

No. _____

19-6579

IN THE
SUPREME COURT OF THE UNITED STATES

DAVID LEE SMITH — PETITIONER
(Your Name)

vs.

U.S. JUDGE JACKSON KISER ET AL RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. COURT OF APPEALS FOR FOURTH CIRCUIT
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

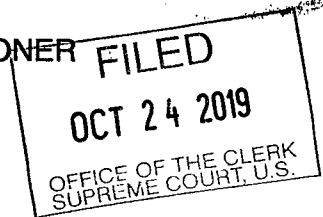
PETITION FOR WRIT OF CERTIORARI

DAVID LEE SMITH
(Your Name)

P.O. BOX 1058
(Address)

BEIRGAM N.C. 28425
(City, State, Zip Code)

(Phone Number)



QUESTION(S) PRESENTED

ARE PRO-SE PETITIONERS ENTITLED TO U.S. SUPREME COURT LEAVE TO PROCEED AS PAUPER IN ^S1983 COMPLAINT, WHEN CIRCUIT COURT CITED ONLY (2) FRIVOLOUS DISMISSALS AND STRIPPED HIS PAUPER STATUS?

IS CLASS OF N.C. DECLARED HABITUAL FELONS ENTITLED TO INJUNCTIVE RELIEF, COMPENSATORY AND PUNATIVE DAMAGES, IF N.C. STATE LEGAL AUTHOR LEXIS PUBLISHING UNLAWFULLY PRINTED N.C. CRIMINAL PROCEDURE LEGAL MANUALS, INCORRECTLY STATING N.C. G.S. 14-7.1 FROM YEAR 1996 THROUGH 2019?

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:

D.B. JUDGE JACKSON RISER

U.S. JUDGE ELIZABETH K. DILLON

LEXIS PUBLISHING P.O. BOX 7587 CHARLOTTESVILLE, VA. 23216

ATTORNEY NANCY S. NASH P.O. BOX 7587 CHARLOTTESVILLE, VA. 23216

RELATED CASES

DAVID LEE SMITH V. STATE OF NORTH CAROLINA ET. AL 5:03-CT-00688-BD
DAVID L. SMITH AND OTHERS SIMILARLY SITUATED V. U.S.A. ET. AL-
1:15-CV-02123-LNA

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TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
BELL V. WOLFISH, 441 U.S. 520, 537 N.17 (1979)-8	
WILSON V. SEITER 501 U.S. 294 297-303 (1991)-8	

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OTHER

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 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☒ is unpublished.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 B 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 July 29, 2019.

☒ 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 _____.
A copy of that decision appears at Appendix _____.

☐ 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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

28 U.S.C. § 1915(G)

8TH AMND. U.S.C. DUE PROCESS AND EQUAL PROTECTION CLAUSES

N.C.G.S. 14-7.1

N.C. HABITUAL FELON DECLARATION

STATEMENT OF THE CASE

4TH CIRCUIT CITED CASE NUMBER SMITH V. STATE OF NORTH CAROLINA 5:00-CT-843 (E.D.N.C. JAN. 16, 2001) AND CASE NUMBER SMITH V. STATE OF NORTH CAROLINA 5:01-CT-33 (E.D.N.C. FEB. 28, 2001) AND UNLAWFULLY STRIPPED PETITIONER'S PALPER STATUS MAY 22, 2003, IN ORDER IN APPEAL NUMBER 03-6044.

DEFENDANTS U.S. JUDGE JACKSON KISER ATTORNEY, NANCY S. NASH AND LEXIS PUBLISHING(S) IN A CONSPIRACY PRINTED N.C. CRIMINAL PROCEEDURE LEGAL MANUALS THAT INCORRECTLY STATED N.C.G.S. 14-7.1, BY SUBSTITUTING THE ESSENTIAL ELEMENTS OF THE N.C. HABITUAL FELON STATUTE WITH ELEMENTS OF THE N.C. HABITUAL FELON DECLARATION.

REASONS FOR GRANTING THE PETITION

CLASS OF PRO-SE PETITIONERS ARE ROUTINELY BEING DENIED ACCESS TO FEDERAL COURTS, BY ALLOWING A CIRCUIT OR DISTRICT COURT TO CITE LESS THAN (3) FRIVOLOUS DISMISSALS AND STRIP PRO-SE PETITIONERS' PALPER STATUS.

OVER 40,000 N.C. PRISONER SENTENCES HAVE BEEN UNLAWFULLY ENHANCED, FROM YEAR 1996 THROUGH 2019 BY ALL N.C. STATE COURTS USE OF ABOVE DESCRIBED FRAUDULENT LEGAL MANUALS.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

DAVID LEE SMITH

Date: OCT. 23, 2019