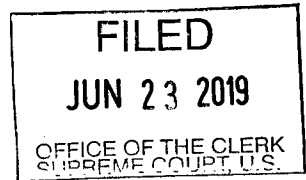


~~No 19-5042~~ ORIGINAL



IN THE
SUPREME COURT OF THE UNITED STATES

MR. CHARLES EDWARD JONES, SR. — PETITIONER

VS.

MRS. JOSEPHINE T. GRIFFIN
AND MRS. LEWA RUALS — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

THE UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT
PETITION FOR WRIT OF CERTIORARI

MR. CHARLES EDWARD JONES, SR.
880 EAST GAINES STREET
DERMOTT, ARKANSAS 71638

QUESTIONS PRESENTED

PETITIONER PRESENTED TO THE DISTRICT COURT
A CLAIM OF DENYING ACCESS TO THE COURT
AND EQUAL PROTECT OF LAW AND DUE PROCESS
UNDER THE FOURTEENTH AND FIRST AMENDMENT

1.) IF THE ORDER FROM THE DISTRICT COURT DOCUMENT
SEVENTEEN ALLOWED PETITIONER TO PROCEED
WITH HIS COLORABLE CAUSE OF ACTION OF ACCESS
TO THE COURT WHEN THE RESPONDENTS DID NOT PROVIDED
HIM WITH A CERTIFIED FILED MARKED OF THE RECORD ~~THE~~
SO HE ^{CAN} PROCEED WITH A PETITION FOR WRIT OF MANDAMUS
IN THE ARKANSAS SUPREME COURT?, WHY DIDN'T THE
DISTRICT COURT GIVE HIS RELIEF?

IN DOCUMENT THIRTY-ONE (31) PAGE (2) SECTION (B)
FILED "OCTOBER 16TH 2018" THE RESPONDENTS ASKED FOR
EXTENDED TIME FOR RESPONSE BY FOURTEEN (14) DAYS TO
CONDUCT AND CONCLUDE DISCOVERY, NOT SHOWING THE
DISTRICT COURT GRANTED IT IN DOCUMENT THIRTY-TWO (32)

2.) IS IT NOT DUE PROCESS OF LAW PURSUANT TO
FEDERAL RULES OF CIVIL PROCEDURES RULE . 55, 57 AND
58 PERTAINING TO DEFAULT AND DECLARATORY
JUDGMENT AFTER ONE HUNDRED AND FIFTY (150) DAYS
WITH NO RESPONSE TILL "MARCH 06TH 2019" BY THE
RESPONDENTS?

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A.C.A. § 16-112-103 (a)

1

ARKANSAS SUPREME COURT Rule 6-1...

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 G to the petition and is

☐ reported at 2019-1732; 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☐ is unpublished.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 F to the petition and is JONES V. GRIFFIN, 5:18-cv-0092-BRW

☒ reported at 2019-1732; 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☐ is unpublished.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 JUNE 13TH 2019.

☒ 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

AMENDMENT ONE. (I) PROVIDES :

CONGRESS SHALL MAKE NO LAW RESPECTING AN ESTABLISHMENT OF RELIGION, OR PROHIBITING THE FREE EXERCISE THEREOF; OR ABRIDGING THE FREEDOM OF SPEECH, OR OF THE PRESS; OR THE RIGHT OF THE PEOPLE PEACEABLY TO ASSEMBLE, AND TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES.

AMENDMENT FOURTEEN. (XIV) PROVIDES :

ALL PERSONS BORN OR NATURALIZED IN THE UNITED STATES, AND SUBJECT TO THE JURISDICTION THEREOF, ARE CITIZENS OF THE UNITED STATES AND OF THE STATE WHEREIN THEY RESIDE.

NO STATE SHALL MAKE OR ENFORCE ANY LAW WHICH SHALL ABRIDGE THE PRIVILEGES OR IMMUNITIES OF CITIZENS OF THE UNITED STATES; NOR SHALL ANY STATE DEPRIVE ANY PERSON OF LIFE, LIBERTY, OR PROPERTY, WITHOUT DUE PROCESS OF LAW; NOR DENY TO ANY PERSON WITHIN ITS JURISDICTION THE EQUAL PROTECTION OF THE LAWS.

