

18-9014

CASE NO#

ORIGINAL

SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

APR 23 2019

OFFICE OF THE CLERK

JAMAAL ANDRE MCNEIL,

PETITIONER,

VS.

THE WARDEN OF N.S.P. ET.AL.,

RESPONDANTS.

PETITIONER^U WRIT OF CERTIORARI TO
THE UNITED STATES COURT APPEALS
FOR THE EIGHTH CIRCUIT

PETITIONER FOR WRIT OF CERTIORARI

JAMAAL ANDRE MCNEIL#86301

PRO'SE COUNSEL OF RECORD

N.S.P. P.O.BOX 22500

LINCOLN, NEBRASKA 68542

NO PHONE, NO FAX, NO E-MAIL

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APR 26 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

- QUESTION(S) PRESENTED -

The petitioner would like to ask and request to the U.S. Supreme Court the question below =

- (A). Can the Ecclesiastical Court, Letter of Rogatory, Registered Deed Poll be admissible and applied in this herein Writ of Certiorari;
- (B). The Certificate of Appealability and Certificate of Probable Cause was denied in the U.S. District Court and the U.S. Court of Appeals and the petitioner would like to request and ask the U.S. Supreme Court can the Certificate of Appealability and the Certificate of Probable Cause be granted in this Court, as the petitioner has a good cause;
- (C). The petitioner would like to ask and request to the U.S. Supreme Court may the petitioner expand the record and expand the Certificate of Appealability in this Writ of Certiorari;
- (D). The U.S. District Court Clerk, did not forward the record to the U.S. Court of Appeals, and the U.S. Court of Appeals did not review the record, transcripts, sealed orders, discovery, and etc., as no receipt is shown on the docket report in the U.S. Court of Appeals from the U.S. District Court;
- (E). The U.S. District Court judgment of dismissal stay's suspended till the U.S. Court of Appeals and the U.S. Supreme Court judgment is over and final, and if the State exhaustion period is expired (which is expired) and the dismissal is still pending in the U.S. Court of Appeals and U.S. Supreme Court, the dismissal of the judgment by the U.S. District Court is void and invalid, and the dismissal has to be

vacated and reversed, and the original judgment of granting the petitioners filings, have to be entered or the proceedings have to be restarted and finished, and etc.;

(F). State remedies really do not need to be exhausted as the U. S. District Court issued a order of dismissing the case when;

(1). Intervention could of been had in the the Nebraska Supreme Court/Court of Appeals when the recall the mandate was pending;

(2). Interlocutory order could of been applied;

(3). Expand the record was issued, and could of been issued ;

(4). A show cause order could of been issued to the respondents;

(5). Summary judgment could of been issued in (20) twenty days;

(6). A second and successive motion could of been granted and ordered;

(7). The dismissal order is void, due to the exhaustion period being (was) expired when the dismissal order was stayed suspended till the U.S. Court of Appeals and U. S. Supreme Court Judgment/rehearing/mandate is final.

(G). Ruling on the new trial motion, that was sealed, is the real ruling in the Douglas County District Court, that was suppose to vacate the conviction and sentence as to;

(1). Unlawful search and seizer and the fruit of the poisonous-tree-doctrine, suppression hearing;

(2). Violation of the petitioner's God Given Rights, vested

Rights, Core Rights, U.S. Const. Rights, U.S. Const, Amend. Rights, Nebr. Const. Bill of Rights, Human Rights and etc.;

- (3). False testimony against officers in court, shown on audio and video in the discovery and in all the court proceedings, as charges where filed and etc.;
- (4). Tax Commissioner rules and regulations where followed and applied as pursuant to the Drug Tax Stamp;
- (5). All the Tort Claims that were presented and presented herein;
- (6). Expungement of the Criminal History Record, of the petitioner record shall be expunge;

- (H). The Nebraska Supreme Court/Court of Appeals filed both Criminal Appeals(case no# CR-16-3742 and Child Support Civil Case No#CI109210543/986-425) together as shown on case no# S-17-1076 and A-17-1076, and shall be vacated, set-a-side, reversed, and recalled as the petitioner is a ward of the State of Nebraska, and the child support case will not terminate till the criminal case is terminated, and this child support matter herein shall be expanded, amended, altered, modified and consolidated, as both of this cases shall be reverses by the U.S. Supreme Court as to the Nebraska Supreme Court/Court of Appeals recalling the mandate and etc.;
- (I). The petitioner shall be entitled to, and would like to request to the U.S. Supreme Court that the petitioner shall be entitled to a second and secessive Habeas Corpus, to present all issue and all new issues to the Appeals Court of the U.S., if the U.S. Supreme Court do not grant the requested relief of reversing and recalling all lower courts or

ders and judgments and vacating the conviction and sentence in the Douglas County District Court;

(J). The petitioner would like to ask the U.S. Supreme Court to review the attached Appendix - N, and issue a ruling on the merits, if the claims/evidence/complaints/cases and etc., are admissible and correct, and the petitioner would like the U.S. Supreme Court to remand the claims/motions/complaints/petitions in the Appendix - N, to the Douglas County District Court to be refiled and set for a hearing as all matters shall be granted;

(K). The petitioner would like to ask the U.S. Supreme Court to be exempt from the Clerk of the U.S. Supreme Court Memorandum of Page and Type NO#11, as its say's ="petition produced on a typewriter are not accepted", which the petitioner have no access to a computer that is in compliance with the clerk rules as the petitioner is in a inmate and the petitioner mention this to the N.S.P. Administration/Warden and the answer and reply is in the Appendix - O, and the petitioner would like to request for permission for leave to proceed on a typewriter, as due to the fact of this institution is not in compliance with the Clerk rules and petitioner shall be exempt from this rule, as the petitioner can't get access to a reliable computer, or the Clerk/Court shall grant the petitioner a (60) Sixty Day extention, to have time to get access to a computer from the Nebraska State Penitentiary Institution, as required by law, and the Ecclesiastical Court Law.

- PARTIES INVOLVED -

The parties on the petitioner(s)/Appellant/Claimant captions is;

- (A). Jamaal Andre Mcnein, N.S.P. P.O.Box 22500, Lincoln, Nebraska 68542;

The parties on the respondent(s)/Appellee/Claimee captions is;

- (B). Attorney General of the State of Nebraska, 2115 State Capital, Lincoln, Nebraska 68509;
- (C). Warden of N.S.P., P.O.Box 22500, Lincoln, Nebraska, 68542;
- (D). Director of N.S.P. Scott Fraks, P.O.Box 94661, Lincoln, Nebraska, 68509;
- (E). District Court Judge Leigh Ann Retesldorf, 300 Hall of Justice, 1701 Farnam Street, Omaha, Nebraska, 68183;
- (F). District Court Judge J. Russel Derr, 300 Hall of Justice, 1701 Farnam, Omaha, Nebraska, 68183;
- (G). Clerk of the District Court, 300 Hall of Justice, 1701 Farnam Street, Omaha, Nebraska, 68183;
- (H). Supreme Court/Court of Appeals of Nebraska, 2413 State Capital, P.O.Box 98910, Lincoln, Nebraska, 68509;
- (I). Child Support Services, 7101 Mercy Road, Suite 310, Omaha, Nebraska, 68106; 5
- (J). Risk Management Division of Nebraska, 1626 "K" St., P.O.Box 94974, Lincoln, Nebraska, 68509;
- (K). Nebraska Commission on Law Enforcement, 100 hall of Justice, 1701 Farnam Street, Omaha, Nebraska, 68183;
- (L). Law Dept. Omaha/Douglas Civic Center, 1819 Farnam St., Suite 804, Omaha, Nebraska 68183

- CORPORATE DISCLOSURE STATEMENT -

The petitioner is registered with the Ecclesastical Court, Letter of Rogatory, Registered Deed Poll, and has his property registered with the Secretary of State of California, U.C.C. Division, and the petitioner is the Secured Party Creditor; and owns 100% of the Debtor, JAMAAL ANDRE MCNEIL; shares, stocks, soul, spirit, property, assets, and etc., and is here to discharge/offset all debts and here to collect all proceeds, and the petitioner is new to this and is a nongovernment entity. Pursuant to U.S. SUP. CT. Rule 29(e), and the Ecclesastical Court Law.

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Appendix - H, Order from the rehearing from the Nebr. Court of Appeals, on Nov. 8, 2017, Mcneil v. State, Case No # A-17-1076;

Appendix - I, Order from the Douglas County District Court on May 1, 2017, Mcneil v. State, Case No# CR-16-3742, as not shown on record and have to be unsealed;

Appendix - J, Order from the D.C.D.C., on Nov. 1, 2017, Jan. 18, 2018, Mcneil v. State, Case No# CR-16-3742;

Appendix - K, Docket Report from the U.S. Court of Appeals - Case No# 18-3727 as no record was forwarded to the U.S. Court of Appeals in this Docket Report from the District Court of the U.S., which is error;

Appendix - L, Docket Report from the U.S. District Court Case No# 4:18cv3014, that shows all the petitioners motions where granted and the rehearing motion was granted, and shall be redetermined and reentered to be granted again as the Exhaustion Period is and was exhausted due to the Dismissal Order was stayed suspended till the U.S. Court of Appeals/U.S. Sup. Ct. is final

al and is now final of the exhaustion period and dismissal order is invalid and void;

Appendix - M, Docket Report from the Nebr. Court of Appeals, Case No# A-17-463 and A-17-1076, as showing the child support filings is filed with the criminal filings in this appeal case, and both cases mandamus shall be recalled, set-a-side, vacated, and reversed and the Appeals Court Record was never examined, as the Court record is blank the Nebr. Sup. Ct. /Court of Appeals never reviewed the motion for new trial that was sealed, and the petitioner had (2) two appeals.

Appendix - N, The petitioner filings that was filed in the State trial court and to be filed in this U.S. Sup. Ct. to be examined, to be reviewed by the U.S. Sup. Ct. as to see if the filings/pleadings/documents have merits and if so this case/Writ shall be granted in favor of the petitioner and/or these filings shall be mandamus/remanded to the State trial court to be granted.

