

No. _____

19-6193

IN THE
SUPREME COURT OF THE UNITED STATES

Franklin C. Smith — PETITIONER
(Your Name)

vs.

Robert Maxwell & (S.B.I.) — RESPONDENT(S)
Field Offices Across our Country

ON PETITION FOR A WRIT OF CERTIORARI TO

Fourth Circuit Court of Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Franklin C. Smith
(Your Name)

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(City, State, Zip Code)

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FILED

JUL 17 2018

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SUPREME COURT, U.S.

RECEIVED

AUG 20 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

(Amended)

(Murder For Hire & Destructive Informant System.)

QUESTION(S) PRESENTED

As an immediate concern for the public's safety across America Petitioner is invoking the Court to put a halt to the "Informant System as Destructive" and "inherently Dangerous And Broken" causing the life of at least one law enforcement officer Becker in Norfolk, VA. of 2010 (Still unsolved), which (F.B.I.) agent Gary Trombly and (A.T.F.) William Baggs supervised over.

And girls & women who are caught in a state of servitude by the "Destructive Informant System" stuck in a "Dilemma" of being raped by an Army of Gangsters or reporting it to the (F.B.I.) or (Police) who supervise the Informant system. And disposed of (murdered) before it is revealed.

Why did Robert Mueller leave the (F.B.I.) Destructive Informant System in place when he retired in 2013? Because information was a commodity (Bought & Sold), which outweighed the safety concern of girls & women being raped and murdered. (See Policing in America).

If the informants (Gang members) are revealed, it will implicate Agent Gary Trombly and Agent William Baggs as being responsible for the Gang Affiliates (Informants), so the murder upon officer Becker has to stay unsolved.

And almost 10 yrs. of the killing upon Officer Becker without any of the supervisors over the informant system taking responsibility, strongly infers that officer Becker's killing was a contract of a "murder for hire" by the ones who supervise the informants. Inter Alia.

(Jurisdictional Question)

Indeed, The Fourth Circuit Court of Appeals decision denying the mandamus, is in conflict with a U.S. Supreme Court decision in: *Exxon v. Gulf Dist. Court*, 426 U.S. 394, 402 (1976). And in conflict with: *United States v. Morrison*, 333 F.3d 504, 516-19 (4th Cir. 2003).

Whereas, Petitioner has met and satisfied the Threshold requirement as an urgency for immediate relief under extraordinary circumstances drastically needing this remedy to secure the safety and lives of American Girls and Women, as well as Police officers alike of having strong prima facie inferences that officer Becker was killed by the "Destructive Informant System". And Petitioner's bedroom window was shot at. (* See Police Report.)

And the Petitioner has a clear legal right to relief sought, and the Respondent has an inescapable obligation to protect the Petitioner pursuant to: (18 U.S.C. 5512);

"Whoever kills or attempts to kill another person, with intent to prevent the attendance or testimony of any person in an official proceeding;

"Shall be imprisoned for not more than 30 years." Inter Alia.

(Respectfully)

Franklin C. Smith

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:

(F.B.I.) Agent, Gary Twombly over The "Destructive Informant System".

(A.T.F.) Agent, William Baggs over The "Destructive Informant System".

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	
STATEMENT OF THE CASE	
REASONS FOR GRANTING THE WRIT	
CONCLUSION.....	

INDEX TO APPENDICES

APPENDIX A United States Court of Appeals - Fourth Circuit.

APPENDIX B

APPENDIX C

APPENDIX D

APPENDIX E

APPENDIX F

TABLE OF AUTHORITIES CITED

CASES Malone v. Fitzgerald, 457, 245, 800, (1982).

PAGE NUMBER

"The Court can impose liability when a public-official defendant 'knew or should have known' of the constitutionally violative effect of their actions, would not allow officials to escape liability for their actions, even if they could not 'reasonably have been expected to know what they actually did know'."

"Thus, the clever and unusually well-informed violators of constitutional rights will not evade just punishment for their crimes dissolving their immunity protection to all government officials performing discretionary functions across the board."

STATUTES AND RULES

"Joint tortfeasor liability arises when persons who in pursuance of a common plan or design to commit a tortious act, actively take part in it, or further it by cooperation or request, or who lend aid or encouragement to the wrongdoer(s) or ratify and adopt his or her acts done for their benefit are as equally liable with him or them."
Prosser Torts. (4th ed. 1971).

"There is no doubt that officer Beckes's murder was an anticipated plan by an exclusive group of officials utilizing the Informant System in a Destructive Heady manner, 'ultimately, for a high price'."

