

No. \_\_\_\_\_

IN THE SUPREME COURT OF THE UNITED STATES

EX PARTE EMERGENCY PETITION  
FOR WRIT OF HABEAS CORPUS

JOINT APPENDIX

United States District Court's Order, dated September 20th, 2019.

APPENDIX A

## Orders on Motions

6:19-cv-01817-RBD-GJK Law v.  
United States of America

2255, OriP-4

U.S. District Court

Middle District of Florida

### Notice of Electronic Filing

The following transaction was entered on 9/23/2019 at 11:06 AM EDT and filed on 9/23/2019

**Case Name:** Law v. United States of America

**Case Number:** 6:19-cv-01817-RBD-GJK

**Filer:**

**Document Number:** 2

#### Docket Text:

**ORDER denying as moot [1] Motion to vacate, set aside, or correct sentence. [47] Motion to vacate in 6:16-cr-96-Ori-37GJK is denied without prejudice. Petitioner shall have 14 days to file an amended motion to vacate. Signed by Magistrate Judge Gregory J. Kelly on 9/20/2019. (LAK)**

**6:19-cv-01817-RBD-GJK Notice has been electronically mailed to:**

Roger Bernard Handberg, III    roger.handberg@usdoj.gov, caseview.ecf@usdoj.gov, orldocket.mailbox@usdoj.gov, usaflm.orl\_ecf@usdoj.gov

**6:19-cv-01817-RBD-GJK Notice has been delivered by other means to:**

Joel Law  
67053-018  
COLEMAN LOW  
FEDERAL CORRECTIONAL INSTITUTION  
Inmate Mail/Parcels  
P.O. BOX 1031  
COLEMAN, FL 33521

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1069447731 [Date=9/23/2019] [FileNumber=18849138-0] [553c1a0feceba62006024743cddefbd55cfd4bf8d8fe91bb908b736b4febb6e57140b626fe8cde594c88bbff6f4022ef7fe720102ccb043f61b099cc72ac05c]]

FILED  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

SEP 20 PM 4:07

US DISTRICT COURT  
MIDDLE DISTRICT OF FL  
ORLANDO FLORIDA

JOEL LAW,

Petitioner,

v.

Case No: 6:19-cv-1817-Orl-37GJK  
(6:16-cr-96-Orl-37GJK)

UNITED STATES OF AMERICA,

Respondent.

ORDER

This cause is before the Court on the Motion to Vacate, Set Aside, or Correct Sentence ("Motion to Vacate," Doc. 1) filed by Petitioner pursuant to 28 U.S.C. § 2255. Rule 2(c) of the Rules Governing Section 2255 Proceedings for the United States District Courts requires that the form of the motion be substantially in the form described therein. Although the instrument filed by Petitioner is neatly typed and otherwise legible, the pleading does not comply with Rule 2(c). Consequently, Petitioner shall use the standard pre-printed form to assert all claims, and the Clerk of the Court shall provide Petitioner with the appropriate Motion to Vacate, Set Aside, or Correct Sentence (28 U.S.C. § 2255) form.

If Petitioner wishes to file a separate Memorandum of Law in support of his Motion to Vacate, he may do so within the time-period set forth below. However, the

Memorandum of Law must comply with the dictates of the Local Rules, including the page limitation set forth in Local Rule 3.01(a).

Accordingly, it is **ORDERED** as follows:

1. Within **FOURTEEN (14) DAYS** from the date of this Order, Petitioner shall file an Amended Motion to Vacate on the appropriate Motion to Vacate, Set Aside, or Correct Sentence (28 U.S.C. § 2255) form. The failure to fully comply with this Order will result in the dismissal of this action without further notice.
2. The Motion to Vacate (Doc. 1) is **DENIED** without prejudice.
3. The Motion to Vacate (Doc. 47) filed in Criminal Case Number 6:16-cr-96 Orl-37GJK is **DENIED** without prejudice.
4. Petitioner is advised that the use of the term "emergency" on the title of a pleading should be used only in extraordinary circumstances, when there is a true and legitimate emergency. When a pleading is labeled as an "emergency," the Court is compelled to immediately divert its attention from other pending matters and to evaluate and address (focus on) the "emergency."

