

19-6462

No. _____

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Stephen Bush — PETITIONER
(Your Name)



vs.
Warren Belmont Correctional — RESPONDENT(S)
Institutions

ON PETITION FOR A WRIT OF CERTIORARI TO

In The United States District Court for The Southern District
Eastern Division Case No. 2:18-cv-00001 Judge G.C. Smith Magistrate
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)
Judge Jackson

PETITION FOR WRIT OF CERTIORARI

Stephen Bush
(Your Name)

P. O. Box 540

(Address)

St. Clairsville, Ohio 43950
(City, State, Zip Code)

N/A

(Phone Number)

QUESTION(S) PRESENTED

Question of Statute Procedure of Ohio State
Sentence Review by Statute 2953.08 (A)(4)
(G)(1)(2) for allegation by Plea for Sentence
with language for sentence not being applicable
for term of sentence given!

(i)

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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APPENDIX F	Sixth Circuit Court of Ohio

TABLE OF AUTHORITIES CITED

CASES

CASES	PAGE NUMBER
Fourteenth Amend. U.S. Const. note 2785 1045, Ch. 2528 ¹	(37) ; (4) ; (5)
Note 3061 99 So. Cal. 235; 97 So. Cal. 1197, 30 Fed. 670 Const. Law Key to (270) (4) ; 657 (note) 108 So. Cal. 1853; 639 Fed. 873 Const. Law Key to (2514) ; 425 Fed. 308; 1227 Admin. Justice Law and Procedure Key to (390, 1) ; 576 So. Cal. 47; Note 711 1128; cf. 1985; 105 So. Cal. 830 ¹	(3) ; (4) ; (5)
76 So. Cal. 585; Note 1921 959 Fed. 1524; 653 Fed. 2nd 2023; of note 2296 U.S.C.A. § 108 So. Cal. 1853 ¹	(3) ; (4) ; (5)
	(3) ; (4) ; (5)

STATUTES AND RULES

2907.06	(4))
2907.07	(4))
2940.19 Cr. Law, H.B. - D.W.	(3) ; (4) ; (5)
2953.08 (A)(4); (G)(1)(2)	(11) ; 303; 405
2923 (A)(2) D.W. Cr. Law, H.B. -	(3)

OTHER	(3)
Law in note vi Cr. Law, 2d. Ed. 806 80:23 D.C. Law, Ch. 88' 1. P. 9. 791 Statute. Jan. 20	(3)
Ohio Op. Att'y Gen. No. 68-698	(3)
38 Ohio Sto. 3d 54, HN 5; 270 Ohio Sto. 3d 149, 159; 27 Ohio B. Key 182, 187	(3)
60 Ohio Sto. 3d 91, HN 3;	(3)
118 Ohio Sto. 3d 210;	(3)
96 Ohio Sto. 3d 324	(3)
146 Ohio Sto. 3d 516	(3)
137 Ohio Sto. 3d 524	(3)
47 Ohio Sto. 2nd 58	(3)

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 B 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 D-15 to the petition and is

[] reported at Case No. 2:18-cv-01057-GCS-KAS (Doc #8 filed); 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 C to the petition and is ^{Court of Appeals Case No. [REDACTED]} ~~not yet reported~~ reported at 170 A.3d 1252 S.L. Roth v. State of Md.; or, [] has been designated for publication but is not yet reported; or, [] is unpublished.

The opinion of the Supreme Court of Ohio court appears at Appendix B to the petition and is reported at 2018-0112; 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 _____.

[] 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 n/a. A copy of that decision appears at Appendix n/a.

[] A timely petition for rehearing was thereafter denied on the following date: n/a, and a copy of the order denying rehearing appears at Appendix n/a.