OTHER

Officer Beckes was simply killed due to a conflict of ideological beliefs with certain officials, and what race he was, as he was going to reveal that the "Destructive Informant System" was inherently dangerous to girls and women implicating the supercilious (Robert Mueller) who is responsible for the (Crips & Bloods) informant system,

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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 _____; 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 _____; 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 May 3rd 2024.

☒ 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).

As instructed by Michael Duggan, Petitioner must resubmit and Amend his Petition as soon as possible.

☐ For cases from **state courts**:

The date on which the highest state court decided my case was N/A.
A copy of that decision appears at Appendix N/A.

☐ 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).

(Memorandum of Law)

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

"A civil conspiracy is a combination of two or more persons acting in concert to commit an unlawful act, or to commit a lawful act by unlawful means, the principal element of which is an agreement between the parties to inflict a wrong against or injury upon another, and an overt act that results in damage." *Rosenmund v. United States Steel Corp.*, 474 F.2d 1139 (3rd Cir. 1973).

In order to prove the existence of a civil/criminal conspiracy, a Petitioner is not required to provide direct (direct) evidence of the agreement between the conspirators; "Circumstantial evidence may provide adequate proof of a conspiracy." *Hoffman-La Roche, Inc. v. Greenberg*, 447 F.2d 932, 975 (7th Cir. 1971).

*

Whereas, the conspiracy is still ongoing, which are to frustrate any redress the Petitioner seeks to solve the crime of officers Blexes being killed and cease the destructive informant system as presently dangerous upon women.

Moreover, more importantly, to conceal the true character of the activities of the Supersissos (F.O.I. & A.T.E.) involved in the first conspiracy.

*

And reveal that they allow the informant system to place unlimited amounts of packages of drugs up girls and women vaginas causing prostate bleeding and permanent damages to their uteruses violating our Thirteenth Amendment abolishing slavery in a controlled environment.

(Second Amendment)

A well regulated militia, maybe invoked, being necessary to the security of a free State, and the safety of the Petitioner for the reasons stated in the aforementioned.

* (Timeline of Destructive Informant System) *

(STATEMENT OF THE CASE)

After Xatrina in 2005 I went into a Bar on Beale St. in Memphis, TN. next to the 5th police station. A young white woman (Jewish) in her late teens came down stairs collapsing in my arms getting "Semen" all over my body. Stating "Please help me," as about 2000 Blood gang affiliates from the "Destructive Informant System" came down stairs throwing her shoes on the floor, as she kept repeating: "On my God do you know what they did to me up there," while I struggled to find her shoes and get her out of there as the Bloods of an African-American descent sat down at a table laughing, getting drunk and high on cocaine.

I got her shoes and placed them on her feet as she said: "Thank you so very much for helping me," while she called and begged her mother to come immediately as I watched over her until she came.

The poor woman was brutally raped like so many women and girls in this country and murdered by the Gangs who are on the same side of society, which was coordinated and operated under Robert Mueller for decades, leaving the "Destructive Informant System" in place prior to retiring in 2013 constituting a low intensity of "Domestic Terrorism" upon U.S. citizens in a pervasive out of control manner virtually undetected.

In (2012) I filed a valid & legitimate complaint against (F.B.I.) Agent Gary Trombly with the office of The Inspector General due to a gross and reckless disregard to protect my Federally guaranteed rights of a prima facie assault with a weapon (Electric Shield) by Deputy Rodney Lee Jackson of Case No (2:10 cv 33), which was ruled by Federal Judge Mark S. Davis that the "Assault upon Petitioner indeed did occur."

Whereas, the retaliation carried over to officers Peter J. Mantoni after extraditing me for \$300⁰⁰ (Three dollars) abusing the "Detainees Act", And putting Mantoni on active notice of a suit for "unnecessary use of excessive force" on (Aug. 24th 2016) Sending two Blood affiliates from the "Destructive Informant System" breaking my ribs while the other gang members possessed a hand gun as officers Mantoni's colleagues watched across the street who were officers: Shea Proxa and officers: James Magee, there to protect the informants from being caught.

On (Jan. 6th 2019) midnight my bedroom window was shot at while in bed at 426 St. James Ave. Suffolk, VA. 23434 in the "Nucleus" of the "Destructive Informant System" of prevalent "Gun shots" on a weekly basis terrifying the baby girls in the neighborhood of all ethnicities forcing the girls to live in terror and sleep on the floor so a bullet wouldn't hit any of the girls when it pierced their bedroom window.