Appendix - O, Letter from the Clerk of the U.S. Sup. Ct. to the petitioner stating on page 2, No# 11, = Page and Type Size, says= Petitioners produced on typewriter are not acceptable, as the petitioner is a inmate at N.S.P., the petitioner do not have access to a computer and type size requirements and only have access to a typewriter which the petitioner shall be exempt from being rejected or denied by the Clerk/Courts rules and regulations.

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Appendix - R, City of Omaha/Douglas County Civil Center, 1918 Farnham, Rm. 804, Omaha, Ne. 68183, Claim No#066-19, to the petitioner, as there is a claim issued in this office as the U.S. Sup. Ct. shall take notice of these claims.

Appendix - S, Order from the Douglas County District Court, On 3/25/19, in Case No#Cr-16-3742, of the charges being filed and etc., against the respondents, and was denied, and a new prosecutor was brought on the case, which shows the old prosecutor Jim Masteller, was impeached, and the Police Officers was and got to be impeached, and that makes the District Court Judge have to be impeached, and the new prosecutor have no evidence or no witnesses in the criminal case to proceed, as the criminal case judgment shall be vacated.

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- PRAYER -

The petitioner, Jamaal Andre Mcneil, pray and request to the U. S. Supreme Court, that this herein Writ of Certiorari, be issued to be reviewed, and the judgment and opinion of the U.S. Court of Appeals be reversed and vacated, as required by Law and the Ecclesiastical Court Letter of Rogatory.

- BRADY LAW -

The petitioner, Jamaal Andre Mcneil, would like to notify the U.S. Supreme Court, that the petitioner fits the criteria and matter under the Brady law, as pursuant to **Giglio vs. U.S., 405 U.S. Sup. Ct. 154, 92 S.ct. 763, say's** - A finding of materiality of evidence is required under Brady, a new trial is required if "the false testimony could in any reasonable likelihood have affected the judgment. **U.S. v. Bagley, 105 S.ct. 3375.**

- OPINION BELOW -

Cases from Federal Court =

- The Opinion of the U.S. Court of Appeals appears on Appendix A, to the petition and has been designated for publication but is not reported; as the case was decided on Dec. 27, 2018; And a timely petition for rehearing was denied by the U.S. Court of Appeals on the following date, Feb. 8th, 2019, and a copy of the order denying the rehearing appears at Appendix B.;
- The Opinion of the U.S. District Court to review the merits appears at Appendix C, to the petition and has been designated for publication but is not yet reported; And a timely petition for rehearing was denied by the U.S. District Court on the following date, Oct. 1, 2018, and a copy of the order denying the rehearing/reconsideration motion appears at Appendix D.;

Cases from State Court =

- The opinion of the highest state court to review the merits appears at Appendix E and G, to the petition and has been designated for publication but is not yet reported; as the case was decided on June 19, 2017, July 28, 2017, Sept. 22, 2017, and Oct. 25, 2017, and a timely petition for rehearing was denied by the Nebraska Supreme Court/Court of Appeals on the following date, Nov. 8, 2017, and a copy of the order denying the rehearing appears at Appendix H.;
- The Opinion of the Douglas County District Court, appears at Appendix I, to the petition and has been designated for publication but is not yet reported; as the case was decided on May 1, 2017 and July 26, 2017.

-JURISDICTION-

The Judgement of the United States Court of Appeals for the Eighth Circuit was entered on December 27, 2018 and a rehearing was decided on February 8, 2019. This petition for Certiorari is filed within ninety days of that date.

The Jurisdiction of this Court is invoked under 28 U.S.C. 12-53, 1254(1), 1257(a)(b), 1292(e), 2106, 2245, 2253, 1651(a)(b) and Ecclesiastical Court, Letter of Rogatory, Registered Deed Poll.

-CONSTITUTION PROVISION INVOLVED--

The petitioner would like to state that; as pursuant to the United States Constitution Art. I Sec. 9 (2). says = the privilege of the Writ of Habeas Corpus shall not be suspended, unless when cases of rebellion or invasion the public safety may require of.

The petitioner would like to state: as pursuant to the United States Constitution Art. IV, sec. 2(a), says = the Citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

The petitioner would like to state: as pursuant to the U.S. Constitution Ament. I says = Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of right of the people peaceably.

The petitioner would like to state that; as pursuant to the U.S. Const. Ament. IV says= The right of the people to be secured in their persons, house, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrant shall issue, but upon probable cause, supported by oath or affirmation and particularly describing the place to be searched, and the persons or things to be seized.

The Petitioner would like to state that= as pursuant to the U.S. Const. Ament. V, says: nor shall be compelled in any person subject for the same offense to be twice put in jeopardy of life, or limb, nor be deprived of life, liberty, or property be taken for public use, without just compensation.

The petitioner would like to state that; as pursuant to the U.S. Const. Amend. VI, says = In all criminal prosecution, the accused shall enjoy the right to a speedy and public trial.

The petitioner would like to state that; as pursuant to the U.S. Const. Amend. XIII, says = Neither slavery nor involuntary servitude, except as a punishment for crime where of the party shall have been duly convicted, shall exist within the U.S., or any place subject to their jurisdiction.

The petitioner would like to state that: pursuant to the U.S. Const. Amend. XIV, says = No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the U.S.; nor shall any state deprive any person of life, liberty, or property without due process of law; nor deny to any person within it's jurisdiction the equal protection of laws.

The petitioner would like to state that; as pursuant to the Neb. Const. Rights, bill of rights Art. I, sec. 1,2,3,4,7,8,9,12, 20,21,23,24, and Art. VIII sec. 2, shall be acknowledge of the petitioner's rights being violated.

The petitioner states; as pursuant to the Declaration of Human Rights, 1 to 30, shall be acknowledge of the petitioner's rights being violated.

- STATEMENT OF THE CASE -

II). Arugement.

The petitioner would like to state that= The Omaha Police Officer's made a void and invalid traffic stop, made a void arrest, made an unlawfull search and seizer, obtain legal evidence that was not admissible to charge the petitione/appealant, the Officers gave bogus, fraud, and false information/complaint to the Grand Jury/Clerk/ County Attorney and gave false statement and false testimony in court under oath at the preliminary hearing, suppression hearing, and trial and the Omaha Police Officers Mr. Nicholas# _ _ _ _ , gave statements at all the hearings and admitted to it, on oath on camera after being cross-examined at trial as the police video showing that both officers Mr. Nicholas# _ _ _ _ , and Mr. Meade# _ _ _ _ , was fully aware and knew that Mr. Mcneil had a Drug Tax Stamp, that was not expired after having a discussion with their higher superior commander officer Mr. Antwone Finch# _ _ _ _ , at the time of 4:08 a.m. on the police video, which is grounds for perjury, contempt of court, conspiracy, false reporting, false testimony, tort claim, new trial, impeachment, and etc., and giving inconsistant statements cause the Omaha Police Officers not creditable and etc., and the Omaha Police Officers used the criminal history record to damage, injury and harm the petitione/appeallant, for an illegal arrest, illegal detainment, and harassment as the petitioner/appeallant criminal history record shall be expunge, as pursuant to the Ecclesastical Court Law, Letter of Rogatory, Registered Deed Poll.

The petitioner would like to state that= the petitioner/appeallant child support civil case was dismiss in the Douglas County District Court, but was reinstated, from the void and invalid judgment of the herein criminal case, which is a contract of the petitioner/appeallant being a Ward of the State and the child support civil case No# CII09210543/986-425, will not terminate till the criminal case No#Cr-16-3742, has been terminated, which this child support case shall be joined and consolidated and be reversed, set-a-side, vacated, terminated and all accounts/cases closed as pursuant to the Ecclesastical Court Law, Letter of Rogatory, Registered Deed Poll.

The petitioner would like to state that= As to the Complaints/Information, there is grounds for all claims and tort claim to be issued and granted, as required by, law. The petitioner was found guilty on May 1, 2017, in a trial, and issued a new trial within the ten day limitations, and was granted but sealed, and the petitioner never received the order from the clerk on May 10th 2017, The petitioner received a 10 to 15 years at sentencing on July 26th, 2017, the petitioner appeal the decision and was denied by the Nebr. Sup. Ct./Court of Appeals, the petitioner did not know about the U.S. Sup. Ct. appeal, but issued a habeas corpus application to the U.S. District Court and with a rehearing and was both denied and appealed in the 8th Cir. Appeals Court and with a rehearing and was both denied, as shown in the appendix.

II. Statement of Facts

The Petitioner would like to state that= the petitioner/appeallant had evidence of a Drug Tax Stamp, as the Tax was paid already, the petitioner/appeallant stated at the traffic stop that he would to speak to a lawyer and he is registered with the Ecclesastical Court jurisdiction and is immune and exempt, from this matter, the petitioner/appeallant just proved the officers gave fales testimony and false reporting on and under oath and shall be impeached, and the criminal case no#Cr-16--3742, shall be vacated due to a invalid and void statements, void testimony, void imprisonment, fraud, and etc., the petitioner/appeallant prensented this matter to all the lower courts and nothing was heard or acknowledge, the petitioner/appeallant issued a compliant/information/charges and is now waiting for the matter to be heard, as all the cases herein requested shall be reopened and redetermine, as to the false testimony caused a error and defect and a void conviction and sentence, and violation of all the Constitutional Rights and Due Process, andif the Officers is found guilty of the charges in the Compliant/information it shall beadmissible to have the Judgment of the conviction and sentence terminated and vacated, the child support civil case terminated and vacated, all tort claims granted and criminal history record expunge as pursuant to the Ecclesastical Court Letter of Rogatory Registered Deed Poll.

The petitioner would like to state that= since the Officer Mr. Nicholas#_ _ _ , already testified on oath, and stated that," He gave false testimony and this whole case was a lie and fraud, the evidence is already shown and proved and there is no need for a trial, the settlement agreement shall be granted in the appendix, shall be granted as there is no need to go any further with this case, as the burden of proof has been shown, and petitioner/appeallant shall be granted all releif, and all claims/motions/petitions/complaints in the appendix shall be granted and issued, and as pursuant to the Ecclesastical Court Letter of Rogatory Registered Deed Poll.

III. Unsealed Documents

The U.S. Supreme Court shall review any and all documents in the record of the Criminal case No# Cr-16-3742 and on May 8th, 2017 to May 8th, 2017, and the child support Case No# CI109210543/986-425, and Nebr. Tort Claim Divison Case No#17133, and City of Omaha/Douglas Civil Center Case/Claim No# 066-19, as requested by the petitioner, as all the government agenticies have documents sealed in these Cases/Accounts/Claims/etc..

