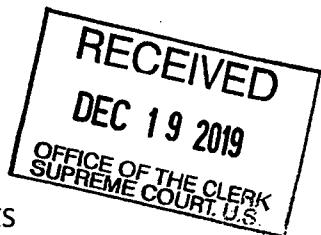


NO. 19-5633



IN THE SUPREME COURT OF THE UNITED STATES

JAMES F. JOHNSON , PETITIONER

v.

RICHARD S. TISCHNER , DIRECTOR , COURT SERVICES AND OFFENDER
SUPERVISION AGENCY , ET AL.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

Reply Brief

REBUTTAL BRIEF FOR THE PETITIONER IN OPPOSITION

JAMES F. JOHNSON
PRO SE PETITIONER

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QUESTIONS PRESENTED

Whether the United States Court of Appeals , and any other Court of Justice , under authority and obligations to the United States Constitution , can turn a blind eye to justice , and truth as applicable to the jurisprudence of the United States Constitution , and equality under the laws and justice for all?

Whether the United States Supreme Court , in it's Appellate Authority , has jurisdiction to correct any legal injustice , ill practice, and blatant irregularity of the United States Constitution of laws and protections of Citizens of these United States of America ?

OTHER RELATED QUESTIONS FOR REVIEW

Whether the certified jury verdict form is a True and Certified Official Document was over looked and ignored by the Government and Defendants in criminal case F-33483-76?

Whether the District of Columbia , in it's quest for total and or partial Home Rule, waive it's right to try criminal cases under the authority of it's own legal Attorney General for the District of Columbia , which it now has , or continued to use the Attorney General of the United State as it's Chief Prosecution Attorney for the District of Columbia in it's newly authorized position as Partial Home Rule , operating under it's own District of Columbia Superior Court system?

Whether the CSOSA and the District of Columbia Superior Court waive it's rights and or jurisdiction over this Defendant as a Sex Offender when it failed to Register him under the Federal Statute in the year 1976 , the year of convictions, in the District of Columbia Superior Court where it utilized the United States Attorney as Attorney of record in opposed to any District of Columbia Attorney General , but obligated Defendant as an Offense against the District of Columbia , tried under District of Columbia laws, where the District of Columbia did not have any Sex Offender Registration Laws until year 2000?

Whether the District of Columbia had any authority over any Federal Agency in the year 2000 , as it utilized the authority of the United States Attorney's Office in the year 1976 in criminal case F-33483-76 in the District of Columbia's Superior Court?

Whether the Defendant intentionally writes that this Appellant was ever convicted of the crime of Rape, where the duly recorded Jury Verdict Form fails to certify the Rape Count " D " as convicted by the Jury of his peers , in criminal case F-33483-76?

Whether the District of Columbia Department of Justice waived it's right to have this Petitioner register as any Sex Offender when it failed to follow it's own agency guidelines to have any convicted felon for the crime of Rape to sign and register as an Registered Sex Offender Prior to release from prison?

Whether the Federal Bureau of Prison waive it's right to have this Petitioner register as any Sex Offender when it failed to follow it's own agency guidelines to have any convicted felon for the crime of Rape to sign and register as an Registered Sex Offender Prior to release from prison?

Whether the Government's Chief Witness , the Complaining witness ,in criminal case F76-33483 , ever testify that this Petitioner ever Penetrate her in any sexual act?

Whether the Government ever presented any Medical or DNA or witness , in criminal case F76-33483. To testify as to this Petitioner having any type or form of sexual intercourse with the Complaining witness?

STATEMENT OF THE PETITIONER IN REBUTTAL TO OPPOSITION

The Government has presented this Honorable United States Supreme Court of many rulings by lower Courts, however, none to the effect that it has respect for the United States Constitution and the many failures of the lower Courts to follow it's authorities to protect Citizens of the United States and it's criminal justice system of rightful justice and equal protections of the laws.

The Government failed to recognize the importance of the Jury Verdict Form , with , under jurisprudence of our laws , has the over all right to declare guilt or innocence. Here in criminal case F-76-33483, the case in chief , the Jury's Foreperson declined to indicate that Count " D " , the Rape count, was declared as " Not Guilty", and is clearly shown upon the verdict form signed into law by the Jury Foreperson.

The Superior Court Judge , after the Jury's Verdict was rendered , and after and or during the Sentencing phase of criminal case F-76-33483, failed to order that this Petitioner was convicted of any Rape, and therefore must be ordered to Register as an Sex Offender, it was not until Petitioner questioned the validity of the entire case , in the year 2004, nearly thirty (30) years after the trial, did a Superior Court Judge order this Petitioner to Register as a Sex Offender.

The District of Columbia's Department of Correction, which orginally housed this Petitioner for the duration of the F-76-33483 trial case , released this Petitioner during the 1981-2 release to Half Way Comm unity Corrections Center , failed to have this Petitioner to sign and register as any Sex Offender Prior to his release from that prison as is a direct policy of the District of Columbia Sex Registration release for any Sex Offender duly convicted of Rape.

The Federal Bureau of Prison , which housed this Petitioner during the years from 1984 through the years 2003, for the criminal charges related to Federal Narcotics violations , failed to have this Petitioner sign and register as any Sex Offender convicted for Rape Prior to his release to Half Way Community Corrections House , eve though this Petitioner continued to be under jurisdiction and custody of sentencing in criminal case F-76-33483.

The SCOSA Agency itself, failed to inform this Petitioner of it's agency guidelines to have any felon of Rape , to formally Register as a Sex Offender during the original period when the United States Congress officially closed Lorton Prison Facilities and transferred jurisdiction of all District of Columbia Felony Convictions to the Federal Authority and thus gave SCOSA it's jurisdiction over this Petitioner.

The records clearly and legally shows , especially now . through the orginal transcripts of the trial in the instant case, that the primary complaining witness , did not testify that this Petitioner ever penetrate her during any sexual encounter , nor does the Government ever challenge the testimony of this witness, nor has the Government ever brought to the Courts' attention that there is direct testimony from the Governments' Chief witness ,that this Petitioner ever penetrated her, the prevailing and undisputed fact for conviction in any case of Rape.

The records shows, and the Government has never presented any evidence of DNA , nor any Medical Witnesses , of any type, that this Petitioner had any sexual encounter with the Chief Complaining Witness in criminal case F-76-33483.

The CSOSA Agency , states that it has documented evidence that this Petitioner has the conviction for ATTEMPTED RAPE, not RAPE, and that the term of continued registration is the same as for Rape itself , even though the Agencys' own records reflect that at criminal penalty for Rape is greater than the penalty for Attempt Rape and that this Petitioner should be held to register for the remainder of his Life! The criminal penalty for any type of attempt is not less than three (3) years , and not more than Ten (10) yearshow can this be " equal justice under the United States Constitution. The Government in its' entirety , does not contest nor deny CSOSA's version , and the records reflect the same, that this Petitioner is only convicted of Attempted Rape, not Rape ; as the Government would have this Court to believe , simply because it has the force of law, but the record speaks to defunct the Governments' version and this Petitioner duly prays for this Honorable United States Supreme Court to over turn this decision to keep this Petitioner under Sex Offender Registration for the remainder of his Life for the conviction of Attempt to Rape, it is so moved for reasons stated logically , and legally under the United States Constitution, above.

In God We Trust

James F. Johnson