So after the Virginia Dept. of Corrections had placed me in those "Predictable consequences" of being shot at in Suffolk, VA. in reprisal for petitioning our Government for the redress of my grievances under our First Amendment to our United States Constitution by the Resolution of our United States Congress.

Then (VDOC) placed me next to the 365th (Newpost news) Bang Squad Gang Safe haven on 651 42nd St. Newpost news, VA. 23607 while I lived on 649 42nd St. Newpost news, VA. 23607 with affiliates living in the house on (Jan. 10th 2019), which coexist with the Newpost news, VA. Police Dept. of a dangerous covert new movement "Kill or be Killed" (by a Problackest Society) upon members of the Caucasian race causing the Virginia Beach mass (muscles) shooting killing 62 people on (May. 31st 2019) in retaliation due to white officers killing black men.

(REASONS FOR GRANTING THE PETITION)

(Statement of Claim Continued)

However, this movement is also dangerous to "Black Women" considered collateral damage like: Cynthia Carrer in Newport News, VA. Brutally raped and murdered in March 2019 by the "Destructive Informant System" operated and controlled under Sergeant Lawrence who sent the 36th Gang Squad Gang to my front door posing as a Cox Cable employee with a "Gun" in his pouch that I saw sticking out via peep hole after the attempt to snatch me out the back door on Presidents Day (Feb. 18th 2019) was botched. ^{*}(Note: Sgt. Lawrence called me offering protection when I didn't request it or know him).

As well as the attempt to program me to call (911) in a concerted action with the "Destructive Informant System" to "Ambush white Police officers" on Presidents Day (Feb. 18th 2019) was too botched, which was orchestrated by Kevin Stan Bailey of (IBM) with my Civil Rights Attorney, Evan Way who had me on the phone while the 36th Gang Squad Gang were taking their best positions hoping I'd hit (911) encouraged by Evan Way from Oklahoma City, OK, in reference to case NO (CIV-16-354-KB).

But I put the phone in my pocket throwing the "Gang Informants" in chaos and confusion saving several Police officers' lives from a predetermined "Ambush" that I detected from my 30th years experience of interacting with the streets (homeless hiring me as the planned shooter "killed" after the officers were shot placing the "Gun(s)" on my dead body while the "Destructive Informants" depart from the murder scene as if they never existed, however, in reality I counted (12) affiliates.

Including Black women on the force who've come out to my house several times before from unusual Gang activity I lodged in with them. So in retrospect, I saved those police women from being ambushed.

(Conclusion)

Cease Immediate operations of the "Destructive Informant System" across the Country to secure the safety of the American citizens, especially the women who are predominantly victimized by the "Destructive Informant System", coordinated by the (F.B.I) & (A.T.F.) Field offices in the United States as inherently dangerous and broken constituting "Domestic Terrorism" from within our Criminal Justice System, depriving thousands of Government officials of their free will and self-control to do the right thing or face repercussions of "Death" for trying to stop it or attempting to report it like officer Becker was attempting to do. Inter Alia.

(Addendum)

How does the Destructive Informant System operate when directed for murder:

In Officer Becker's case; Sereyal Gang affiliates & officials coordinated his movement, while the "Hitman" stood in the shadows, covered by another "Gang Affiliate" with a "Gun" about 50% to 100 ft. away to "hit" anyone approaching.

As well as two officials within view of the "Hit" taking place around the perimeter to give protection for the "Destructive Informants".

Such as, to stop any citizens going towards the target area and detain them to secure a safe and undetected "murder for hire" upon a Police officer without any intentions of possessing an adequate and legitimate investigation.

If so, it would be impeded, however, people of interest would be the Gang members on the Informant list of 2010 when Officer Becker was murdered, along with the officials (F.O.I.) & (A.T.F.) who supervised and were responsible for the Gang informants. As well as the ^(Former too) Prosecutors and Probation & Parole officers of which **(CONCLUSION)** have a list of all informants.

But if, the informant list is altered, destroyed, or missing, it would infer the officials are concealing the murder of Officer Becker, and can be charged pursuant to (18 U.S.C. 1512).

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Franklin C. Smith

Date: August 12th 2019

(Footnote) One of the main motives to utilize the Destructive Informant System upon Petitioner Franklin C. Smith was to effectuate Federal Rule-25(a) to cause "Death" to substitute a successor & representative: Kevin Stan Bailey & Attorney, Evan Way who got a joint account with Petitioner on (Feb. 14th 2013) to obtain the millions of dollars from his damage awards in Sereyal of his civil lawsuits, that were not extinguished at the time. Inter Alia. ^{*} (See Rule-25(a), (b) enclosed.)