IV). Proposition of Law

The petitioner is registered with Ecclesastical Court, Letter Rogatory Registered Deed Poll, and is the only law, that shall be acknowledged, issued, applied, ineffect and admissible and shall be used in this petition, for all cases, claims, complaints, and requestes, as the petitioner would like to ask and request to the Supreme Court may the petitioner have permission for leave to proceed with the Ecclesastical Court Law.

The Quo Warranto Law, shall be admissible, as all government agents/gr-
oups/agenices/employee's/instrumentalities/etc., shall all not willfully, not neglect or refuse any law that the petitioner would like to request, as the petitioner would like to request the Ecclesastical Court law, shall be appl-
ied, and which all claims, cases, accounts, charges, information, and Bonds have to be discharge, vacated, set-a-side, reversed, terminated and released, as the Quo Warranto law shall be issued and directed to the Government admin-
istration to enforce the charges against the respondants for perjury, false testimony, contempt of court, malicious and vendictive prosecution, harassment, false arrest, false imprisonment, and etc., and as to the violation of the Ecclesastical Court law. Nebr. Rev. Stat. 25-21,121 to 25-21.148.

The petitioner would like to state that= as pursuant to 28§U.S.C.1257, State Courts, Certiorari (a), Final Judgment or decree render by the highest court of the State in which a decision could be had, may be reviewed by the Supreme Court by Writ of Certiorari where the validity of a treaty or statute of the U.S. is drawn in question or where the validity of a statute of any state is drawn in question on the grounds of it's being repugnant to the Constitution, treaties, or laws of the U.S. or where any title, right, privilege or immunity is specially set up or claimed under the Constitution or the treaties or statutes of, or any commission held or authority exercised under, the U.S., and the petitioner shall have his rights, immunities, privileges, and claims all granted herein, by the Supreme Court, as required by law, as established by the Ecclesastical Court Law.

The petitioner complied with the Nebraska Revised Statute 77-4301 to 77-4316, of the Tax Commissioner rules and regulations of the Drug Tax Stamp, and shall be admissible, that all taxes was paid, as required law, and the petitioner had the Drug Tax Stamp on him at the time of the arrest.

As pursuant to Fed.App.P.R.32(e), Local Variation Law, shall be applied and issued in this writ, as the petitioner is trying to keep up with the rules, procedures, laws, regulations, and statutes, the best way he can, and to file the proper motions correctly as shown herein, as the law states;" that every Court of Appeal/Supreme Court must accept documents that do not comply with the form requirements of this rule, by local rule or order in a particular case a Court of Appeals/Supreme Court may accept documents do not meet all of the requirements of this rule;" and as pursuant to Fed.App.P.R. 2" Suspension of Rules;" as the petitioner would like to request that this Supreme Court accept the herein documents, as required by law. Ne. Ct. R. 6-1461. 6-1519.

As pursuant to 28§U.S.C.2106, Determination, says= The Supreme Court or any other Court of Appellate jurisdiction may affirm, modify, vacate, set-a-side, or reverse any judgment, decree or order of a court lawfully brought before it for review, and may remand the cause and direct the entry of such appropriate judgment, decree, or order or require such further proceedings to be had as may be just under the circumstances, and all the claims herein presented by the petitioner shall be reversed, vacated, recalled, set-a-side, closed and property released, all lower courts orders and judgments shall be recalled as pursuant to the Ecclesiastical Court Law, as all the petitioners evidence, facts, defense, and arguments are stated in the appendix.

As pursuant to 28§U.S.C.1292(e), Interlocutory decision; The Supreme Court may prescribe rules, in accordance with section 2072 of this title to provide for an appeal of an interlocutory decision to the Court of Appeals that is not otherwise provided for under subsection (a)(b)(c) or (d), as petitioner would like to request to the U.S. Supreme Court does this statute apply for a interlocutory appeal to the U.S. District Court or the Douglas County District Court, as the petitioner would like to put notice on the U.S. Supreme Court that the Douglas County District Court Case may be pending, but the petitioner needs the U.S. Supreme Court to watch over the Douglas County District Court so there won't be no error's or prejudice, caused by the respondents or Court's as both the U.S. Supreme Court and Douglas County District Court need to be in the same interlocutory decision of the Ecclesiastical Court Letter of Rogatory Registered Deed Poll Law.

As pursuant to the Brady Law; Says= There are 3 components of a true Brady violation: the evidence at issue must be favorable to the accused, either because it is exculpatory, or because it is impeaching; the evidence must have been suppressed by the state, either willfully or inadvertently and prejudice must have ensued. U.S.C.A. Const. Aend. 5, 14,, and the petitioner is under all the components.

As pursuant to the Watson Law; says= Suggested as possible exception to the Watson rule; the decisions of Ecclesiastical tribunals might be subject to Civil Court review as the product of "fraud, collusion, or arbitrariness!!", As the petitioner is under this statute as the petitioner showed the respondents caused fraud and etc.

As pursuant to the 18§U.S.S.G.6A1.3(a), says= When any factor important to the sentencing determination is reasonably in dispute, the parties shall be given an adequate opportunity to present information to the court regarding the factor, in resolving any dispute concerning a factor important to the sentencing determination, the Court may consider relevant information without regard to its admissibility under the rules of evidence applicable at trial, provided that information has sufficient indicia of reliability to support its probable accuracy., which the petitioner provided evidence at the sentencing hearing and in the P.S.I. Report and the District trial Court did not acknowledge the evidence and sealed the evidence, as the Nebraska Supreme Court/- Court of Appeals did not see the information and evidence in the transcripts and record as the U.S. Supreme Court as examine the P.S.I. Reports and the sentencing hearing along with the new trial motion, and all sealed records and determine the facts are true, as this is a serious misjustice and abuse of discretion that requires a recall of the judgment and etc.

As pursuant to the 27§C.F.R.72.11; says= All crimes are civil and all crimes shall only be a civil penalty or fine., and the petitioner shall only be held accountable in a civil matter only, and which is to require a discharge, and offset the accounts, as petitioner is register with the ecclesiastical Court law which is admissible and effective.

As pursuant to the Nebr. Ct. Rules 5-101 to 5-123, 5-304.04, 5-302.3, says= complaint on a Judge for harassment, shall be admissible to be issued on the District Court Judge Mrs. Leigh Ann Retesldorf, and for violating the petitioners God Given Rights.

As pursuant to Nebr. Rev. Stat. 29-110(1), Except as otherwise provided by law, no person shall be prosecuted for any felony unless the indictment is found by a grand jury within 3 years, next after the offense has been done or committed or unless a complaint for the same is filed before the magistrate judge within three years next after the offense has been done or committed and the petitioner issued a complaints/ indictments/ information/ claims/etc. on the Omaha Police Dept. and Officers/ County Attorney Office and prosecutor/Child support Office/ etc., for conspiracy, perjury, false testimony. kidnap, harassment, and etc., as the Appendix shows the petitions/ motions/ filings/ etc., which is evidence for impeachment, and to have this conviction and sentence vacated and as pursuant to Nebr. Rev. Stat. 29-1601 to 29-1602, 29-2101 and etc., and Ecclesiastical Court Law.

As pursuant to NE. Crim. R. 11.1 and 11.2 shall be admissible to be issued, as the petitioner would like to request to the U.S. Supreme Court, that all pleas shall be withdrawn and terminated that the petitioner did not know about in all the lower Courts and in this Writ of Certiorari, as required by law.

As pursuant to 28§ U.S.C.2254(a) says, The U.S. Supreme Court, a justice thereof of a Circuit Judge, or a District Court shall entertain an application for a Writ of Habeas Corpus in behalf of a person in custody pursuant to the judgment of a State Court only on the grounds that he is in custody in violation of the Constitution or law or treaties of the U.S., and 2254(b) says, Other situations. In application for Habeas Corpus in cases not covered by subdivision(a), these rule may be applied at the discretion of the U.S. District Court, and petitioner shall be under (a) and (b) as this matter is under other situations, and the U.S. Supreme Court can understand the petitioner is in custody under the violation of the Ecclesiastical Court Law and the U.S. Const. Amend. and etc.

As pursuant to Jurisdiction and related matters Chapter 9A, 3968.1, Certificate of Appealability shall be admissible in this issue, as Slack v. McDaniel, the Supreme Court of the U.S., explained the substantial - showing standard as follows = the petitioner "must make a substantial showing of the denial of constitutional right, a demonstration that... includes showing that reasonable jurists could debate whether (or for that matter agree that) the petitioner issue presented were adequate "deserve encouragement to proceed further", and the petitioner showed the denial of Constitutional right being violated in the U.S. Court of Appeal and U.S. District Court, in this brief of this Writ of Certiorari, and in the Appendix, as the Certificate of Appealability shall be expanded and amended by the petitioner to show the U.S. Sup. Ct. of the complaints/informations/charges/indictments/claims/etc., against the respondents/appeallees et. al., which is admissible to be filed and issued as this is a violation of the petitioner's God Given rights established by the Ecclesiastical Court Law and etc..

As pursuant to the Jurisdiction and related matter Chapter 9A 3949.2, Join or Consolidated appeals, shall be admissible, and states "for the Court to Join or consolidate the appeals each appeal must be jurisdictionally proper", a Court of Appeals may choose to consolidate appeals for the sake of efficiency and to promote consistent treatment. The Nebr. Sup. Ct. of App. joined the petitioner's appeals together in case no# A-17-1076, as the child support appeal paper work was filed with the criminal appeal paper work, as shown in the Appendix N, but as the petitioner would like to join and consolidate his claims/cases/issues all together (and debts) in the U.S. Sup Ct. to finalize and finish all matters under the name/account of JAMMAL ANDRE MCNEIL, Debtor, as all lower courts orders and judgments shall be vacated, reversed, mandate recalled, and set-aside and closed as required by the Ecclesiastical Court.

The Writ of Deliverance shall be applied as pursuant to 28 U.S.C. 1651(a), (b), as the petitioner is registered with the Ecclesiastical Court, and is entitled to be released, as pursuant to the Black Law Dictionary.