A.C.A § 16-112-103(a)(1) PROVIDES :

THE WRIT OF HABEAS CORPUS SHALL BE GRANTED FORTHWITH...
TO ANY PERSON WHO SHALL APPLY FOR THE WRIT BY PETITION SHOWING,
BY AFFIDAVIT OR OTHER EVIDENCE, PROBABLE CAUSE TO BELIEVE HE OR
SHE IS DETAINED WITHOUT LAWFUL AUTHORITY, OR IMPRISONED WHEN BY
LAW HE OR SHE IS ENTITLED TO BAIL.....

STATEMENT OF THE CASE

ON ABOUT "OCTOBER 4TH 2016" PETITIONER SENT TO THE CHILOT, COUNTY COURTHOUSE CLERKS AT "108 MAIN STREET LAKE VILLAGE, ARKANSAS 71653 TO THE RESPONDENTS ("JOSEPHINE T. GRIFFIN & LEXIA RUALS") TWO (2) STATE HABEAS CORPUS PETITION PURSUANT TO A.C.A. § 16-112-103 (a) IN WHICH HE ASKED OR REQUESTED TO BE FILED AND SENT BACK TO HIM ONE (1) CERTIFIED FILED MARKED COPY FOR HIS RECORDS. AFTER RECEIVING ANY CORRESPONDENTS IT WAS FILED.

ON "OCTOBER 31ST 2016" PETITIONER, PETITION THE STATE SUPREME COURT FOR WRIT OF MANDAMUS TO COMPEL THE CHILOT, COUNTY RESPONDENTS TO FILE HIS HABEAS PETITION. SEE "APPENDIX (A) P*(14,15)

THE STATE SUPREME COURT RESPONDED ON "NOVEMBER 4TH 2016" STATUTORY: PETITIONER CANNOT PROCEED IN THE SUPREME COURT ONLY BY COMPORTING WITH PREVAILING RULES OF LEGAL PROCEDURES ("SUPREME COURT RULE. 6-1 "EXTRAORDINARY WRITS")" APPENDIX (A) P*(14-17) WHICH IS OBTAINING A CERTIFIED FILED MARKED COPY OF THE RECORD.

ON "MAY 30TH 2017" PETITIONER HABEAS PETITION

WAS FILED IN CHICOT COUNTY COURT UNDER CASE FILE NUMBER #
CW-2017-55-4 AFTER HIS SECOND TIME SEND HIS PETITION'S "MAY 10TH
2017". ON ABOUT "SEPTEMBER 19TH 2017" PETITIONER, PETITION THE
STATE SUPREME COURT FOR MANDAMUS A SECOND TIME, COMPELING
TO MAKE A RULING ON HIS PETITION FILED IN CHICOT COUNTY
COURTHOUSE, ONLY WITH THE SAME RESPONSE. SEE-APPENDIX (A) P*(18).

AFTER FUTILE ATTEMPTS FOR A CERTIFIED FILED
EL MARKED COPY FROM: "MAY 30TH 2017" TIL DECEMBER 10TH 2018"
OF HIS CIVIL CASE IN CHICOT COUNTY: CASE NO. CW-2017-55-4
AND THE RESPONDENTS IGNORING HIS REQUEST, ON ABOUT "JULY
20TH 2018 PETITIONER SENT TO THE FEDERAL DISTRICT COURT TO
BE FILED A TITLE 42 U.S.C. § 1983 AGAINST NUMEROUS OF DEFENDANTS
INCLUDING THE RESPONDENTS FOR DENYING HIM ACCESS TO THE COURT,
DUE PROCESS, AND EQUAL PROTECTION OF THE LAWS UNDER THE FIRST
AND FOURTEENTH AMENDMENT OF THE UNITED STATES CONSTITUTION. SEE "
JONES V. GRIFFIN., 5:18-CV-00192-BRW. ON AUGUST 21ST 2018 THE

