

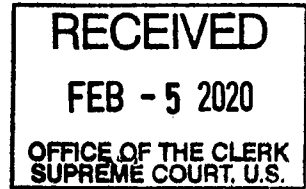
No. 19-5676
PURSUANT TO SUPREME COURT RULE 44 REHEARING

ORIGINAL

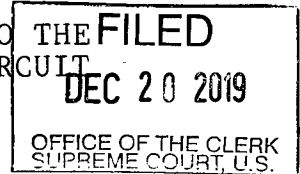
JEREL LEON JORDAN
Petitioner,

-v-

UNITED STATES OF AMERICA,
Respondant

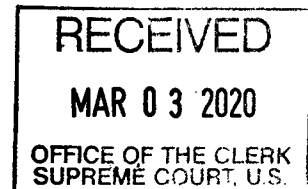


REHEARING ON PETITION FOR A WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT



REHEARING PETITION FOR WRIT OF CERTIORARI

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QUESTIONS PRESENTED

- (1) Does the Federal Court lose jurisdiction when 18 U.S.C. 922(g)(1) is vacated or reversed, pursuant to Rehaif, supra.
- (2) Does the word knowingly mean the same in 21 U.S.C. 841(a) and 18 U.S.C. 924(c), that was stated in Rehaif, supra, June 21, 2019.
- (3) Should all Counts be vacated pursuant to the word knowingly pursuant to Rehaif, supra. That no lawyer or District Court Judge understood the meaning of the word knowingly.
- (4) How can Mr. Jordan have a fair trial where his lawyer could have used a better defense if the lawyer understood the meaning of the word knowingly as stated in Rehaif, supra.

PARTIES TO THE PROCEEDINGS BELOW

Petitioner, who was the Defendant-Appellant below is Jerel Leon Jordan, Respondent, who was the Plaintiff-Appellee below, is the United States of America.

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(A) Opinion U.S. Court of Appeals for the Fourth Circuit issued 22, May 2019. See original Brief.	

TABLE OF AUTHORITIES

CASES

Bougley v. United States, 523 U.S. 614 (1998)

Rehaif v. United States,

Statutes

18 U.S.C. 922(g)(1)

18 U.S.C. 924(c)

18 U.S.C. 3500

21 U.S.C. 841

28 U.S.C. 1254

RULES

S. Ct. R. 44

CITATION OF PRIOR OPINION

The United States Court of Appeals for the Fourth Circuit decided this case by unpublished opinion issued May 22, 2019 in which it affirmed the judgment of the trial Court. A copy of the Last Brief is included.

JURISDICTIONAL STATEMENT

This Petition seeks review of an opinion of the Supreme Court on June 21, 2019 Rehaif, supra, following a bench trial, convictions of (1) Possession of a firearm after being convicted of a felony in violation of 18 U.S.C. 922(g)(1). (2) Possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. 924(c)(1)(A); and (3) Possession with the intent to distribute cocaine base, in violation of 21 U.S.C. 841(a)(1).

CONSTITUTIONAL PROVISION INVOLVED

The grand jury clause of the Fifth Amendment serves three functions. By requiring an indictment to allege every essential element of the offense charged it helps to safeguard a defendant's Sixth Amendment right to a fair notice of the charges he faces. Eighth Amendment nor cruel and unusual punishments inflicted.

STATEMENT OF THE CASE

In the fall of 2016, the narcotics unit of the Elizabeth City, North Carolina Police Department began investigating Jerel Jordan after hearing from multiple confidential informants and other people arrested for drug offenses that Mr. Jordan was selling crack cocaine. The investigating was by State Police officers, not Federal. The property was State land not Federal land. Therefore, the case was not Federal. Until the State officer found a firearm inside of Mr. Jordan's home, that made the case Federal. Without 18 U.S.C. 922(g)(1) the case could have never been Federal, that's how the Federal Court got jurisdiction over Mr. Jordan's case. In any event, without 18 U.S.C. 922(g)(1) the Federal government or Court loses jurisdiction.

ALL OTHER PROCEEDINGS ARE THE SAME!

MANNER IN WHICH THE FEDERAL
QUESTION WAS RAISED NOW

The first four questions, presented from the Supreme Court case Rehaif v. United States, supra, June 21 2019 and Bougley v United States, 523 U.S. 614 (1998).

Questions three and four are mostly dealt with in Bougley v. United States, 523 U.S. 614 (1998).

Reason For Granting the Writ

Mr. Jordan contends that there are four compelling reasons for granting his Petition for Writ of Certorari.

First, the reason is jurisdiction without 18 U.S.C. 922(g)(1) this case could have never become federal. This case did not happen on Federal property. See e.g. in Rehaif, supra, page 21 where Alito dissented stating possession is wrongful only if the defendant is on federal property. CF 41 CFR § 102-34.400 (2018). In case at bar, this case was a State police case and the firearm count 18 U.S.C. 922(g) made the case Federal; without 18 U.S.C. 922(g) the Federal case will not have a leg to stand on.

Second, the reason is nobody, not the Judge or the defendant. Nr. Jordan's lawyer understood the word knowingly, like the Supreme Court stated in Rehaif, supra June 21, 2019.

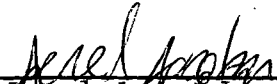
Third, how could a defendant defend any Count 18 U.S.C. 924(c), 18 U.S.C. 922(g), and 21 U.S.C. 841(a) without understanding the word knowingly.

Therefore, pursuant to Bousley v. United States, 528 U.S. 614 (1998) all Counts that start off at the Beginning with the word knowingly must be vacated by Rehaif, supra. Surely 21 U.S.C. 841(a)(1) stated that whoever, knowingly possessed drugs, the same as 18 U.S.C. 922(g)(1). This is the reason for asking the four questions. this is not to delay the Court. It is presented in good faith. Mr. Jordan received a letter dated December 2, 2019 from his lawyer, telling Mr. Jordan that his Supreme Court Brief was denied, therefore Mr. Jordan prays that the Court lets him bring these questions for Rehearing within twenty-five (25) days that the Supreme Court allow to file for Rehearing pursuant to Rule 44 of the Supreme Court.

CONCLUSION

For the foregoing reasons, Petitioner Jerel Leon Jordan respectfully requests that the Court reverse or vacate the District Court and Fourth Circuit of denied relief to Counts 1, 2 and 3 and remand to Fourth Circuit for a new trial, or dismiss the indictment:

This, the 19th day of December, 2019.


Jerel Leon Jordan
Pro-Se

Copy to: Soliciter General
Noel J Francisco