As pursuant to Nebr. Rev. Stat. 24-720 to 24-721 et. seq., Nebr. Const. judicial, Art. V, §30, Art. III, Sec. 17, Art. IV, Sec. 5, NE Ct. R. 5-701, 5-123, 5-301.01 to 5-304.04, shall be admissible in this matter for the petitioner's defense and arguments, as the District Court Judge shall be impeached off the criminal case no# CR-16-3742, and the District Court Judgment shall be impeached and vacated as it is a void and valid judgment.

As pursuant to Notice of Uniform Judicial Notice of Foreign Law Act, shall be admissible to be issue in this Writ of Certiorari, as the petitioner would to use the Ecclesiastical Court Letter of Rogatory, Registered Deed Poll, as this is notice to the U.S. Sup. Ct., as pursuant to the Nebr. Rev. Stat. 25-12,101 to 25-12,107.

As pursuant to the Nebr. Rev. Stat. 29-3501 to 29-3528, 28-381 the petitioner shall have criminal history record expunge, as required by the Ecclesiastical Court Law, and by error from the arrest.

As pursuant to Mandamus, Nebr. Rev. Stat. 25-2156 to 25-2169, and 28 U.S.C. 1651(a)(b), the writ of mandamus may be used to any inferior tribunal, corporation, board or person, to compel the performance of act which the law specifically enjoins as a duty resulting from office, trust, or station, though it may require an inferior tribunal to exercise its judgments to the discharge of its functions, and the U.S. Sup. Ct. shall issue a compelling order to the lower court's as the court's are not legal court's or court's that are in the Ecclesiastical Court letter of regatory and the court's are fiction, and the petitioner are immune and exempt from their orders and judgments, as required by the petitioner's religion and U.S. Const. Amendment. religious freedom, and etc., and this mandamus shall issued in the matter of other requestes by the petitioner such as the judgments on corporations levy on payment's and etc..

As pursuant a motion to join and consolidate cases, Nebr. Rev. Stat. 25-701 to 25-705, shall be admissible for the petitioner cases to be joined together as required by law.

As pursuant to a arrest warrant shall be required, under Nebr. Rev. Stat. 29-403, 29-404, 29-406, 29-407, 24- 519, 29-1701, as the respondents shall be liable to have warrant out for their arrest for the charge presented in this Writ, and 28-927, says neglecting to serve a warrant (1) (2) (3) (4), shall be admissible to this issue, as required by law.

As Pursuant to a motion for payment warrant, Nebr. Rev. Stat. 17-711, 17-714, 17-715, 13-903, 16-701 to 16-731, 23-131 to 23-134, 23-134, 23-160.1, 23-160.02, 77-2201 to 77-2215, shall be applied to the government administration to pay for all cost for the respondents for compensation and reimbursement.

As pursuant to a motion for a new trial, Nebr. Rev. Stat. 29--

2101 to 29-2106, the petitioner is entitled to a new trial hearing as the petitioner is within the three years limitation and petitioner has new evidence of issuing a complaint against the defendants/respondants and etc.

As pursuant to International Organization Immunities Act, 28 U.S.C. 1602 to 1611, the petitioner is immune for all prosecution and charges brought by the respondents, as the petitioner is registered with the Ecclesiastical Court Law, and as pursuant to Nebr. Rev. Stat. 25-1516 et. seq., the Exemption statute shall be admissible also for the petitioner defense as the petitioner is immune under both statute herein.

The petitioner shall be entitled for a evidence and evidentiary hearing under, Nebr. Rev. Stat. NE. Civ. R. 7.1(a)(b)(2)(c), NE. Crim. R. (b)(2)(4)(c)(1 & 2), and the U.S. Supreme Court shall have the respondents answer within 7 days, to object to this evidence hearing, or respond in the lower court under a compelled mandamus remanded reversal order, as the petitioner has new evidence herein presented and the respondents have no argument or defense to object to the petitioner's Writ/claim/cases/complaints/etc, as required by law.

The petitioner would to have respondents evidence suppress under Nebr. Rev. Stat. 29-824 to 29-826, 29-115 to 29-118, as the petitioner is entitled to new suppression hearing, as new evidence is presented and statements and evidence shall be excluded as records have been subpoena.

The petitioner would like the charges of the information against the petitioner be Quashed pursuant to Nebr. Rev. Stat. 28-1808, as the information is defective and void against the petitioner is void.

As pursuant to a motion for Action on official Bond, Nebr. Rev. Stat. 25-2101, 25-209, shall be admissible for the petitioner to issue

e lien/garnishment/claim on the respondents bond(s) for compensation for injuries and damages caused by respondents.

As pursuant to a Action under 42§U.S.C 1981 to 1983, Civil Rights Acts, shall be admissible to petitioner Writ herein as the petitioner shall have the same rights as a white citizens, and shall be entitled the terminate all contracts as to terminate the conviction and sentence contract, and the respondents violated the petitioner civil right, and as pursuant to the Policitical Subdivision Tort Claim Act/Miscellaneous Tort Claim Act, of Nebraska shall be admissible as Nebr. Rev. Stat. 13-901 Et.Seq., 81-8,209 to 81-8,39.11 and 81-8,294 to 8-8,3-01, as respondents are liable under this statute for all unprofessional conduct, malicious prosecution, and etc., and as to §25-21,184 to 25-21,185.12, 25-201et.seq., negligence and §25-201 to 25-225, Commencement and limitation of action shall be applied to the respondents as they caused numerous fraud and misbehaviorous acts that is under this statute and petitioner is within the time frame to be admissible issue these claims, §25-21,241 to 25-21,246, Public petition and Participation, shall apply in this matter for the petitioner arguments, §25-21,201 to 25-21,218, Action in which the State of Nebraska is a party shall be applied and amended with the additional claims, §29-4601 to 29-4608, Unlawful and Wrongfully Convicted and imprison, shall be applied to the petitioner as the petitioner shall be entitled to compensation and reimbursement, §U.C.C. 9-102(a)(13), shall be issued to the petitioner for business damages as the petitioner had a successive business under §77-4301 to 77-4316, §25-908 to 25-910, 25-201et.seq. under Quantum Meruit, shall be for the petitioner to be reimbursed by the respondents as the respondents benefited from abusing the petitioner.

As pursuant to seize, lien, and garnishment under Nebr. Rev. Sta-

te. 25-1012.01 to 25-1012.02, 7-108, 29-818, 29-820, shall be admissible to have the respondents accounts, funds, payments checks, and etc., to be garnished by the petitioner for reimbursement and compensation.

As pursuant to motion for settlement and agreement shall be applied, under Nebr. Rev. Stat. 25-2916, Fed. Civ. P. Rv 16(c)(2), as the petitioner would like to settle in this matter as the respondents are already found guilty and held accountable for the claim.

As pursuant to motion for Judgment against public corporation under 77-1621 to 77-1626 (77-1623), shall held, and the petitioner is entitled to a judgment against all the government entities herein the foregoing cases/claims/cases/etc..

As pursuant to Motion to vacate under Nebr. Rev. Stat. 25-2001 to 25-2009, shall be requested by the petitioner of having the case no# cr-16-3742 and Ci#09210543/986-425, vacated as the petitioner shall have a new trial for the new evidence or a new hearing be held.

As pursuant to a Habeas Corpus motion under §29-2801 to 29-2842 and 28§U.S.C. 2241 to 2254, shall be admissible for petitioner to have a new hearing to request to be released and this matter is for a hearing to be held on a transportation order to be brought to court if the petitioner presence is required.

As pursuant to motion reopen the case under Nebr. Rev. Stat. 25-525, 49-101, shall be applied to the petitioner if the petitioner needs to open any of the cases herein mention.

As pursuant to a motion for Common Law Writ of Error Coram Nobias as pursuant to Nebr. Rev. Stat. 49-101, 28§U.S.C.1651, shall be requested by the petitioner to reopen the cases and present evidence herein as required by law.

As pursuant to motion for Domestic Relation Matter, Nebr. Rev. S-

tat. 25-2728 to 25-2740, shall be admissible for the petitioner to have a hearing on the issues for the child support case and the child support case shall be terminated as the child support case will not terminate the criminal case is terminated and the petitioner has evidence for this child support case to be dismissed as a complaint on child support was filed also, as a motion to terminate is also attached

As pursuant to a motion for judgment against Public Corporation, Nebr. Rev. Stat. 77-1621 to 77-1626 (77-1623), 25-2156 to 25-2169, shall be issued against the respondents as the respondents already showed the evidence of being guilty, which there is no need to go to trial a judgment shall be issued by the U.S. Supreme Court with a remanded/-mandamus reversal order to the Douglas County District Court to vacate the conviction and sentence and additional relief herein stated, and the prosecutor has been removed/ousted/recused/impeached/ejected and excluded as the police officers also shall be removed/ousted/recused/impeached/ejected and excluded, and if the respondents are found guilty of atleast one charge is a automatic vacate of the conviction and sentence and the trial Judge has to be impeached with the Trial Judge judgment being impeached, as a order on March 25, 2019, was issued and there is new prosecutor on the case which is verification of the prosecutor being terminated and etc.

As purusant to Impeachment, Nebr. Rev. Stat. 24-720 to 24-721, shall be admissible for the petitioner to use, and was filed to the Nebr. Sup. Ct. and Nebr. Commission on Judicial Qualifications, as the District Court Judge Mrs. Leigh Ann Retesldorf, shall be impeached off the case as for the reason of crimes were committed in her courtroom and the Judge did nothing about the crimes which is a violation of Quo Warranto of not enforcing the laws of perjury, contempt of court, and etc., and not calling a mistrial or a dismissal, which is grounds

for the Trial Judge to be liable under this statute and etc.

As pursuant to 28§U.S.C.2254 Rule 7, Expansion the record(a). Direction for expansion(b) materials added(c) submission to opposing party, as this statute shall be applied for the petitioner, for the reason the materials herein shall be expanded and evidence, facts, arguments, defense, and words may be added than 9,000 words subject to the requirements, as the petitioner shall be exempt.

As pursuant to §3965.1 time for petitioning for Certiorari, and it's time for the petitioner to present this matter to the U.S Sup. Ct. of all issues and agendas, as pursuant to the Ecclesastical Court.