[] An extension of time to file the petition for a writ of certiorari was granted to and including n/a (date) on n/a (date) in Application No. n/a n/a.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Fourteenth Amendment U.S.C. As Notes &

2785 104 S.Ct. 2528; 3061 ^(note) 99 S.Ct. 235; 97 S.Ct.
1197; 50 F.3d 670 Constitutional law key (270)(1); 657-Note
108 S.Ct. 1853; 639 F.Supp. 873 Constitutional law key (251.4)
425 F.Supp. 1227 Administrative law and Procedure key (390.1)
Statues key 47, Note 711 112 S.Ct. 1995; 105 S.Ct. 830; 2942.19
Criminal law handbook 12953.03 Criminal law handbook, Ohio Att'y
Gen. No. 68-098; Crim.R. 23(A)(2); 76 S.Ct. 585; 65 Ohio St.
2d 58. Ohio State Baldwin's Ohio Practice Katz Gianelli Criminal
Law Second Edition § 80123 Ohio Criminal Law Appeals Page
791 in State v Jones; Cr. Law HB 2953.08(G)²; 1921-Note;
959 F.2d 1524; 653 F.2d 202; of 1572296 USCA. A. 108 S.Ct. 1853;
639 F.Supp. 873; Constitutional key (251.4); 425 F.Supp. 1227;
State Ohio State: 38 Ohio St. 3d at 58-59; 27 Ohio Adm. 149, 154; 27 Ohio
B. Rep. 182, 187; 38 Ohio St. 3d 56; HN5 2957.06 (B); 60 Ohio St. 3d 324, 314b
91 HN3; 118 Ohio St. 3d 200; 2907.02(A)(b)(2); 86 Ohio St. 3d 526; 2953.08 (G)(1)(2).
Ohio St. 3d 516; 137 Ohio St. 3d 526; 2953.08 (G)(1)(2).

STATEMENT OF THE CASE

STATEMENT OF THE CASE

The review of Case by, "Certiorari," in The Supreme Court of the United States, is by the Note 119 1921 229 69 306 15 3280- The Notes are for violation of Sentence Review Procedure by Ohio State, "Supreme Court of Ohio Sentencing guide lines Presented as 295308 of the Katz & Giannelli Ohio Criminal Laws and Rules 2018, Baldwin's Ohio Practice, page 821. Dicta Page 791 Ohio State Baldwin's Ohio Practice Katz, Giannelli Criminal Law Second Edition Chapter 808 808 23 Ohio Criminal law Appeals State v Jones for procedure of 295308 (6)² for review of Statute language violation concerning Sentence instructions supported by Note 711 U.S.C.A. Fourteenth amendment Sentence and Punish - Ment 112 So.Ct 1995 105 So.Ct 830; 2949 19 Cr. L. 2018 (Ohio State Criminal law Handbook 2018); Ohio Att'y Gen. No. 68-098; Cr.W. H.B. Cr. R. 23 (A)(2) § 76 So.Ct 585; 65 Ohio St 2d 58, The failure of The U.S. District Court to comprehend State of Ohio State of 2953-08(A)(4)(G)(C)(2) allowed error of sentence to stand as it gave no credence to the State valid Statute review by dicta of the Supreme Court of Ohio Sentence Review by Statute after other nations of Appeal are exhausted. Note U.S.C.A. 1921 Fourteenth Amendment with Note 2296 for 959 F.2d 1524 (1921 note) language meaning of Note 2296 653 F.2d 202 prosecution knowledge language did not support Sentence gave.

(4)

REASONS FOR GRANTING THE PETITION

Procedural Statute guidance by Ohio State Statute to review any error and follow records of Statute one grounds for Granting the Petition by review of The Notes of the Fourteenth amendment 2785 Sentence and Punishment. 2953.08 (A) gives implicit instructions to apply review by appellate structure when error of Sentence is noted. 2018 Criminal Law Handbook of the Supreme Court of Ohio Dicta for Counties Appellate Courts in each land the highest Court, Katz Giannelli Page 821, Criminal laws and rules. Fourteenth Amendment 657, 108 So.Ct 1853; 639 F. Supp. 873; Const. law Key 251.4; 425 F. Supp. 1227; Admin. law. Proc. Key 30.1; Status Key 47. Fourteenth Amendment 711, Crim. R. 23(a)(3); 112 So.Ct 1995; 105 So.Ct 830; 2949.19; 2953.03; Crim.R. 23(a)(3); Crim. R. H.B. (14)(3). Ohio Opinion Attorney General Number 68-098; 76 So.Ct 585; 65 Ohio St.2d 58; Ohio State Baldwin's Ohio Practice Katz Giannelli Criminal Law Second Edition Chapter 80 § 80.23 Ohio Criminal Law Appeals Page 791

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Stephen L Bush

Date: 10-21-19