

ORIGINAL

18-9765
No.

IN THE

FILED
JUN 03 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

SUPREME COURT OF THE UNITED STATES

Joseph Kinard — PETITIONER
(Your Name)

vs.

United States of America RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

District of Columbia Court of Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Joseph Kinard-08008-016
(Your Name)

Allenwood, P.O. Box. 2000
(Address)

White Deer, PA. 17887
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

- 1.) Do a Assistant United States Attorney have to be a member of the Bar in that city or state to prosecute you in United States District Court and Superior Court.
- 2.) Once the jury's fine you not guilty of a firearmed in United States District Court. Can the same Assistant United States Attorney use the same firearm in your case in Superior Court.
- 3.) Can a Assistant United States Attorney call government witness and tell them not to talk to the defense team.
- 4.) The trial Judge told the Assistant United States Attorney to turn over the Detective Kennedy's notes to the defense team. the government never turn them over.
- 5.) The Supreme Court struck down possession of firearm during crime of violence. Do the same law provision for being unconstitutionally vague in Superior Court.
- 6.) If the State of Maryland drop a case against someone. Can the District of Columbia use the evidence to show intent.
- 7.) Do a Assistant United States Attorney have to be under the Oath of Office before he or she star work.

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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APPENDIX A District of Columbia Court of Appeals denied on April 5, 2019.
rehearing en banc denied April 5, 2019.

APPENDIX B Superior Court in the District of Columbia

The rule 60(B) and the rule 35(G) denied on August 30, 2017.

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TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
Banks v. D.C. Dept. of Consumer, 643 A 2d. 433 (1993)	(1.
Ryder v. U.S., 115 S. Ct. 2031, 132 L. Ed. 2d. 136 515 U.S. 177	(2.
Gamble v. U.S. NO-17-646 review granted (7-28-2018)	(3.
U. S. v. Eshetu 2018, BLX#F2571B600N, D.C.Cir 15-3020 (8-3-18)	(4.
Bracy v. Gramley, 520 U.S. 899, 902, 117 S. Ct. 1793 1796 (1997)	(5.

STATUTES AND RULES

Unauthorized Practice of Law Rule 49(e)
 Double Jeopardy Clause
 Brady Violated
 28 U.S.C.S. § 543 Oath of Office

OTHER

Due Diligence Violation
 Fifth Amendment Violation
 Due Process Rights Violation
 Prejudice Violation
 Other Crimes Evidence Violation

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 _____ to the petition and is

reported at Superior Court in District of Columbia; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the District of Columbia Court of Appeals 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 _____.

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 April 15, 2019. A copy of that decision appears at Appendix 1.

A timely petition for rehearing was thereafter denied on the following date: April 15, 2019, 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

Former Assistant United States Attorney Mr. Kevin Edward Byrnes worked for the Department of Justice, From 1993 To 1988. Mr. Byrnes was not a member of the District of Columbia Bar at this time. Also Mr. Byrnes never took the Oath of Offices, and Mr. Byrnes never told anyone he suffer from Bipolar Disorder. This is clearly a violation of appellant constitution rights.

- 1.) District of Columbia Rule 49(a)
- 2.) 28 U.S.C. § Title 543 Oath of Office.
- 3.) District of Columbia Court of Appeals
Rule 46(e) Not fitness to practice Law.

STATEMENT OF THE CASE

This complex case is base on 69 counts indictment on nine armed robbery and two burglary and eleven counts of possession of firearm during crime of violence, four counts of possession of unregistered firearm ~~Two~~ Two Counts of Assault w/intent to rob while armed. One Counts of Receiving stolen property and One Counts of Theft and One Counts of credit card fraud. All in one trial.

REASONS FOR GRANTING THE PETITION

For over twenty years appellant being denied his constitution Rights under the law in the United States of America. Appellant never had a Evidentiary Hearing to adjudicate the merits in this case. The Superior Court, and the District of Columbia Court of Appeals give appellant know choice but to come to Supreme Court. Appellant is ask this Court to grant this petition.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Joseph Zinano

Date: May 20, 2019.