As pursuant to the U.S. Sup. Ct. Clerk memorandum that was mailed to the petitioner, says on Page 2, on No# 1, Page and Type Size, say's that = Petitioner produced on a typewriter are not acceptable, which put's the petitioner in a not fair advantage, as the petitioner do not have access to a computer and the Nebraska State Penitentiary do not let the inmates use computers as the petitioner would like to request to be exempt from this rule, if possible, and the petitioner only have access to a type writer as they are not adjustable and not up to date to comply with the U.S. Sup. Ct. rules and regulations, as the petitioner is bring and presenting this matter to the U.S. Sup. Ct. as the Court/Clerk shall take acknowledge of the petitioner's situation and shall not deny the this Writ as to the fact the petitioner is disable, handicap, and mentally impaired to fit the criteria's of the Clerk/Court rules, as the petitioner shall be exempt or receive a attorney for assistance from the court to correct all errors to comply with the rules and regulations.

As pursuant to a Subpoena motion, under Nebr. Rev. Stat: 25-1223 to 25-1229, 29-1901 to 29-1905, shall be issued by the petitioner to

present evidence of the records from agentices/corporations/adminis-
tration offices/etc., that will support the petitioners claim/cases/
Writ.

As pursuant to a counterclaim under Nebr. Rev. Stat. 25-1316 an
25-1330, shall be admissible to be issued as the petitioner would l-
ike to file a claim/complaint/charges against the respondants that
would offset the debts, and vacate the conviction and sentence, as
required by law.

Rules governing section 2254 cases in the U.S. District Court,
Rule 1. Scope of rules, (b)=Other situation. In applications for Hab-
eas Corpus in cases not covered by subdivision(a), these rule may be
applied at the discretion of the U.S. District Court, which the pet-
itioner shall be under this statute which shall be admissible to ha-
ve the habeas corpus granted, as the U.S. District Court Order for
dismissal was invalid and void, as was not ruled on base of law but
was ruled on abuse of discretion and misdiscretion.

§2254(a), The Supreme Court, a Justice thereof, a Circuit Judge,
or a District Court shall entertain an application for a writ of Ha-
beas in behalf of a person in custody pursuant to the judgment of a
state court only on the grounds that he is in custody in violation
of the Constitution or laws or treaties of the U.S., and petitioner
is under the law of the Ecclesastical Court, Letter of Rogatory,
Registered Deed Poll, and is a violation of the petitioner's God Gi-
ven Right's, vested rights, core rights, religious right's secured
by the U.S.Const. and U.S.Const. Amend., Human Rights and etc..

V). Assignment Of Errors.

The Court of Appeals errored in not granting the rehearing as the State exhausting period was expired on Dec. 28, 2018. and the Court of Appeals ruling of the judgment was on Dec. 27th, 2018, and the petitioner issued a rehearing after the Court of Appeals Judgment of denying the certificate of appealability and dismissed the appeal, and the rehearing was proper to be filed, issued and granted as the state expiration was expired on the exhaustion period, which the U.S. District Court judgment of dismissal was void and invalid and the Court of Appeals judgment was void and invalid, as the rehearing period from Dec. 29th, 2018 to Feb. 08, 2019 was clear from all proceedings and should of been admissible to be granted.

The Court of Appeals errored in not granting the Certificate of Appealability and Certificate of Probably Cause because there was no record provided by the Clerk of the U.S. District Court, as there was no record or receipt in and on the Docket Report that the Clerk of the U.S. District Court forwarded the record, which is violation of due process, and etc. of the U.S. Const. Amend., and the U.S. Court of Appeals entered a order to the U.S. District Court Clerk to forward the record and didn't, which the Court of Appeals never reviewed the record and the Appeal as to acknowledge any and all errors by the U.S. District Court, as the U.S. District Court Judgment is void, and the U.S. Supreme Court shall review the record where the U.S. Court of Appeals did not review the error's and defects caused by the U.S. District Court and petitioner mailed a letter to the U.S. Court of Appeals, U.S. District Court, Nebraska Supreme Court/Court of Appeals, and the Douglas County District Court Clerk's to forward all records to the U.S. Supreme Court, if possible, as all letter are shown in the Appendix.

A errored occurred during the U.S. District Court Judgment, on Aug. 28 2018 as the U.S. District Court issued a judgment of dismissal, and a dismissal is stayed suspended till the U.S. Court of Appeal Court Judgment is over and final and/or till the Supreme Court of the U.S. judgment is over and final, and if the State exhaustion period was not expired when the U.S. District Court entered a dismissal, but, NOW, is expired when the U.S. District Court dismissal is still pending and suspended, puts the U.S. District Court judgment of dismissal invalid and void, and the U.S. District Court judgment has to be reversed, vacated, modified and recalled because the exhaustion period expired before the stayed suspension of the judgment of dismissal, and the U.S. District Court Judge dismiss the Habeas Corpus Application because the reason of the State exhaustion period was not expired at that time, but, is NOW, expired, and the U.S. Supreme Court shall correct this error as to vacate the U.S. Court Appeals and the U.S. District Court Judgment's and enter the correct judgment that is suppose to be entered as to vacate the conviction and sentence and release

the petitioner from custody, and grant all other additional requestes and relief.

The Trial Court in Douglas County errored in not releasing the petitioner /Appellant from custody after granting a new trial on May 8th, 2017, and sealed the records, and the trial court did not vacate the conviction and sentence eightier, as the trial court had (10) ten days eightier to grant or deny the new trial motion, and the only order within the ten days was granted and sealed.

The Trial Court in Douglas County errored in not granting the petitioners subpoena motions, as trial court caused a abuse of discretion and prejudice, as the petitioner had to issue subpoena thur precipe, which the trial court could of still have the documents forwarded to the courts from the Tax Commissioner, before trial started.

On May 8th, 2017, to May 10th, 2017, the petitioner motions where granted, including a suppression motion, subpoena motion, return property motion, informa pauperis motion, and new trail motion, which the defendant evidence was admissib- le to have the petitioner's suppress, and trial court seal the motion and trial court still convicted the petitioner with no evidence, which is a error and abus- e of discretion and malicious prosecution and etc., as the suppression motion was granted after trial, and in the new trial as shown in the record.

The Trial Court error'd in entering a plea of not guilty, and violated the defendants/petitioners trial and suppression hearing and the petitioner withdrew the plea, but the speedy trial time clock was too damage to finish, as the defen- dant shall be entitiled to a new trial for errors caused by the trial unnessary invalid and void plea of not guilty.

The trial court error'd in rendering a mistrial, in the middle of trial or at the end of trial, or at the cause of a new trial, which is a error of abuse of discretion on the matter of the Omaha Police officers admitting at trial, the officers admitted to giving false statements, and lieing in the courtroom under oath at the preliminary hearing and the suppression hearing and trial, of stat- ing that he did say Mr. Mcneil Drug Tax Stamp was expired, when on camera in d- iscovery in the Audio and video patrol cruiser, the Omaha Policer Officer admi- tted in trial, that he gave false Statements under oath and stated that Mr. Mc-

Neil Drug Tax Stamp was not expired, and petitioner let the court know, and the record reflect that this is a violation of due process rights, and perjury and etc. against the omaha police officers administration, which is a error that is defectived, and the petitioner would like to state that if false testimony in Court is not admissible, then why did the officer have to give false testimony in court, the police officer should of told the truth at all the hearings, and at the preliminary hearing which is grounds for a vacated of judgment due to agencies error's and court proceeds error's and trial judge shall be issued a complaint for not issuing a perjury and contempt of court charge for people lying in her courtroom.

The Trial court error'd in not impeaching or excluding the Omaha Police Officers, and didn't suppress the testimony of the Omaha Police Officers, as the petitioner's motions to impeach was denied, as the omaha police officers were not creditable and the records show the officers are fraud, and caused a malicious prosecution and etc., as the trial court caused a error and defect, which the trial acted on the error intentionally and did not try to stop the abuse os constitutional violation error, and now the petitioner is issuing a compliant/indictment/claim/charges for perjury, contempt, and etc., which shall be admissible for another hearing for impeachment.

The Omaha Police Officers made an illegal search and seizers that caused a error, on the Omaha Police Officers Dept. that put the petitioner in a due process violation of the U.S. Constitution, as the officers obtain fruit from the poisonous-tree-doctrine, and and the defendant/petitioner was never prosecuted for committing a crime or committing a traffic stop, which the audio video shows the petitioner automobile back tail lights where all working properly and the petitioner's blinker's where working , and the trial judge, stated on record that the petitioner's tail light's were working, and were functioning, and once again the officers , gave false test-

imony and false statement's, and lied stating Mr. Mcneil automobile back light's where not working, which this matter is a error, and the officers also used the petitioner's Criminal History Record to harrass the petitioner as to issue the petitioner criminal history shall be expunge and terminated, as the petitioner showed this court that this court that the criminal history record caused injury to the petitioner's life, and the petitioner has God Given Rights established by the Ecclesastical Court, to not be detain, harass, imprisoned, arrested, investigated, and all license granted, records shall be expunged, and etc., and this U.S. Sup. Ct shall review the record, audio, and video in the trial court discovery, as the petitioner made statements of requesting for a lawyer, did not consent to be search, and stated that he is registered with the Eccleisastical Court, and showed his tax stamp, as the omaha policer officers did not acknowledge the petitioner status, and plain error and defect to this caes and in this U.S. Sup. Ct.

The trial court error'd in not acknowledging the defendants/petitioners perliminary hearing that was vacated and reversed, as the defendant/petitioner brought this issue to the trial court befor's sentence, and the preliminary hearing case No# Cr-16-23223, should be an should of been dismiss, as defendant/petitioner vacated the case within 6 months, as pursuant to the motion to vacate statute, as the case should of never been bonded up, as the petitioner showed evidence of the tax commissioner records, false testimony, and etc., and the preliminary hearing was modified to a dissmisal, in the county court but the district court never modified the judgment of a dismissal in the district court which is a error, and trial court loss jurisdiction to proceed with the criminal case, and the sentence date should of never been had, as the U.S. Sup. Ct. shall review this issue of the prelim-

inary hearing, as this is a violation of the petitioner's constitutional rights, due process and etc..