DISTRICT COURT DISMISSED PETITIONER COMPLAINT AS A WHOLE WITHOUT PREJUDICE FOR FAILURE TO STATE A CLAIM FOR RELIEF. ON "AUGUST 31ST 2018" PETITIONER FILED IN THE DISTRICT COURT A MOTION TO ALTER OR AMEND THE JUDGMENT, CITING PERSASIVE AUTHORITY, THEREAFTER RECEIVING FROM THE DISTRICT COURT AN ORDER FROM DISTRICT JUDGE "BILLY ROY WILSON" GRANTING IN PART ON "SEPTEMBER 12TH 2018" SEE. APPENDIX (B) P* (19) ALLOWING PETITIONER TO PROCEED WITH HIS COLORABLE CAUSE OF ACTION OF DENY HIM ACCESS TO THE COURT FOR HIS UNSECESSFUL ATTEMPTS AND REQUEST FOR CERTIFIED FILED MARKED COPIES OF THE RECORD TO PETITION FOR MANDAMUS IN THE STATE SUPREME COURT. SEE. APPENDIX (B) P* (21).

ON ABOUT "OCTOBER 16TH 2018" THE RESPONDENTS FILED A MOTION TO STRIKE AND ASKING FOR EXTENSION TIME. SEE APPENDIX (C) P* (23) BUT THE COURTS NEVER GRANTED IT AFTER DISMISSING HIS MOTION FOR SUMMARY JUDGMENT WITHOUT PREJUDICE FOR BEING PREMATURE. SEE APPENDIX (C) P* (25)

AFTERWARD FROM RESPONDENT'S HEARINGS ON OCTOBER 16TH 2018 TIL
"MARCH 06TH 2019" MORE THAN ONE-HUNDRED AND FIFTY (150) DAYS
ELAPS BEFORE FILING A RESPONSE. SEE APPENDIX (d) P* [26]

ON "MARCH 6TH 2019 IN THE RESPONDENT'S HEARINGS THEY
FILED AN AFFIDAVIT FOR "LONA RUALS" (HIGHLIGHTED AREAS)" LETTERS
FROM PETITIONER AND HER RESPONSE. SEE APPENDIX (c) P* (26-34)

WHAT PETITIONER WAS ASKING FOR AND WHAT SHE SENT, DECLARING
IT UNDER THE PENALTY OF PERJURY.

APPENDIX (c) P* (~~37-42~~³⁷⁻⁴²) BRIEF FOR SUMMARY JUDGMENT,
THEREAFTER THE FILING OF THE RESPONDENT'S HEARINGS ON "MARCH
06TH 2019 PETITIONER RESPONDED TO THE HEARINGS AND
SIX (6) DAYS AFTER SEND^{ing} HIS RESPONSE ON "MARCH 12TH 2019"
MARCH 18TH 2019 DISMISSING PETITIONER COMPLAINT WITH
PREJUDICE. APPENDIX (f) P* (62-66)

PETITIONER APPEAL^{to} THE UNITED STATES COURT OF

APPEALS FOR THE EIGHTH CIRCUIT CASE DOCKET NO. 2019-1732,
ON "JUNE 13TH 2019" HIS APPEAL WAS DISMISSED FOR FAILURE
TO PROSECUTE AND PAYING THE FULL FILING FEE OF
FIVE-HUNDRED AND FIVE DOLLARS APPENDIX (G) P* (67)

REASON FOR GRANTING THE PETITION

PETITIONER ARGUES IT IS CLEARLY WELL ESTABLISHED FEDERALLY-PROTECTED RIGHTS THAT STATES UNDENIABLY ENJOY A CONSTITUTIONAL RIGHT OF ADEQUATE, EFFECTIVE, AND MEANINGFUL ACCESS TO THE COURTS AND ~~LEGAL~~ THE LEGAL SYSTEM. SEE "MYERS V. HANDLEY, 101 F.3d 542, 544 (8TH Cir. 1996)" SEE ALSO., LEWIS V. CASEY, 518 U.S. 343 (1996)" (QUOTING... "BOUNDS V. SMITH, 430 U.S. 817, 828 (1977)" (REBUTTING APPENDIX (F) P* (66)

