

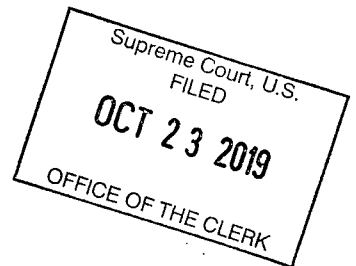
19-6462

No. _____

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES



Stephen Bush — PETITIONER
(Your Name)

Warden Belmont Correctional Institution — RESPONDENT(S)
vs.
Institution

ON PETITION FOR A WRIT OF CERTIORARI TO

In The United States District Court For The Southern District
Eastern Division Case No. 18-cv-01107 Judge G.C. Smith Magistrate
Judge Tolson
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Stephen Bush
(Your Name)

P.O. Box 540
(Address)

St. Clairsville, Ohio 43080
(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!

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 B	Fourth District Court of Gallia County, Ohio
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APPENDIX F	Sixth Circuit Court of Ohio

TABLE OF AUTHORITIES CITED

CASES

	PAGE NUMBER
Fourteenth Annual U.S.C.A. note 2785 1045. Cf. 2528;	(37) ; (4) ; (5)
14th 3d 99 So. 2d 235 ; 97 So. 2d 1197 ; 80 Fed. 670 Const. Law Key	(37) ; (4) ; (5)
(270) (1) ; 657 (1) ; 108 So. 2d 1853 ; 639 Fed. 873 Const. Law Key	(37) ; (4) ; (5)
(2514) ; 425 Fed. Supp. 1227 ; Administrative Law and Procedure Key	(37) ; (4) ; (5)
(390.1) ; 479 So. 2d 47 ; 112 S. Ct. 1995 ; 108 S. Ct. 830 ;	(37) ; (4) ; (5)
76 So. 2d 585 ; Note 1921 959 Fed. 1524 ; 653 Fed. 2nd 262 ; Note	(37) ; (4) ; (5)
2236 U.S.C.A. ; 108 So. 2d 1853 ;	

STATUTES AND RULES

2907.06	(4) ;
2907.07	(4) ;
2949.19 Cr. Law & B. Ohio	(37) ; (4) ; (5)
2953.08 (A) (4) ; (G) (1) (2)	(iv) ; 3 ; 4 ; 5
CR 23 (A) (2) Ohio Cr. Law & B.	(3)

OTHER

Ohio Op. Att'y Gen. No. 62-698	(3)
38 Ohio St. 3d 58, 145 ; 270 Ohio St. 3d 149, 154 ; 27 Ohio Bk. 182, 187	(3)
60 Ohio St. 3d 91, 145 ;	(3)
118 Ohio St. 3d 210 ;	(3)
26 Ohio St. 3d 324	(3)
146 Ohio St. 3d 516	(3)
137 Ohio St. 3d 526	(3)
67 Ohio St. 2nd 58	(3)

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

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: 5/12 , 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 12/12 (date) on N/A (date) in Application No. N/A 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. A. 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-Notes
 108 S.Ct. 1853; 639 F.Supp. 873 Constitutional law key (251.4)
 425 F.Supp. 1227 Administrative law and Procedure key (300.1)
 Statutes key 47, Note 711 112 S.Ct. 1995; 105 S.Ct. 830; 2942.19
 Criminal law handbook; 2953.03 Criminal law handbook; Ohio Op. 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 Giannelli Criminal
 Law Second Edition 80 § 80.23 Ohio Criminal law Appeals Page
 791 in State v Jones; Crim. App. 2953.08(G)²; 1921-note;
 959 F.2d 1524; 653 F.2d 202; of note 2296 U.S.C.A. § 108 S.Ct. 1853;
 639 F.Supp. 873; Constitutional key (251.4); 425 F.Supp. 1227;
 Statute Ohio State: 38 Ohio St 3d at 58-59; 27 Ohio 2d 149, 154; 27 Ohio
 B. Rep. 182, 187; 38 Ohio St 3d 56; HN5; 2907.06 (B); 60 Ohio St 3d
 91 HN3; 118 Ohio St 3d 200; 2907.02(A)(b)(2); 26 Ohio St 3d 324; 146
 Ohio St 3d 516; 137 Ohio St 3d 526; 2953.08 (G)(1)(2).

STATEMENT OF THE CASE

The review of Case by, "Certiorari," in The Supreme Court of the United States, is by the notes 111; 1921; 2296; 3061; 3280. The notes are for violation of Sentence Review Procedure by Ohio State, "Supreme Court of Ohio Sentencing guide links presented as 2953.08 of the Katz & Giannelli Ohio Criminal Law 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 80; 80:23 Ohio Criminal Law Appeals State v Jones for procedure of 2953.08 (6)² for review of Statute language violation concerning sentence instructions supported by Note 711 U.S.C.A. Fourteenth amendment Sentence and Punishment; 112 S.Ct. 1995; 105 S.Ct. 830; 2949.19 Cr.Lw.Hb. (Ohio State Criminal Law Handbook 2018); Ohio Att'y Gen. No. 68-098; Cr.Lw.Hb. Cr. R. 23(A)(2); 76 S.Ct. 585; 65 Ohio St. 2d 58, The failure of The U.S. District Court to comprehend Statute of Ohio State 2953.08(C)(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 avenues of appeal are exhausted. Note U.S.C.A. 1921 Fourteenth Amendment with note 2296 for 959 F.2d 1524 (1921 note) language meaning; note 2296 653 F.2d 202 Prosecution knowledge language did not suggest sentence gave.

REASONS FOR GRANTING THE PETITION

Procedural Statute guidance by Ohio State Statute to review any error and follow accords of Statute are grounds for Granting the Petition by review of the rules of the Fourteenth amendment 2705 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; The Supreme Court of Ohio Dicta for Counties Appellate Courts in each and the highest Court, Katz & Giannelli page 821, Criminal laws and rules. Fourteenth Amendment 657, 108 S.Ct. 1853; 639 F. Supp. 873; Const. law key 251.4; 425 F. Supp. 1227; Adms. law. Proc. key 390.1, Statutes key 47. Fourteenth Amendment 711, 112 S.Ct. 1995; 105 S.Ct. 830; 2949.19⁽¹⁾; 2953.03⁽²⁾; Crim. R. 23A⁽³⁾; Cr. Law H.B. (1/1/13); Ohio Opinion Attorney General Number 68-098; 76 S.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