The Trial Court error'd in rendering a P.S.I. Report, when the trial was not finished, and the trial judge should of entered the P. S.I. Report after the ten days of trial being over with and after the clerk file stamp and after the motion for new trial was over with and had expired and defendant/petitioner never had a fair trial a did not have a fair new trial, as the P.S.I. Report caused a violation of due process and rights of the accused, as the P.S.I. Report Court Date was as not admissible and interferred with the petitioner's trial and new trial as the trial was not done and not finalized, and the P.S.I. Report court date was not requested by the defendant/petitioner and if the P.S.I. report court date was waived or not issued the conviction would of been vacated, by the new trial. as this matter shows it is too many laws that are in conflict which each other, that causes error's, as this P.S.I. Report court date caused a error by beeing issued too early, the trial judge should of ordered the P.S.I. Report Date at the suppression hearing if that is the case, as the U.S. Sup. Ct. shall reiew this issue as required by law.

The trial Court Caused a error'd in the P.S.I. Report And as Pursuant to the P.S.I. Report rules, the defendant/petitioner can present evidence to the Courts or the probation officer, and the defendant/petitioner hand delivered the probationer officer paperwork of documents of evidence and mailed the clerk of the District Court the same documents and evidence, and trial court sealed the documents and did not acknowledge the evidence and documents , as conviction should have been dismiss and vacated and sentencing date should of never been had and situation is a violation of the defendants/petitioner constitution rights and a abuse of discretion as this issue shall be re-

viewed.

The trial Court error'd in not acknowledging the defendant/petitioner did not sign the P.S.I. Report, Which is grounds for a vacated of judgment, and evidence hearing, and a review hearing, as the petitioner/defendant did not agree with the P.S.I. report contract, and the petitioner/defendant did not agree with the contract, and what is the point of signing something, as it got to mean something when not signed, as the U.S. Sup. Ct. Shall acknowledge this matter.

The trial court error'd in not acknowledging the defendant/petitioner evidence of complying with the Tax Commissioner Rules and Regulations and there is a error of the defendant/petitioner beeing penalized twice, as pursuant to double jeopardy, as the taxes was already paid, as the defendant/petitioner was exempt, and the trial court render a void and invalid judgment of conviction, which in conflict with the petitioner/defendant U.S. Const. Amend. Rights of double jeopardy, rights of the accused, cruel and unusal punishment and etc. as the U.S. Sup. Ct. Shall acknowledge the Tax matter as it is admissible to be review as required by law and the Eccliesastical Court Law.

The Clerk of the Douglas County District Court error'd in not issuing the record to the defendant/petitioner on May 10th, 2017 on the motion for new trial, and on the record of the transcripts say the defendant was mailed the order of the court on May 10th, 2017, and defendant/petitioner did not receive no order or no document from the court or clerk, which is a error and defect, and a violation of due process, because the defendant/petitioner by not receiving the document from the court the petitioner/defendant can't object, or could have not filed a appeal, or the defendant/petitioner can't defend or prosecute his case properly, which is grounds for

motion to vacate of judgment, as the petitioner/defendant presented this matter to the trial court; on what was suppose to be mailed and trial court did not respond, and the Clerk and the District Court is responsible for this error which is a U.S. Const. Amend. violation, which shall be reviewed by the U.S. Sup. Ct. as required by law.

The Nebr. Sup. Ct./Ct. of App., caused a error'd in not reviewing the defendant/petitioner transcripts of the missing documents that was sealed on May 8th, 2017 to May 10th, 2017, and sealed P.S. I. Report Documents, as the Nebr. Sup. Ct./Ct. of App., never examined the record, as defendant/petitioner never had a fair appeal, as this U.S. Sup. Ct. shall examine the sealed records and determine if the defendant/petitioner is telling the truth, and is correct, as the defendant/petitioner criminal case shall be vacated, and the judgment shall be reversed and the release order shall be granted.

All the lower courts herein caused an error'd in their courts, against the defendants/petitioner's, as the petitioner/defendant is registered with the Ecclesiastical Court Letter of Rogatory Registered Deed Poll, and the petitioner is not supposed to be detained, imprison, meddle, harrassed, arrested, investigated, prosecuted, in debt, taxed, and etc., and the trial court and all the courts below is not in compliance with the Ecclesiastical law and that is why the petitioner is in the U.S. Supreme Court requesting this matter be heard in this Writ of Certiorari, as this a constitutional violation, and a violation of the defendants/petitioner religious freedom rights secured by the constitution of the U.S..

The District Court of the U.S. judgment caused a error in this matter as the judgment of dismissal is void and invalid for the reason the expiration of the state exhaustion period was over and final before the judgment of dismissal was final, and the judgment of dismissal is not final till this U.S. Sup. Ct. is final as the judgment of dismissal is still pending, and the judgment of dismissal have to be vacated and the original judgment the was going to be issued of granting the petitioner request shall be issued as shown in Appendix e c, and the U.S. Sup. Ct. shall acknowledge this error and rule in the petitioner favor, as the petitioner is correct and correct by law.

- REASONS FOR GRANTING WRIT -

The United States Supreme Court shall accept jurisdiction as there is grounds for a good cause to be admissible for relief to be granted as, the U.S. Court of Appeals judgment shall be review and vacated, any order that terminates the Appeals, and may be reviewed by the U.S. Supreme Court, also should be eligible for reviewed by the full Court of Appeals, under the seventh circuit procedures, unless rehearing en banc is granted, a certificate of appealability will issue only if one of the judges to whom the application was referred under operating procedure 1(a)(1) concludes, on reconsideration, that the statutory criteria for a Certificate have been met, *Thomas v. U.S.*, 328 F.3d 305, 308-309 (7th Cir. 2003);

(A). Can the Ecclesiastical Court, Letter of Rogatory, Registered Deed Poll be admissible and applied in this herein Writ of Certiorari; and all the lower courts.

The Supreme Court had established that decision of the proper church tribunals on Ecclesiastical matters, although affecting civil rights, were final and binding on civil Courts, subsequently dictum in *Gonzales v. Archbishop*, 280 U.S. 16, 50 Sup. Ct., *Watson v. Jones*, 80 U.S. (13 Wall.) 679, 727, 20 L.ed. 666 (1872)., And the petitioner shall be entitled to have this Writ of Certiorari to be granted, as the petitioner has God Given Rights established by the Ecclesiastical Court, and at. 7, Suggested as possible exception to the Watson Rule= the decision of Ecclesiastical tribunals might be subject to civil court review as the products of "Fraud, collusion, or arbitrariness!!", see *Serbian Eastern Orthodox Diocese v. Milivojevich*, 426 U.S. at 711-12, 96 Sup. Ct. at 238, and the petitioner showed fraud on all of the respondents of inconsistent statements, false testimony on oath, Fraud conviction, sealing the record and not disclosing the informing to the higher court, as to the color of office, color of authority, and etc., as the U.S. Supreme Court has Jurisdiction to review this matter as the U.S. Court of Appeals did not review the record for fraud or for violation of U.S. Const. Rights, in the course of concluding that the Supreme Court has jurisdiction to review by the Writ of Certiorari the denial C.O.A. by the Court of Appeals the Court stated= the recognition that decisions made by individual Circuit Judges remain subject to correction by the entire Court of Appeals reinforces our determination that decisions with regard to a application for a certificate of appealability should be regarded as an action of the Court itself and not of the individual Judge, *Hohn v. U.S.* 524 U.S. 236, 118 S.Ct. 1974, 141 L.ed. 2d 242 (1998).

(B). The Certificate of Appealability and Certificate of Probable Cause was denied in the U.S. District Court and the Court of Appeals and petitioner would like to req-

uest and ask to the U.S. Supreme Court can the Certificate of Probable Cause and Certificate of Appealability be granted in this Court, as the petitioner has a good cause.

We resolve any doubt about granting a C.O.A. in the petitioners favor. Williams v. Woodford, 384 F.3d 567, 583 (9th Cir. 2004), as the U.S. Supreme Court shall grant this Writ of Certiorari after reviewing and resolving all facts and conclusions of the petitioners issues and requestes as required by law and the Ecclesiastical Law. Aphin v. Henson, C.A.4 (Md) 1977, 552 F. 2d 1033.

(C). The petitioner would like to ask to the U.S. Supreme Court may the petitioner expand the the record and expand the Certificate of Appealability in this Writ of Certiorari.

The U.S. District Court and the U.S. Court of Appeals error'd in denying a C.O.A. on petitioner's Brady claim on the ground that petitioner "had properly pleaded this claim because he had not sought leave to amend his petition, but had stated the claim only in other submissions, ie, in his proposed findings of facts and conclusions of law, and again in his objections to the Magistrate Judge's report", before the Supreme Court of the U.S., state conceded "that the question wheather [Civil] Rule 15(b) [concerning amendments of pleadings to conform to issues tried by consent] extends to habeas proceeding in one jurists of reason would find..., debatable," the Court held that a C.O.A. should have issued "At least as to application of rule 15(b)", this case surely fits the test for issuing a C.O.A.. Bank v. Dretke, 540 U.S. 668, 703, 124 S.Ct., 1279, 157 L.ed. 2d 1169 (2004). And petitioner shall be able to amend everything presented in this appeal and this Writ of Certiorari, and everthing that was not presented in the Lower Court, is now presented in this Court, which shall be admissible.

(D). The U.S. District Court clerk, did not forward the record to the U.S. Court of Appeals, and the U.S. Court of Appeals did not review the record, transcripts, sealed orders or discovery. as no receipt is shown on the docket report in the U.S. District Court;

The U.S. Supreme Court shall review this matter of the record not being forwarded. and the U.S. Court of Appeals stating on the record. the Court reviewed the record and never did reveiwd the record, as the petitioner wrote a letter to every court below, to forward all records and all records requested by the petitioner to the U.S. Supreme Court, and if the U.S. Supreme Court do not need the records from all the courts below, because the ptitioner's has enough evidence, arguments, facts and burden of proof, in the appendix. then the U.S. Supreme Court shall issued a order in this matter of the records shall be or shall not be forwarded from all lower courts, Further more, under accepted priciples of *224 C-

omity, the Federal Courts should defer action only if there is some reasonable probability that relief which the petitioner seeks will actually be available to him. The doctrine of Comity does not require exhaustion where such action would be futile or speculative at most, *Rogers v. Wyrick*, 621 F.2d 921,924 (8th Cir. 1980), and the U.S. District Court shall render the judgment as in favor of the petitioner as the U.S. District Court judgment of dismissal shall be vacated and reversed, as the real judgment was delayed and shall be reinstated to be issued.