The present motion certainly did not assert matters that constituted a true emergency, and valuable judicial resources were needlessly misdirected. Plaintiff should not label any further pleadings as an "emergency" unless there is a **true and legitimate** emergency. The failure to comply with this Order will result in the imposition of sanctions. *See* Local Rule 3.01(e), Rules of the United States District Court for the Middle District of Florida ("[t]he unwarranted designation of a motion as an emergency motion may result in the imposition of sanctions.").

DONE and ORDERED in Orlando, Florida on September 20, 2019.

  
\_\_\_\_\_  
GREGORY J. KELLY  
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Unrepresented Party  
OrIP-2 9/20

No. \_\_\_\_\_

IN THE SUPREME COURT OF THE UNITED STATES

EX PARTE EMERGENCY PETITION  
FOR WRIT OF HABEAS CORPUS

JOINT APPENDIX

United States District Court's Order, dated October 7th, 2019.

APPENDIX B

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

JOEL LAW,

Petitioner,

v.

Case No: 6:19-cv-1817-Orl-37GJK

UNITED STATES OF AMERICA,

Respondent.\_/

**ORDER**

This cause is before the Court on Petitioner Joel Law's ("Petitioner's") *Ex Parte* Amended Emergency Section 2255 Motion to Vacate and Set Aside Judgment ("Amended Emergency Motion," Doc. 3), filed pursuant to 28 U.S.C. § 2255.

Rule 2(c) of the Rules Governing Section 2255 Proceedings for the United States District Courts requires that the form of a Motion to Vacate be substantially in the form described therein. On September 23, 2019, the Court ordered Petitioner to file an Amended Motion to Vacate that complies with Rule 2(c). (Doc. 2.) The Court warned Petitioner that failure to comply with the September 23, 2019 Order would result in the dismissal of the action without further notice and that further use of the term "emergency" in the motion's title, absent demonstration of an actual emergency, would be grounds for sanctions. (Doc. 2 at 2.)

As with his original Motion to Vacate, Petitioner's Amended Emergency Motion fails to comply with Rule 2(c) and, again, uses the term "emergency" in the motion's title,

without describing matters that constitute an emergency. *See* Rule 3.01(e), Local Rules of the United States District Court, Middle District of Florida. However, because Petitioner states that the Clerk of Court did not provide him with a copy of the correct form, the Court will present Petitioner a final opportunity to comply.

Accordingly, it is **ORDERED** as follows:

1. Within **FOURTEEN (14) DAYS** from the date of this Order, Petitioner shall file a Second Amended Motion to Vacate on the appropriate Motion to Vacate, Set Aside, or Correct Sentence (28 U.S.C. § 2255) form. The failure to fully comply with this Order will result in the dismissal of this action without further notice.

2. The **CLERK OF COURT** is **DIRECTED** to mail Petitioner a copy of the standard Motion to Vacate, Set Aside, or Correct Sentence (28 U.S.C. § 2255) form.

3. Petitioner's *Ex Parte* Amended Emergency Section 2255 Motion to Vacate and Set Aside Judgment (Doc. 3) is **DENIED without prejudice**.

4. Petitioner's *Ex Parte* Amended Emergency Section 2255 Motion to Vacate and Set Aside Judgment (Doc. 49), filed in Criminal Case Number 6:16-cr-96-Orl-37GJK, is **DENIED without prejudice**.


5. As explained in the Court's September 23, 2019 Order, Petitioner should not label any further pleadings or motions as an "emergency" absent the existence of a true and legitimate emergency, the circumstances of which Petitioner shall detail in the pleading or motion. (*See* Doc. 2 at 2.) The failure to comply with this Order will result in the imposition of sanctions. *See* Rule 3.01(e), Local Rules of the United States District Court, Middle District of Florida.



6. Finally, the Court notes that, on the cover sheet attached to the Amended Emergency Motion, Petitioner indicated he was filing the motion *ex parte*. However, Petitioner has provided no reason necessitating that his Amended Emergency Motion be filed *ex parte*. See e.g., *In re Paradyne Corp.*, 803 F.2d 604, 612 (11th Cir. 1986) (quoting *Morgan v. United States*, 304 U.S. 1, 18 (1938)) ("Ex parte communications generally are disfavored because they conflict with a fundamental precept of our system of justice: a fair hearing requires 'a reasonable opportunity to know the claims of the opposing party and to meet them.'"). Accordingly, the **CLERK OF COURT is DIRECTED** to remove the *ex parte* restrictions that were applied to the Amended Emergency Motion on the docket. (Doc. 3.)