SHOWING THE HONORABLE U.S. SUPREME COURT WHERE HIS IMPEDING, HINDERING, AND FRUSTRATION BY THE CHICOT, COUNTY RESIDENTS OF ACCESS TO THE COURT ABOUT "OCTOBER 4TH 2016" WHEN HE BEGAN TRYING TO FILE HIS HABEAS PETITION IN THE CHICOT COUNTY COURTHOUSE, AFTER THE ATTEMPTS TRIED TO COMPEL THE COURT THROUGH A STATE SUPREME COURT WRIT OF HABEAS CORPUS TO FILE HIS HABEAS PETITION SEE APPENDIX (A) P* (14-17)

HE REQUESTS THE U.S. SUPREME COURT TO TAKE JUDICIAL, WHERE THE SIXTH CIR IS "JACKSON V. JAWROG, 411 F.3d 615, 621 (6TH Cir. 2005)" HELD: STATE INMATES CONTINUE TO HAVE A RIGHT

OF ACCESS TO THE COURTS TO SEEK RELIEF THROUGH STATE HABEAS PETITIONS AND MANDAMUS, THAT PETITIONER CLAIM AGAINST THE RESPONDENTS WAS MORE THAN MERE FACTUAL ALLEGATIONS SUFFICIENT TO RAISE A RIGHT TO RELIEF ABOVE SPECULATIVE LEVEL. SEE "BELL, ATL. CORP. V. LONGBLY, 550 U.S. 554, 555 (2002)" APPENDIX (B) P* (21)

MUCH TO SAY, DUE TO THE RESPONDENTS CONTINUED MISCONDUCT OF IGNORING PETITIONER REQUEST FROM "MAY 30TH 2017" FOR CERTIFIED FILED MARKED COPIES OF THE RECORD UNTIL "DECEMBER 10TH 2017" SO HE CAN COMPLY TO PREVAILING RULES AS THE STATE SUPREME COURT REQUEST. SEE APPENDIX (A) P* (14, 18), AND APPENDIX (C) P* (27-32) HIGHLIGHTED AREAS (MY REQUEST BY LETTER, AND HER STATEMENT OF SENDING A FILE MARKED TO BOTH ME AND THE JUDGE.

THEREBY SHOWING THE COURT, THE HINDERANCE FOR LONG PERIODS OF TIME BY THE RESPONDENTS MAKES A

Prima Facie of liability on the respondents for a causal link and direct responsibility for his deprivation of his right of access claim. See "Madenbell v. Roberts, 909 F.2d 1203, 1208 (8th Cir. 1990)"

Further the Petitioner argues in accordance with state supreme court case law in "Sherman v. Wyatt, 2008, 2008 WL 2206363" See also, Murray v. Humphrey, 2007, 2007 WL 24938 the supreme court held: Absent a certified filed marked copy of the records from the trial court, the Arkansas supreme court could not assume jurisdiction over a writ of mandamus contending that the circuit judge had failed to perform his particular duty. See Appendix (E) P* (56-64) Exhibit (A) Certified, and Exhibit (B) Filed Marked Copy

Furthermore Petitioner makes ~~three~~ ^{one} (1) point that is relevant to this petition 1.) "Brady v. Maryland, 373 U.S. 83, 87 (1963)" the respondents suppressing exculpatory evidence

OF A STATE SUPREME COURT LETTER, NOT ONLY FROM THE COURTS BUT
THEIR ATTORNEYS AS WELL SEE APPENDIX (A) P* (14) "BRADY VIOLATION",
"KEEPING OUT THEIR DISCOVERY FILES)"

≡) SHOWING FRAUD ON
THE OPPOSING PARTY. SEE "ATKINSON V. PRUDENTIAL PROPERTY CO., INC.,
43 F.3d 367, 373 (8th Cir. 1994)", ALSO THE UNITED STATES
SUPREME COURT CASE IN "CRAWFORD-EL V. BRITTON, 523 U.S. 574,
590-91 (1998)" HELD: PUBLIC OFFICIALS ARE HELD TO AN OBJECTIVE
REASONABLENESS STANDARD AND ARE PRESUMED TO BE AWARE OF THE
LAWS GOVERNING THEIR CONDUCT.