(E). The U.S. District Court judgment of dismissal stay's suspended till the U.S. Court of Appeals and the U.S. Supreme Court Judgment is over and final, and if the state exhausting period is expired (which is expired) and the dismissal is still pending in the U.S. Court of Appeals and U.S. Supreme Court, the dismissal of the judgment by the U.S. district Court is void and invalid and the dismissal has to be vacated and reversed, and the original judgment of the U.S. District Court has to be entered or the proceedings have to be redone or restarted or etc..

Habeas Corpus petitioner should not be barred from federal relief because of mere possibility of success in additional state proceedings, and although exhaustion requirement will be disregarded as futile only after some clear manifestation appears on records that state Court will refuse to entertain claim, federal court should entertain claim where only possibility of states granting relief is matter of conjecture, 28§ U.S.C. 2254(A) (B) (C). And the petitioner shall not be barred or denied relief herein, as the petitioner has a valid claim and argument with facts shown on record and expanded the record in the attached appendix. *Powell v. Wyrick*, 657F2d223.

(F). State remedies really do not need to be exhausted as the U.S. District Court issued a order of dismissing the case when;

- 1). Intervention could of been had in the Nebraska Supreme Court/Court of Appeals when the recall the mandate was pending;
- 2). Interlocutory order could of been applied;
- 3). Expand the record could of been issued;
- 4). A show cause order could of been had to the respondents;
- 5). Summary judgment could of been issued in (20) twenty days;
- 6). A second and successive motion could of been granted and ordered;

- 7). The Dismissal order is void due to the exhaustion period being (was) expired when the dismissal order was stayed suspended till the U.S. Court of Appeals and the U.S. Supreme Court was finally over.

The U.S. District Court shall have granted at least any of the above issues to the petitioner, as the petitioner had good cause and grounds for habeas corpus to be granted, and by the U.S. Court of Appeals denying the C.O.A. and denying the appeal, and denying the rehearing when the petitioner had grounds for U.S. Const. violations which is admissible to present in this Writ of Certiorari to the U.S. Supreme Court. Justice Scalia concurred in Miller-El wrote separately to state his a C.O.A., even when the habeas petitioner has made a substantial showing that this constitutional rights, were violated, of all reasonable jurists would conclude that a substantive provision of the federal habeas statute bars relief. "Justice Scalia gave the following example:" suppose a state prisoner presents a constitutional claim that reasonable Jurists might find debatable, but is unable to find any "clearly establishment" Supreme Court precedent in support of that claim [which has previously rejected on the merits in state - court proceedings], under the Court's view, a C.O.A. must be denied of a Constitutional right requirement of §2254(d); because all reasonable Jurist would agree that habeas relief is impossible to obtain under §2254(c)(d). Miller-El v. Cockrell, 537 U.S. 322, 349-350, 123 S.Ct. 1024, 1046, 154 L.ed. 2d 931 (2003).

- (G). Ruling on the new trial motion, that was sealed, is the real ruling in the Douglas County District Court, that was suppose to vacate the conviction and sentence as to;
- (1). Unlawful search & seizure under the fruit of the poisonous-tree-doctrine, suppression hearing;
 - (2). Violations of the petitioners God Givens Rights, Vested Rights, U.S. Const. Rights, U.S. Const. Amend. Rights, Nebr. Const. Bill of Rights, and Human Rights and etc.;
 - (3). False testimony against officers in Court, shown on audio and video in the discovery and in all the court proceedings, as charges were filed and etc.;
 - (4). Tax Commissioner rules and regulations were followed and applied as pursuant to the Drug Tax Stamp;
 - (5). All the Tort Claims that were presented and Presented herein;

- (6). Expugement of the Criminal History Record, of the petitioner record shall be expunge.

The Douglas County District Court abused their discretion in not granting the proper new trial motion on May 08, 2017 thur May 10th 2017, as the record show the law was not followed and the court had 10 days to answer the new trial motion and the only answer on record was granted. Thus, the Miller-El court explained, "a Court of Appeals should not decline the application for a C.O.A. merely because the applicant will demonstrate an entitlement to relief", it's consistent with 2253 that a C.O.A. will issue in some instance where there is no certainty of ultimate relief, Miller- El v. Cockrell, 537 U.S. 322, 349-350, 123 S.Ct.1024, 1046, 154 L.Ed. 2d 931 (2003). And all the Courts herein that played a part in this case, should not have denied the petitioner's hearings, and the Douglas County District Court should have corrected the new trial hearing properly, the Nebraska Supreme Court/Court of Appeals should have recalled the mandate, the U.S. District Court could not have rendered a dismissal and the U.S. Court of Appeals did not have to deny the C.O.A., and the rehearing which should have really been granted as pursuant to Justice Scalia in Miller-El, as the Judge will still deny a Habeas petitioner claim even if the prisoner showed a constitutional violation, which put the petitioner in this Writ of Certiorari, in the same predicament, as all the Courts herein denied the petitioner's claims as the petitioner shows constitutional violations and court violations. It's clear from Miller-El that it is inappropriate for a Court of Appeals first to decide the merits of the petitioner's appeal and then, having decided the merits against the petitioner, to deny the C.O.A. on basis. Miller-El v. Cockrell, 537 U.S. 322, 349-350, 123 S.Ct. 1024, 1046, 154 L.ed. 2d 931(2003). The petitioner would like to state the U.S. Court of Appeals can't review the appeal till the C.O.A. is granted and the U.S. Court of Appeals proceeded with the appeal as the appeal was dismissed in the judgment and the notice of appeal was construed as a C.O.A., and the petitioner should have had a brief date for the respondents to file their brief which the courts had the appeal pending which the petitioner did not have a fair habeas corpus appeal. The Court of Appeals treated the notice of appeals as a request for a C.O.A. held that a C.O.A. should issue as to certain issues; and then on the merits reversed and remanded. Jennings v. Woodford, 290 F.3d 1006, 1008 (9th Cir. 2002). Although neither AEDPA nor Fed. R. of App. 22, specifically so provides a court of Appeals not only has power to grant a C.O.A. where the District Court has denied it as to all issues, but also to expand a C.O.A. to include additional issues when the District Court has granted a C.O.A. as to some but not all issues. Valerio v. Crawford, 306 F.3d 742, 764 (9th Cir.(2002) (EnBanc), Brooks v. Tennessee

ssee, 626 F.3d 878, 889 (9th Cir. 2010).

Court of Appeals "has the discretion to expand the scope of the C.O.A. sua sponte, particularly for an issue the parties have adequately briefed". Here, the question "where a statute of limitations should be equitably tolled," - which was not mentioned in the District Court C.O.A. was fundamentally intertwined with questions of timelines,"- which was address in the C.O.A.. Holmes v. Spencer, 685 F.3d 51, 58(1st Cir. 2012).

(H). The Nebraska Supreme Court/Court of Appeals filed both criminal appeals case No# and Child Support civil appeal case No# together as shown in the Appendix - M , as to the appeals Case NO# S-17-1076 and A-17-1076, and this appeals case No# shall be vacated, reversed, and the mandate recalled as the petitioner is a ward of the State of Nebraska, and child support will not terminate till the criminal case is terminated, and the child support matter herein shall be Expanded, amended, altered, modified and consolidated, as both of these cases shall be reversed by the U.S. Supreme Court as to a mandamus/remanded order to the Nebr. Sup. Ct./Court of Appeals of recalling the mandate and etc.

The Nebr. Sup. Ct./Court of Appeal overruled this issue as to the improper filing, but the Nebr, Sup. Ct./Court of Appeals declined to take jurisdiction, in this appeals caes and never heard or reviewed the petitioner appeals, which the U.S. Supreme Court shall be entitled to reverse all lower courts judgment's as the Nebr. Sup. Ct./Court of Appeals judgments shall be recalled, as the petitioner is trying his best to keep up with the rules and procedures as the Nebr. Sup. Ct./Court of Appeals should have appointtd a attorney for the petitioner to draft the appeals breif for the petitioner. In herent power of the Appellate Court to recall a mandate under Kansas Law should only be exercised in exceptional circumstances, including correction of clerical errors and clarification of mandate, fraud on court, avoidance of different results to cases pending at sometime, need to revise unintended instuction to trial court that produces unjust result; other grounds of injustice and newly discovered evidence. Dye v. Kansas, U.S. 8 F.Supp 1379. Where trial, the Court mistakes or misconstrue a mandate of the Supreme Court, its obedience may be enforced, and the Nebr. Sup. Ct./Court of Appeals still could of issued a new mandate in favor of the petitioner as the petitioner requested a new trial, a new suppression hearing, and etc., after trial, which is admissiable to be issued. We note that upon conviction after trial, the defendant may on appeal challenge the corrections after the reversal of a suppression order, a defendant may raise the suppression issue before the Nebr. Court of Appeals and if unsuccessful again before the Nebr. Supreme Court

