The standards
of Competency & Insanity are based on times of Crime and Proceedings)
There is no Probable-Cause hearing to Confront Accusers (N.C.G.S. 315A-606)
or either Attached Counsel waived Appearance on July 18, 2013 scheduled
Proceeding without his Knowledge or Approval.

On Sept. 30, 2013 in Bertie County Superior Court Petitioner is Presented
Discovery - Information without a True Bill of Indictment. Once Petitioner
Entered the Courtroom and is Acknowledged by the Judge Hon. Gy A. Grant,
He Exclaims that counsel is unwarranted and Ineffective. Petitioner is then
Denied such Rights to a Speedy Trial and Confrontation (6th Am. U.S.C.) And
Given Contempt Court for Assertion of Constitutional Rights.

On Jan. 28th, 2014 Petitioner Entered "A Motion for Dismissal of
Indictment - Information", "Support Brief", and "Joint Appendix". In

III.

3-22-19
The Petitioner
Bertie County Superior Court; Clerk's Office File No. 13R04130. Said Petition gives citation to the Supreme Court of NC and the Original Copy was forwarded by Bertie County Clerk of Superior Court. In Aug. 2013 by way of Extraordinary Writ this Motion is Also Mailed (Premature) to the United States Supreme Court.

On Jan. 21, 2016 due to Repeated Assertions "A Motion to Substitute Parties" (March 23, 2015) in Bertie County Superior Court is Entertained; The Attached Attorney Jamal M. Summey was allowed to withdraw from this case. Until Date (1.21.16) Mr. Summey neither made contact with Petitioner, Correspondence, Nor filed any Motions on behalf of Petitioner in four years.

On Jan. 22, 2016 The Court Appointed Tonza Ruffin-Bullaloe to represent Petitioner as A Trial Attorney; Ms Ruffin-Bullaloe which is same Attorney in Representation of Petitioner on July 29, 2012 when He is said to be found Incompetent to stand Trial, A Conflict of Interest. The Petitioner would not hear from Counsel until October 2017 at Trial.

On June 26, 2017 while Incarcerated on Unrelated charges Petitioner Received "A True Bill of Indictment" for Assault with a Deadly Weapon, Intent to Kill, Inflicting Serious Injury" for 4.17.17 Five years have pass and Unable to Communicate with Counsel of Record One Mistaken this to Mean Petitioner had been charged with a lesser offense (Appx. F)

On Oct. 5, 2017 when Trial Attorney began to Reveal the Information afforded to defense Counsel One found A second Indictment for 1st Degree Attempted Murder" under NC Gen. Stat. § Common-Law. For In Petitioners Motion for Dismissal it is clearly stated "Indictment - Information"

IV.

3-20-19
N/A
N/A
(Appx. G, H) The Indictment Dated 7-29-13 was not readily available on 9-30-13 Superior Court Appearance when Discovery Disclosed. The Indictment or any Record of Order of Assignment or Denial of Counsel, NG & S. 37A-146(1), 37A-292(15), 37A-450, 37A-451(a), 315A-1340.2B(d);

Is not a valid Indictment, Enacting Clause, or Proof of Service for Petitioner A inmate in Bertie-Martin Regional Jail the physical year of 2013.

On Thursday Oct. 5, 2017 without Any Notice or Consultation the Trial Court's Honorable Cy A. Grant Entertained Petitioners "Pro Se" Motion "Pro Se" with Able or Unwilling Counsel at his side. (Appx. Q) The Court Denied the motion after confirming with Bertie Clerk of Superior Court Anita Speller that there is no Affidavit for Counsel on Record for Petitioner at time of filing motions. The District Attorney (Lisa M. Coletrain) offers Stacy Paterson, in opposition of said motion, The Court has long established in Paretti v. California, as President in such matters.

Trial commence from Oct. 9, 2017 through Oct. 11, 2017 although in a second Pre-trial Conference the Hon. Judge Cy A. Grant is Asked to Recuse. (Appx. I) And Trial Counsel Pleads to Court that she is prepared and that a motion of Dismissal of Indictment would be dismissable in Trial rather than Pretrial.

In Trial Honorable Judge Cy A. Grant "stopped" the Trial in the middle of Petitioners Testimony to Avoid Revealing to the Jury the Key Elements of the charged offense, "Conspiracy", "3 suspects", which would definitely create a reasonable doubt. Or to present Any Evidence in favor of Defendant Being that no witnesses are subpoena in his favor (Appx. J)

3-22-14
V.

On Oct. 11, 2017 Petitioner Entered Oral Motion of Appeal in Open Court. On Oct. 12-14, 2017 written Notices were sent out to the perspective parties, along with 'A writ of Certiorari' to the N.C. court of Appeals in the matter of Denial of Petition Motions File No. 13R04130 (Appx. K) The court of Appeal Denied Petitioners Entry of Notice of Appeal and Certiorari, stating Rule 4, of N.C. App. L. not satisfied, Thus Petitioner Entered petition for Discretionary Review to the Supreme Court of N.C. (Appx. L) Denied.

