

No.

~~18-9654~~
~~appeal # if applicable 17-4242~~

18-9654
IN THE

SUPREME COURT OF THE UNITED STATES

Carl Ross

(Your Name)

vs.

U.S.A.

PETITIONER

ORIGINAL

RESPONDENT(S)

FILED

MAY 27 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

ON PETITION FOR A WRIT OF CERTIORARI TO

(recently)

US District Court, US Appeals Court for the 4th Circuit.
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Javan

Carl Ross

(Your Name)

Eastern Correctional Institution (Prison) • 30420 Revells Neck Rd
(Address)

Westover, MD 21890

(City, State, Zip Code)

Don't know

(Phone Number)

QUESTION(S) PRESENTED

- 1 — Was ^(petitioner) my right to a speedy trial violated as well as public trial rights (6th Amendment)?
- 2 — Was ^(petitioner) my 4th Amendment rights violated? (unreasonable search and seizure)
- 3 — Was ^(petitioner) Carl Ross' 5th Amendment rights violated? (Due Process) ^{prosecutor} (attacked non-testimony in trial)
- 4 — Was excessive bail and cruel/unusual punishment done in ^(petitioner) Carl Ross' case? (8th Amendment)
- 5 — Was ^(petitioner) Carl Ross' 9th Amendment rights violated? (rights construed to deny/disparage others)
- 6 — Was Carl Ross' 1st Amendment rights violated? (freedom of speech, right to appeal)

LIST OF PARTIES

- [] All parties appear in the caption of the case on the cover page.
- [] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

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TABLE OF AUTHORITIES CITED

CASES

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STATUTES AND RULES MDC 11-208.1, MDC 11-209, MDC 11-208 (and their federal equivalents)

OTHER

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☒ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

☒ reported at 1/14/19 U.S. Court of Appeals for 4th circuit; or, Federal Reporter App. P. 41, Doc 56
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

☒ reported at 3/14/17 USDC (Baltimore); or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was 1/14/19.

☒ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A .

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

☐ For cases from **state courts**:

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

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

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A .

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

USCA Constitution Amendments 1, 4, 5, 6, 8, 9

STATEMENT OF THE CASE

(4th Amendment Violation)

- Date: 7/28/15 - Arrested by Baltimore County Police detective Joshua Rees by armed raid after 26 days of spying (from 7-2-15)
- 12/5/16 - Trial in USDC (Baltimore) - Jury - Judge Frederick Motz (evidence of 4th, 8th, 6th and 1st amendments violated)
- 3/24/17 - Sentencing (8th Amendment violated)
- 4/6/17 - Notice of Appeal
- 9/12/17 - Joanna Silver's Brief (evidence) (1st, 8th, 9th Amendments violated) (right to appeal violated)
- 10/2/17 - 11/29/17 complaint of Joanna Silver's brief (for excessive fraudulence of my statements, character, evidence, and appeal)
- 11/1/18 - Paresh Patel argues case to fraudulently remand my case when I wanted to vacate sentence and expunge charges. (1st, 8th, 9th Amendments violated again) (right to appeal violated again)
- 1/17/19 - Second complaint to USCA 4th circuit and USDC of allowing Joanna Silver to use my name to fraudulently remand sentence without attacking the convictions themselves as I intended. (1st, 8th, 9th Amendments violated again) (right to appeal violated again)
- 1/14/19 - Sentence vacated and remanded with no regards to anything I've ever said in my case by Paresh Patel to judges Gregory, Harris, and Chief Judge Niemeyer. Even further ignoring my rights and amendment rights 1, 8, 9
- 4/12/19 - Excessive prison lockdowns, illegal use of inmates to collect commissary sheets, causing my orders for stamps and envelopes to be undelivered therefore not received, no access to mailbox due to lockdown lasting to 4/29/19 chained by more lockdowns afterwards to 5/23/19, no library from 4/24/19 - 5/23/19 and continuing, no formal complaints can be filed because it's in library which doubles as law library, no copy machine, etc. Equalling untimely filing to this supreme court and to USCA 4th circuit for request for retrial.

Trial Transcripts T-I - Page 9, Lines 5-9 = Tracks Baltimore County

Page 12, Lines 16-18 = Got warrant from judge after tracking as Baltimore County Detective

Page 15, Lines 22-23 = Nothing but deleted files seized

Page 16, Lines 1-9 = They "carve out" deleted data

Page 23, Lines 3-4 = Their tracking software is called "roundup"

Page 30, Lines 24-25 = FBI and police involved

Page 31, Lines 1-2 =

Page 31, Lines 3-4 = Since April 2012-2019 (7 years)

Page 32, Line 3 = (Lie) websites, programs, etc. of eMule comes from many servers - You have to connect to one for the program to even work.

Page 34, Line 2 = Computer crime unit since 1998, supporting my claim for how long they've been preserving eMule and dangerous sites like it.

Page 34, Line 25 = Common knowledge for them

Page 39, Line 16 = Anyone can use eMule and end up finding (and falling victim to) illegal material unknowing of the dangers intentionally presented by law enforcement.

Page 44, Lines 14-17 = Hash values being more unique than DNA to track and spy users.

Page 44, Lines 22-25 = "Just fortunate" that file sharing networks use hash IDs when they used them before knowledge of file sharing networks using hash IDs.

Page 47, Lines 11-14 = File sharing networks "natively" used hash IDs. Law enforcement didn't introduce it, so they just "take advantage of it" - doesn't add up.

Page 48, Line 16, 17 = www.emule-project.net. Free for anyone in the world with internet. Why?

Page 60, Lines 9-10 = eMule itself not illegal, but Backpage was, enough that they shutdown the website - Doesn't add up.

Page 73, Lines 7-9 = eMule uploads files to others without knowledge or consent, even when not fully downloaded (Cancelled). Also, Page 119, Line 14-25.

Page 122, Lines 8-19 = There was no button on the emule I had

Page 139, Lines 11-23 = Govt owns IDs for child porn they use as bait for the world, they seem to brag. But won't do anything to prevent something that illegal to be seen... by the world. Also PS11, L3-5

Page 428, Lines 10-13 = "Non testimony can't be used against you" lie. Afterwards, prosecution used it against me to jury.

Statement of the case #2

JKB-16-0020

Sentencing Transcripts

Page 8, Line 17 - Hypocrisy by Budlow. I'm sure if the victims of these videos

Page 9, Line 4 - knew that the government is responsible for their blatant

Page 9, Line 2-12 - preservation of child porn, illegal unconstitutional IP/hash tracking, and disregard for their primary duty to seize and shut down such sites who are obviously either not complying with law enforcement/gov't, or are under law enforcement/gov't's control to do all these illegal acts, calling themselves trapping criminals.

Page 10, Line 6 - Budlow now fraudulently claims that I admitted to sexually abusing a minor.

Page 11, Line 11-16 - "Part of illegal community" lie and hypocrisy.

Page 15, Line 10 - "Deleted to avoid detection" lie "I admitted it" lie "Jury heard it" lie.

Page 15, Line 12-15 - I don't have the power to obstruct something only the gov't/law enforcement + knew about. Also, hypocrisy: No one is hindering them but themselves.

Page 17, Lines 1-4 - Quoting the congress, commission, and public safety are we? If only they knew.

Page 17, Lines 14-15 - "Watched for a year" lie. I never once seen this guy (Budlow) decide how long I've been looking at this stuff trying to figure them out.

Page 46, Lines 14-15 - And there's the statement of hypocrisy to top it all off.

Nadine^M Gazic - Merit reporter editing out my pertinent statements after
Page 49, Line 8; Page 49, Line 23 ~~one of few of gov't/court's attempt to prey on my~~ (one of few of gov't/court's attempt to prey on my tendency to forget details described by court)
O'Connor.
I feel like I'm in the "Fraser" movie.

Joanna Silver's fraudulent brief of appeal #17-4242

Page 13 - I never knew initially that looking at anything was illegal until July 2nd

Pages 13-14 - "Looking at child porn for years" lie. I see someone thinks they're a prosecutor.
I think a couple days was more accurate, as proof states.

Page 14 - "Harm appreciation" lie. Can "Right to criminally charge hack/job attorneys/doctors" be a right? ^{constitutional}

Page 18 and 22 - "Vacate and remand" lie. She refused and infringed my initial continuous repeated requests to appeal, infringing upon it, despite my numerous complaints. U.S.C.A. 4th Circuit refused my right to appeal as well, facilitating this infraction.

Page 18 - "Protect Society from Mr. Ross". Their hypocritical lying is outlandishly outrageous.

REASONS FOR GRANTING THE PETITION

- 1- This case has been suppressed, altered, misconstrued, perceptibly hatchetjobbed to assassinate my character and frame me as a pedophile.
 - 2- What USDC and USCA 4th circuit did of my case goes far from the standards and rules of all courts, especially the USSC court I'm filing this to.
 - 3- The government, state and federal, of their law enforcement too, preserved illegal material that hurts not only the victims of the illegal videos and pictures found, but internet users across the nation and the globe because it comes from a public website with nowhere near any adequate warning to avoid it, let alone acknowledge it even exists before they're exposed to the material. The government is reported by websites to have been doing this extremely harmful, outrageously cruel form of entrapment and framing for 20 or more years. In this case, it's the website: www.emule-project.net. It's found that the government has done this act using many other sites, usually peer-to-peer file sharing programs.
- I didn't search for the material to find it until I did in order to investigate how prevalent the situation is and what's keeping law enforcement from doing anything about this. Afterwards, I deleted same (after also acknowledging that the act of looking at the child porn is illegal) from my computer and left the site alone, confused. Then a month (26 days) later, Baltimore County raids ~~my~~ the house I lived with my girlfriend in, embarrasses me, pointed a gun and flashlight around the house with kids in it, let me know they tracked my IP address and lie on their Police report that I've been "watching child porn for 3 years" and it worked without them even needing evidence to back that statement up. Now I'm surrounded by actual criminals, being ignored by other courts of my own case with the idiotic attorneys pretending everything is ok or going to be while kicking my life further down the drain with their own lies, I got prisoners looking up my case information on case search, learning the address of my girlfriend and kids, putting them in danger to the rapists, robbers, burglars, gangs, drug dealers and their murderous kind along with any murderers who would make it out of prison from parole. All I see is red everytime I think about this. I'm so ashamed of this country's government. I cry everytime I ~~am~~ reminded that I can't legally hurt the ones responsible or the potential threats I'm housed with that could easily harm, kill or do worse to my loved ones. And one day, I might snap. That scares me the most, second to my loved ones being hurt. That I'll spend 28 years with a spotless record to be stained as the worst kind of criminal, be tortured in this prison, and have to ~~morally~~ degenerate to hurt someone to save my own, or kill them, or want revenge on the crooked that got away this far with ripping my life to pieces, lying to my girlfriend, the jury, the judges, ripping me away from my family and friends, vice versa. The government won't be able to pay me back enough for this.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Carl Javan Ross

Date: 5/29/19