

19-5066 ORIGINAL

IN THE

FILED  
FEB 27 2019  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

JORDAN LOUIS DONGARRA — PETITIONER  
(Your Name)

vs.

UNITED STATES OF AMERICA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

**PETITION FOR WRIT OF CERTIORARI**

JORDON LOUIS DONGARRA #60707-060

(Your Name)

UNITED STATES PENITENTIARY PO Box 300

(Address)

WAYMART, PA 18472

(City, State, Zip Code)

941-536-5139

(Phone Number)

## QUESTION(S) PRESENTED

- 1) IF Your original Indictment is late AND dismissed Under 18 USC 3161(H)(7)(A) GRANTING the Ends of Justice . When You Get A Second Indictment AREnt You Suppost to get AN Arraignment ?
- 2) When the first Indictment is Untimley following proper procedures AND protocal MAKES the Second one, Also Untimley AND without AND Arraignment IS Defintly not following proper protocal ?
- 3) Without correcting the original Indictment, makes Everything UNCONSTITUTIONAL ? (UNDER 18 USC 3161 (b) ) "OHIO SAVING'S" suppost to be (5th 3rd).
- 4) IF I can only ATTACK collateral AND Infective COUSOL CLAIM AND the government Agrees to Infectiveness for the Attorney dismissing my original Indictment Gives me ground's to set A side the WAIVER IN the plea agreement?
- 5) If the original "Indictment" is "not" "correted" AND Untimley AS well A UNCONSTITUTIONAL Then following the chain of command, The "plea agreement" WOULD ALSO BE UNCONSTITUTIONAL AS well AS The "WAIVER" That's IN the "Plea agreement" Stewted From the "INVALID" "Indictment". MAKE's my whole ARREST AND INPRISONMENT INVALID AND UNCONSTITUTIONAL ?
- 6) This would ALSO MAKE the Jurisdiction INVALID AND UNCONSTITUTIONAL So why is it the government ADMITS to Infective COUSOL AND Speedy trial Act VIOLATION'S AND BAR's the Jurisdiction ISSUES with the UNCONSTITUTIONAL WAIVER "When I have Ground's to RAISE these ISSUES through Infectiveness COUSOL that the INVALID Plea Doe's NOT BAR me from
- 7) This would SATISFY "Strickland's" "two prong test". Under UNCONSTITUTIONAL CLAIM'S AND GRANT my (C.O.A) . So how CAN A District court keep Denying all these ISSUE'S After GRANTING A certificate of "Appeal of Ability" When I have "VALID" "Ground's" ?
- 8) Under 3161(H)(7)(A) IT SAY'S CAN NOT USE COUSOL'S OR court'S CALENDER FOR A VALID REASON UNDER 3161 (H)(7)(C) SO HOW did the CONTINUANCE GET GRANTED IN The first place when this is ~~the~~ the REASON'S APPENDIX (A) ?  
(4/21/15) "Docket" # 20 "STATES: Because of court'S AND COUSOL'S CALENDER Why?"

## 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 (Ineffectiveness)	PAGE NUMBER
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### STATUTES AND RULES

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Appeal Waiver

Prejudice

Jurisdiction

### 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 UNCONSTITUTIONAL VIOLATION'S / BARED BY "WAIVER"; 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 B to the petition and is

reported at UNCONSTITUTIONAL VIOLATION'S / BARED BY "WAIVER"; 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 11/30/15 9/14/18.

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: 11/30/18, and a copy of the order denying rehearing appears at Appendix A.

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

- 1) Indictment's "INVALID AND UNCONSTITUTIONAL"
- 2) Plea agreement "INVALID AND UNCONSTITUTIONAL"
- 3) The "Waiver" INVALID AND UNCONSTITUTIONAL
- 4) Effective ASSISTANT COUNSEL

## STATEMENT OF THE CASE

IF The Indictment is INVALID with government Contest  
to . The Indictment IN FACT is 33 days INSTEAD of thirty Days Under U.S.C 3161(H)(7)(A)  
STATES "Ends of Justice" on Docket 4/21/15  
Reasoning that the counsoul AND court calender AND "Under"(U.S.C 3161(C))  
The court's or counsoul calender is no Reason.

With The Untimley Indictment was the Beqing of the Snowball effect of  
Untimley Indictments Based off one ARIEMENT Creating constitutional error  
And Grounds for dismissle under 18 USC 3161 (A)(6)

Because If the multiple Indictment were INVALID, the plea agreement is  
Also INVALID making The waiver IN plea agreement INVALID  
with they keep using to Bar the ~~Defendant~~ / Petitioner

## REASONS FOR GRANTING THE PETITION

This Indictment And Charges Are UNCONSTITUTIONAL AND INVALID  
The original district court granted "Certificate of Appeal of Ability"  
For Substantial Ground's Then Dismissed on Appellee waiver  
which is most definitely INVALID when the Indictment is  
UNCONSTITUTIONAL AND INVALID.

The petitioner should be Granted Relief VACATED, set aside, or Remanded Because He HAS now BEEN INCARCERATED FOR 4 years 3 months with out ANY VALID pending charge. The petitioner ask for the UNCONSTITUTIONAL Indictment to be dismissed Under 18 USC 3161 (6) with prejudice.

### **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Jordan L. Douglass

Date: 2/15/19