. State v. March, 9 Neb. App. 907, 622 N.W. 2d. 694(2001), And the petitioner new trial was granted on May 10th, 2017, with the suppression hearing being granted and reversed the conviction but was sealed, and the District Court Clerk never sent the judgment, but on the transcripts the record says "The defendant was mailed this order on May 10th, 2017," and the petitioner never received the order, and the petitioner never got this matter in the Nebr. Sup. Ct./Court of Appeal, as shown on record and in the transcript of the appeal. If a single judge of the Court of Appeals reverse a suppression order and there is a conviction, the defendant has a right to a three judge panel of this Court, at which time he or she may reassert the matter of the suppression as error before that three - judge panel -, if unsuccessful before panel, the defendant may ask the Sup. Ct. for further review of the conviction, where the suppression issue can be raised again. State v. Charles E. Relford appellant No# A-02-837, and the petitioner would like to raise this suppression issue to the U.S. Supreme Court, as it can be raised again and shall be expanded in the C.O.A. and request the U.S. Supreme Court to suppress the evidence or have a mandamus/remanded order to the trial court to suppress the evidence for the correction as required by law, as there is a constitutional violation, "Schneider included in his opening brief an issue that was not in the [C.O.A.] we construe such as a motion to expand the [C.O.A.]***We construe such motion and will grant if only if the applicant has made a substantial showing of the denial of a constitutional right. Schneider v. McDaniel, 674 F.3d 1144, 111 55-56 (9th Cir. 2012). An impeachment must be tried by the Supreme Court. State v. Douglas, 217 Neb. 199, 349 N.W. 870 (1989), A Constitutional officers can be removed by impeachment. Lavery v. Locharn, 132 Neb. 118, 271 N.W. 354, Impeachment is essentially criminal prosecution and accused must be proven guilty beyond reasonable doubt. Stae v. Hastings, 37 Neb. 96, 55 N.W. 774, Only method removing County Judge is by impeachment under this section, Conroy v. Hollowell, 94 Neb. 794, 146 N.W. 572, and the petitioner requested to impeach the the Omaha Police Officers and their testimony and the motion was denied by the Trial Court, and now the petitioner issued a complaint and request to the U.S. Supreme Court and Trial Court to impeach the Omaha Police Officers and their testimony; Without formal complaint, finding by county that party to civil action is guilty of contempt is insufficient to sustain conviction. Fine gold v. State, 112 Neb. 64, 198 N.W. 572, and the petitioner request to impeach the Omaha Police Officer and shall be suppress and impeached since the complaint has been filed and the complaint on the trial judge, as the trial judge judgment shall be impeached; County Judge can be removed only by impeachment; Conroy v. Mallowell, 94 Neb. 794, 144 N.W. 895; Holder of Constitutional office may be removed only by impeachment; Fitzgerald v. Kuppinger, 163 Neb. 286, 79 N.W. 2d 547; Misdemeanor un-

der this section is a violation of positive statute Constitution amount to a crime or willfully neglect of duty with corrupt intent or gross negligence, inferring willfull or corrupt intent; State v. Hastings, 37 Neb. 96, 55 N.W. 774. The Trial judge refuse to acknowledge the petitioners God Given rights established by the Ecclesiasastical Court Law, and refused to correct the New Trial hearing as the Trial Court abused its discretion and shall be impeached and the judgment shall be impeached as pursuant to Nebr. Rev. Stat. 24-720 to 24-721; where defendant motion for new trial is sustained, formal judgment set-a-side, and judgment of dismissal of cause of action is entered, plaintiff becomes the "agrieve party" with right to present motion for new trial; Elfers v. Scuff & Sons Hotel Co., 127 Neb. 236, 254 N.W. 885 (1934). Unless alleged errors are pointed out in motion for new trial and ruling obtained, there on appeal must be dismisses. State v. Fauth, 492 Neb. 502, 227 N.W. 2d 401 (1976); In criminal cases alleged errors of the trial court not referred to in a motion for a new trial will not be considered on appeal; State v. Seger, (1974), 191 Neb. 760, 217 N.W. 2d 828, As the petitioner presented all the evidence in his new trial motion, to have the conviction vacated and etc.; New trial on the grounds of newly discovered evidence may be granted after an appeal to the Supreme Court has been taken and dispose of; Finnern v. Bruner, 170 Neb. 170, 101 N.W. 905 (1960) and the petitioner appeal to the Nebr. Sup. Ct./Court of Appeal could have sustained the petitioner appeal, and if the Nebr. Sup. Ct./Court of appeals did reversed and vacate the conviction with a remanded order, the trail court would not obey the Nebr. Sup. Ct./Court of Appeals mandate anyway as the record shows the Nebr. Sup. Ct.?Court of Appeals could have reversed the conviction as overruled means both denied and granted, and dispose of means either denied or granted to eightier party. If the appellate Court disagrees with the conclusion of the trail court regarding the effect of new evidence it can instead of a remand, issue a order disposing of case; Remmer v. U.S. 227, 74 SCT. 4-50, and the petitioner case no# A-17-1076 was dispose of.

- (I). The petitioner shall be entitiled to and would to request to the U.S. Sup. Ct.; that the petitioner shall be entitiled to a second and secessive habeas corpus, to present all issues and all new issues to the Appeals Court of the U.S., If the U.S. Sup. Ct. does not grant the relief of reversing, vacating and rcalling all lower courts orders and judgments of set-a-siding the conviction and sentence in the Douglas County Distric Court.

Courts may treat motion for reconsideration in habeas corpus proceedings as a second and successive, petitioner under Antiterroism and effective Death Pena-

lty Act. (A.E.D.P.A) U.S. v. Rish, C.A.(La) 1998, an the U.S. Court of Appeals could have granted the petitioner rehearing and construe motion for rehearing as a second and successive motion. On appeal, Sup. Ct. may order judgment to be entered in favor of the party entitled there to without ordering new trial in District Court; In Re. Estate of Farr, 150 Neb. 67, 33 N.W.2d 454 (1948). Where trial Court should have dismissed action, Sup. Ct. can direct such action to be taken; Wax v. Co-operative Refinery Assn., 154 Neb. 42, 36 N.W. 769 (1951). The Sup. Ct. of the U.S. shall review this Writ of Certiorari, and acknowledge the petitioners evidence, and new evidence of the complaint being issued to all the respondents which is admissible to go together with a claim as the petitioner completed the case, and all relief shall be issued together as the petitioner is entitled to a second and successive Habeas Corpus, as required by law. State v. Omaha, Nat. Bank ET. AL., 60 Neb. 232.

(J). The petitioner would like ask the U.S. Sup.Ct. to review the attached Appendix and issue a ruling on the merits, and if the claims/evidence/complaints/cases and etc., are admissible and are correct, the petitioner would like the U.S. Sup. Ct. to remand/mandamus the Claims/evidence/motions/complaints/petitions and etc, in the appendix to the Douglas County District Court to be refiled and set for a hearing as all matters shall be granted.

Supreme Court can direct entry of judgment for defendant withstanding verdict; Laurinat v. Giery, 657 Neb. 681, 61 N.W. 2d 251 (1953). Where case is remanded generally district court has discretion as to further proceedings; Gadison v. Thrush, 309 72 Neb. 1, 99 N.W. 835 (1909). When Supreme Court vacates or set aside a general verdict it should either grant a new trial or remand the case to trial court for such judgment; In Re. Georges Estate, 144 Neb. 915, 18 N.W. 2d 68 (1948). If judgment is afterwards set aside, garnishment proceedings are dissolved; Clough v. Buck, 6 Neb. 343 (1877).

As the petitioner shall be entitled to all relief, herein stated in all tort claims, as the petitioner shall be entitled to terminate all contracts also, as pursuant to 28§U.S.C. 1981 to 1983; and a con-

tract is a judgment of a conviction and sentence, and this habeas corpus judgment shall be set-a-side, and the petitioner shall be entitled to have his criminal history record expunge as pursuant to the Ecclesiastical law, letter of rogatory, registered deed poll, and as to the Omaha Police officers error in arresting the petitioner on an invalid charge. The petitioner and petitioners (3) three sons shall be awarded the required amount of \$15,000,00.00 million each or what is just and fair, and as required by law from the abuse, injury, damages, and etc. caused by the respondents.

(K). The petitioner would like to ask the U.S. Sup. Ct. to be exempt from the Clerk of the U.S. Sup. Ct. Memorandum of Page and Type NO# 1, as it's says = "petition produced on a typewriter are not accepted," which the petitioner have no access to a computer that is in compliance with the clerk rules as the petitioner is an inmate and the petitioner mention this to the N.S.P. Administration/Warden and the answer and reply is in the Appendix - O, and the petitioner would like to request for permission for leave to proceed on a typewriter, as due to the fact of this institution is not in compliance with the clerk rules and the petitioner shall be exempt from this rule, as the petitioner can't get access to a reliable computer, or the Court/Clerk shall grant the petitioner a (60) Sixty Day extension, to have time to get access to a computer from the N.S.P. Institution, as required by law, and the Ecclesiastical Court Law;

The petitioner shall be exempt from this rule or be granted a 60 day extension to get a hold of a computer, as the petitioner petition shall not not be denied, for the reason of this clerk rule, and etc..

- CONCLUSION -

The petitioner would like to state that, the U.S. Sup. Ct. shall reverse this request and matter all the way down to the U.S. District Court or the Douglas County District Trial Court or both, as the Omaha Police Officers/County Attorney/District Court Judge, State of Nebraska, Douglas County/City of Omaha, Child Support Services, Commission on Law Enforcement, and etc., all have been charge with a complaint/information/charge/etc., for violating the petitioners/appeallants God Given Rights established by the Ecclesastical Court letter of Rogatory, Registered Deed Poll, and additional rights stated herein and the Omaha Police Officers shall be impeached, along with the District Trial Court Judge, as the Trial Judge shall be impeached with the judgment of conviction and sentence shall be impeach also, with the child support order.

The petitioner/Appeallant stated all the burden of proof, evidence, facts, argument, and etc., and the petitioner shall be entitled to have all tort claims granted as to the requested required awarded amount that is just and fair of \$15,000,000.00 to the petitioner and the same to each of the petitioner 3 Sons, for a loss of consortiums-hip, with additional requests as the respondents/appealee have no arguments, defense, objections, or no God Given Rights.

The U.S. District Court Judgment is void for the reason till the U.S. Supreme Court rehearing or mandate is final, and the U.S. District Court Judgment is not final, but the exhaustion period is final which the judgment of dismissal can't be dismiss for a reason for exhaustion which is void, and the U.S. Court of Appeals and the U.S. District Court have to be reversed, modified, vacated, recalled, set--a-side, and terminated, and the Certificate of appealability and Certificate of Probable Cause shall be granted, as required by law.

- RELIEF SOUGHT -

Wherefor, petitioner Jamaal Andre Mcneil, moves this Honorable Court to grant the following relief =

- (a). Accepts jurisdiction over this case pursuant to 28§U.S.C.2254;
- (b). Require the respondent(s) to answer the allegations in this petition and brief in support.
- (c). Hold such evidence hearings as this court may deem necessary or appropriate;
- (d). Issue an order that this court will grant a writ of habeas corpus unless the State hold a new trial within a specified time; and
- (e). Issue a writ of Habeas Corpus freeing petitioner from his constitutional confinement.

The petition for Writ of Certiorari should be granted,

Respectfully submitted,


/s/Jamaal Andre Mcneil-Creditor,

4/12/19
Date: