

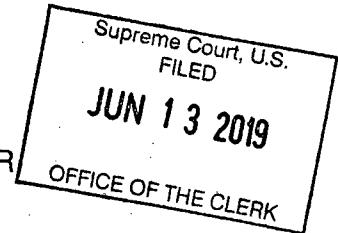
18-9741

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

ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES

QUINTIN IRVING BROWN — PETITIONER  
(Your Name)



vs.

CITY OF RICHMOND, VIRGINIA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

SUPREME COURT OF VIRGINIA  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Quintin Irving Brown

(Your Name)

Dillwyn Correctional Center

P.O. Box 670 / 1522 Prison Road

(Address)

Dillwyn, VA 23936-0670

(City, State, Zip Code)

(434) 983-4200

(Phone Number)

**QUESTION(S) PRESENTED**

I. WHEN A TRIAL OCCURS OVER A DEFENDANT'S EXPRESSED OBJECTIONS TO A VIOLATION OF THAT STATE'S STATUTORY RIGHT TO SPEEDY TRIAL WITHIN 152 3/16 DAYS AND 273 DAYS WILL THAT CONVICTION BE REVERSED AND FOREVER DISCHARGED?

II. WHEN FELONY CHARGES ARE REDUCED TO MISDEMEANORS IN ANY COURT OF ANY STATE OF THE UNITED STATES WHERE THE MAXIMUM PUNISHMENT IS 12 MONTHS, YET 3 YEARS OF PROBATION AND SUSPENDED SENTENCE ARE IMPOSED, WILL THAT SET ASIDE JUDGMENT BE REVERSED?

III. WHEN LAW ENFORCEMENT PERSONNEL, PROSECUTORIAL, AND JUDGES IN ANY STATE OF THE UNITED STATES USE DECEIT, DECEPTION, FRAUD, MISREPRESENTATION, MENDACITIES, AND MALFEASANCE TO OBTAIN AND SECURE CONVICTIONS WILL THE CHARGES BE VOID AB INITIO AND CORAM NON JUDICE?

IV. WHEN DEFENSE COUNSEL IS REQUESTED TO BE WITHDRAWN AS INADEQUATE, INCOMPETENT AND INEFFECTIVE IN ASSISTANCE IN A STATE COURT OF ANY STATE OF THE UNITED STATES OF AMERICA AND THE JUDGMENT IS SET ASIDE PROVING THOSE CLAIMS WILL THE CONVICTION BE REVERSED?

## LIST OF PARTIES

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

CITY OF RICHMOND and COMMONWEALTH OF VIRGINIA

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

OTHER

In 1958, Justice Frankfurter stated what I interpret as "The integrity of the Commonwealth Of Virginia has been abridged, revoked or diluted.

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 \_\_\_\_\_ to the petition and is

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 is unpublished.

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

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

For cases from **state courts**:

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

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

The opinion of the rehearing/reconsideration of highest court appears at Appendix B & C 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 \_\_\_\_\_.

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 March 5, 2019. A copy of that decision appears at Appendix   A  .

A timely petition for rehearing was thereafter denied on the following date: May 17, 2019, and a copy of the order denying rehearing appears at Appendix   C  .

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**

The Constitution of Virginia and Code Of Virginia 1950 § 19.2-243; and  
Bill Of Rights of the Constitution of the United States of America

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## STATEMENT OF THE CASE

Monday, June 22, 2015, Quintin Irving Brown was arrested on 3 felony charges and 3 misdemeanor traffic offenses in the City Of Richmond, Virginia. On July 28, 2017, he was convicted of all offenses. Prior to trial, Brown mailed a Motion For Withdrawal Of Counsel/(And For) Speedy Trial to the Circuit Court requesting withdrawal of counsel and for trial before the expiration of state statutory speedy trial code § 19.2-243, by July 1, 2017 that was filed June 14, 2017.

Within 21 days of conviction, Brown filed pro per motions to set aside the judgment signed February 20, 2018, and counsel went to another job at the City Attorney's Office. Another court-appointed counsel made appearance at the March 13, 2018 Hearing of the Motion To Set Aside before a replacement judge not familiar with the cases, and there was a rescheduling of the cases for April 23, 2018. At the April 23, 2018 Hearing counsel conceded Brown's speedy trial rights without his consent, in an act of ultimate betrayal to his disbelief. The Motion To Set Aside was granted on the other issues, and without retrial (by jury) the misdemeanor charges became 5 misdemeanors instead of three, yet 3 years supervised probation/suspended sentences were imposed on each of the two new misdemeanor-reduced charges exceeding the maximum state statutory code 12 maximum imposable (§ 18.11).

When heard by the Supreme Court Of Virginia, the record had been falsified to show that trial occurred on June 28, 2017, when in actuality trial occurred on July 28, 2017.

Brown has an estimated release date of July 28, 2020; however, if his credits were properly calculated Brown would be eligible for release on JULY 28, 2019, (NEXT MONTH).

## REASONS FOR GRANTING THE PETITION

1. Petitioner Quintin irving Brown, Virginia prisoner number 1146667 would be released from imprisonment on JULY 29, 2019 (NEXT MONTH) instead of the July 28, 2020 estimated release date, if the State Of Virginia Department Of Corrections would correctly compute the sentences imposed (4 years, 10 days--Richmond; time served (179 days--Portsmouth,concurrent with Richmond; and 90 days served in New Kent (18-9447 of this Court) without jurisdiction).
2. Petitioner was rendered inadequate, incompetent, ineffective assistance of counsel and denied the opportunity to self-represent at trial when dissatisfied with counsel.
3. The Commonwealth Of Virginia's integrity has been abridged, revoked and diluted by deceit, deception, misrepresentation, extrinsic and intrinsic fraud by exceeding the maximum sentences imposed by law and violating its own speedy trial rights statutes §§ 18.2-11 and § 19.2-243 of Virginia Code.
4. The misdemeanor charges' imposition of 3 years suspended time and supervised probation exceeds the maximum 12 months authorized by law for Commonwealth Of Virginia statutory law § 18.2-11 of the Code Of Virginia 1950.
5. The proper crediting of the sentences would entitle the petitioner to release from incarceration within the next month and a half on JULY 29, 2019, rather than the present estimate of July 28, 2020 because the record does not speak the truth.
6. The judgment of the City Of Richmond Circuit Court was void ab initio and coram non judice because the Court was without authority to try the cases outside of prosecutorial limitations ststed in state statutory law.

WHEREFORE, without judicial intervention, a further travesty of justice will occur by this petitioner serving an amount of time beyond the sentences imposed rationale would mandate that there is the existence of valid, meritorious and compelling for the relief to be granted to Quintin Irving Brown that will effect his release from incarceration that is wrongful and unlawful.

### CONCLUSION

Is there a remedy available from the highest court in the land?

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Quintin Irving Brown  
Quintin Irving Brown

Date: Monday, June 3, 2019

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 3 DAY OF June, 2019

Phyllis A. Turner  
NOTARY PUBLIC