IN APPENDIX (d) P* (44, 45)
THE RESPONDENTS WERE CHARGED^{ING} NEGLIGENCE FOR MERE
CONSCIENCE-STOCKING DECISION HOWEVER, THE SIXTH
CIRCUIT IN "LONG V. NORRIS, 929 F.2d 1111, 1115 (6th Cir. 1991)"
ABROGATED IN PART BY "VIRBILI V. GILBERT, 272 F.3d 391 (6th Cir.
2001)" HELD: PUBLIC OFFICIALS ARE NOT ENTITLED TO QUALIFIED
IMMUNITY WHEN RELYING ON IGNORANCE OR MISPERCEPTION OF THE LAW

To Avoided Liability

Conclusion

PETITIONER PUTS BEFORE THE HONORABLE U.S. SUPREME COURT FOUR (4) PROBATIVE FACTS TO CALL FOR AN EXERCISE OF THE COURT'S SUPERVISORY POWER, FOR WRIT OF CERTIORARI SHOULD BE GRANTED. 1.) THAT A DECLARATORY JUDGMENT SHOULD HAVE BEEN ENTERED BY THE DISTRICT COURT PURSUANT TO FED. RUL. CIV. PRO. RULE. 55, 57, AND 58 FOR THE ELAPSE TIME OF THEIR PENDING OF "OCTOBER 16TH 2018" TIL "MARCH 06TH 2019" AMOUNTING TO MORE THAN ONE-HUNDRED AND FIFTY (150) DAYS IN MAKING A COMPLETE RESPONSE TO THE COMPLAINT. DISTINGUISHING FROM... SEE ANDREW V. HANS-GRACO, 641 F.3d 176, 181 (3rd Cir. 2016)"

2.) IN JONES V. GRIFFIN, 15-18-CV-00192-BRW
PETITIONER QUOTES WHAT THE U.S. SUPREME COURT STATED IN FEDERAL CASE LAW OF SEE "SEE SYDER V. NOLEN, 380 F.3d 279, 292-93 (7th Cir. 2001) (PER CURIAM)"

Which STATE THE CLERK'S AUTHORITY DOES NOT FALL IN
TRADITION ROLL OF JUDICIAL FUNCTION THAT INVOLVES THE
EXERCISING OF DISCRETION... ETC... (QUOTE)... SEE
"ANTHONY V. BYERS & ANDERSON, INC., 508 U.S. 429, 435-36, 113
S.Ct. 2167, 124 L. Ed. 2d 391 (1993)"

ALSO THE RESPONDENTS CANNOT BE
SHIELD BY OR WITH THE IMMUNITY DEFENSE, THE FACTS
ALLEGED SHOWS THAT THE RESPONDENTS VIOLATED CLEARLY
ESTABLISHED FEDERALLY-PROTECTED RIGHTS OF ACCESS TO THE
COURT WITH PERSASIVE AUTHORITY ALON WHICH THE
DISTRICT JUDGE "BILLY ROY WILSON" GRANTED TO PROCEED
WITH A COLORABLE CAUSE OF ACTION FOR UNSUCCESSFUL
ATTEMPTS AND REQUEST FOR CERTIFIED FILED MARKED
COPIES OF CASE NO. W-2017-55-4 TO PETITION FOR
MANDAMUS IN THE STATE SUPREME COURT. SEE.
APPENDIX (B) P* (19-22)

3.) More to say Due To The District Court MisApprehending
His Rulings Appendix (F) P* (6/26) Failing To Consider
Important Factors, And Give Significant Weight
To Relevant Factors Such As His own order
Appendix (B) P* (9-23) Thereby Committing Clear Error
Of Judgment In Weighing Those Factors. SEE "
Gen. Motors Corp. V. Harry Brown's LLC, 563 F.3d 312, 316
(8th Cir. 2009)"

SHOWING A PRIMA FACIE OF A
MISCARRIAGE TO THE ADMINISTRATION OF JUSTICE THEREBY
AFFECTING THE FAIRNESS, INTEGRITY OR PUBLIC REPUTATION
OF JUDICIAL PROCEEDING, Distinguishing From... SEE "
U.S. V. WALLETT, 686 F.3d 476, 485 (8th Cir. 2012)"

4.) The Motion That Attach To This
Petition, Additional Reasons To Grant The Writ.