Record on Appeal Issued and Brief in the Name of "Defendant", Petitioner noticed Immediately that File No. 13R04130 is Not Represented in this Direct Appeal by Any Appointed Counsel and On the 21st of May 2018 Entered 'A Writ of Immediate Appeal' - 'Motion In Limine' in N.C. Court of Appeals whom on the 7th of June 2018 'Dismissed Motion without Prejudice Until its future filing by Appointed Counsel (Appx. B) Petitioner then Entered 'A Writ of Certiorari' to the Supreme Court of N.C. (Appx. M) For some Reason the Writ of Certiorari and Exhibit Included for Reference 'Writ of Immediate Appeal - Motion In Limine' are treated as three Separate "Motions-Petitions" when it is clear that Writ of Certiorari is Based on the Court of Appeals Order (Appx. M) Just as the 'Writ of Supersedeas' - 'Motion for Temporary Stay' Entered in the Court of Appeals of N.C. on Aug. 20, 2018 and Dismissed on the 23rd Aug. 2018 (Appx. N) Also Filed with the N.C. Supreme Court on the 17th of Sept. 2018 and 'Dismissed'.

At this Point All Exhibits, Memorandum, and Petitions have Exhausted the scope of Petitioner whom "A Layman - A Prisoner" does not have the Resources to Continue Litigating in this fashion without Copies to serve Copies or the Higher Courts is a Bar to Access to Courts.

DA

3-20-19
VI.

This Petition "A Writ of Certiorari" to the Honorable United States Supreme Court "In Re:" to "Writ of Immediate Appeal" - "Motion in Limine" Post Marked Nov. 1, 2018 - Received Nov. 28, 2018 is timely and Appropriate to the Order of Justice (Appx. P.)

Due to Central Prison of N.C. Dep't of Public Safety's use of a Mail Service Center, Petitioner Received A packet Dated 14th Feb. 2019 on the 22nd of Feb. 2019 And For Good Cause Shown Includes Postage Packages - Envelopes to Emphasize Postage Receipt Dates and Timeliness of Petitions.

Petitioner in Compliance to Stipulations of the Supreme Court Clerk and Good Cause shown along with Original Writ Included (Appx. P.) made Amendments to Said Writ to the Best of Ability and Availability of Resources. Strongly Urges this Court for its Review in this Matter and of Justice.

I. Reason for Granting the Petition

3-22-19
In Accordance to U.S. Const. Art. 3, 4, § 6 'To wit:' Although a Secured Party is A Layman and Prisoner, whom has taken the proper stages - exhaustion of Remedies in Proceedings of Litigations. Petitioner has Exhibited Good Cause and Standings on the Merits in each stage as with this court in Compliance with the Rules and Guidelines of the Court. In Great Interest of the Public, Liberty, and Justice of this Country, the Direct Disregard for Due Process of Law, Procedure, and Barring of Access to Courts at the lower levels; whether by being housed in facilities unequipped to Aid in Litigations, or Disallowing Petitioner to present Any fertile evidence on his Behalf by a illusion of capacity to proceed and forced counsel up until this point.

The N.C. State Bar Co., Rule 1.4 Communications, excludes such conduct from professional performance. The Indigent Defense Services Part 3, Rule 3.2, Rule 3.2(a)(3); Rule 3.2 sub. (g.1); Rule 3.2 sub. (g.2); Rule 3.2 sub(I); Rule 3.4; 'In Re: To Trial Counsel's Duty to Inform IOS - Appellate Defenders Office in the matter of Pretrial Orders which Petitioner wish to Appeal. Which by forcing Counsel, Barring Petitioner the Ability to Appeal is a Complete Miscarriage of Justice, violation of 6th, 5th & 14th Am. Rights.

The President of this Court 'In Re: to the Collateral Order Doctrine are well Defined in the Basis of this Petition; (Writ of Immediate Appeal - Motion In Remo)

The N.C. Court of Appeals on Direct Appeal has Now Entered its 'Opinion of the Court', which Petitioner has Appealed to the states Highest Court. The N.C. Court of Appeals and Supreme Court of

II.

of N.C. Have denied Immediate Appeal on such vital Constitutional Issues.

Appellate Counsel William D. Spence not only neglected to make Reply Brief, to the state recollection of the Record that the man is shot in the back, when Petitioner has sent medical Records stating otherwise. Counsel rather chose or stipulates his opinion on the Supreme Court of NC. would not Rule favorable on my behalf.

For Good Cause shown and Jurisdiction of Review of this Court would be one of Law and Constitution in the interest of Liberty and Justice. One would assert All rights as a US citizen and that the litigation of this case would be A landmark of Provision in future cases extending from the 4th Federal District, Thus Writ should be Issued, Relief Granted.

3-22-19
J
Mr. Lh,

(14)

BB

In Conclusion

In According 'A Pro Se' layman should be liberally Construed and Any Party acting on Behalf of "The Defendant" outside the Authority of the "Estate", or Best Interest as their "Oath of Office" Provides is Contradictory to the cause. The Issues Presented are Such as should not be overlooked in the Interest of Law and Justice its Administration and Procedures. Now for six years Petitioner have been avidly Asserting his Rights in Constitution and have made challenge at every level. Without the execution of said writ the petitioner would suffer long periods of anxiety and Emotional Distress that 'To wit': Issues have not been properly addressed by the courts of Mental conditions or Proper Procedure of Obtaining a lawful Conviction.

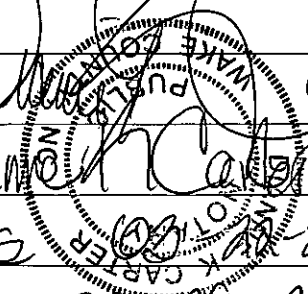
The Provisions of Constitution are Apparent for Review and for Good cause shown Petitioner Pray;

The Petition for a writ of Certiorari should be granted.

Respectfully Submitted, Abdullah

Date: March 22, 2019

(15)


Diane Carter
03-22-2019
06-24-2019