**DONE and ORDERED** in Orlando, Florida on October 7, 2019.



  
ROY B. DALTON JR.  
United States District Judge

Copies furnished to:

Counsel of Record  
Unrepresented Parties  
OrIP-4 10/3

No. \_\_\_\_\_

IN THE SUPREME COURT OF THE UNITED STATES

EX PARTE EMERGENCY PETITION  
FOR WRIT OF HABEAS CORPUS

JOINT APPENDIX

United States District Court's Order, dated October 29th, 2019.

**U.S. District Court****Middle District of Florida****Notice of Electronic Filing**

The following transaction was entered on 10/29/2019 at 2:19 PM EDT and filed on 10/29/2019

**Case Name:** Law v. United States of America

**Case Number:** 6:19-cv-01817-RBD-GJK

**Filer:**

**Document Number:** 9

**Docket Text:**

**ORDER: Motion to Vacate and Set Aside Judgment (Doc. [7]) is DENIED and the case is DISMISSED without prejudice. Signed by Judge Roy B. Dalton, Jr. on 10/29/2019. (ctp) (JLC)**

**6:19-cv-01817-RBD-GJK Notice has been electronically mailed to:**

Karen L. Gable karen.gable@usdoj.gov, caseview.ecf@usdoj.gov, orldocket.mailbox@usdoj.gov, usaflm.orl\_ecf@usdoj.gov

**6:19-cv-01817-RBD-GJK Notice has been delivered by other means to:**

Joel Law  
67053-018  
COLEMAN LOW  
FEDERAL CORRECTIONAL INSTITUTION  
Inmate Mail/Parcels  
P.O. BOX 1031  
COLEMAN, FL 33521

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1069447731 [Date=10/29/2019] [FileNumber=18983793-0] [6ce0517ab7914b2778b9424baca1e9a5623b38cae2129ccd696637f538e97fefb b9dd1ae9f9dad71fc362da4e54082d9cb7a23c78867cfa3e88696cccab931a1]]

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

JOEL LAW,

Petitioner,

v.

Case No: 6:19-cv-1817-Orl-37GJK  
Crim. Case No. 6:16-cr-96-Orl-37-GJK

UNITED STATES OF AMERICA,

Respondent. \_/

ORDER

This cause is before the Court on Petitioner Joel Law's ("Petitioner's") *Emergency Second Amended Section 2255(1)(a)(1) Motion to Vacate and Set Aside Judgment* (Doc. 7; "Second Amended Emergency Motion to Vacate").

On September 23, 2019, the Court ordered Petitioner to file an Amended Motion to Vacate that complies with Rule 2(c) of the Rules Governing Section 2255 Proceedings for the United States District Courts. (Doc. 2.) That rule requires that the form of a Motion to Vacate be substantially in the form described by the rule. The Court warned Petitioner that failure to comply with the September 23, 2019 Order would result in the dismissal of the action without further notice and that further use of the term "emergency" in the motion's title, absent demonstration of an actual emergency, would be grounds for sanctions. (Doc. 2 at 2.)

On October 7, 2019, following Petitioner's filing of an Amended Motion to Vacate that used the word "emergency" in the title, the Court directed the Clerk to mail to

Petitioner the proper form and ordered Petitioner to file a Second Amended Motion to Vacate on the appropriate form. (Doc. 4.) Petitioner was warned that continued use of the term "emergency," absent demonstration of an actual emergency, would be grounds for sanctions. He was also warned that failure to comply

Petitioner's Second Amended Emergency Motion to Vacate is now before the Court. (Doc. 7.) Once again, the title improperly invokes the word "emergency" and Petitioner, again, failed to submit the Second Amended Emergency Motion to Vacate on the proper form or in substantially the form described by Rule 2(c).

Accordingly and upon consideration, it is **ORDERED** that:

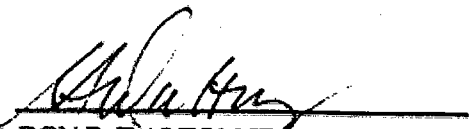
1. Petitioner's Emergency Second Amended Section 2255(1)(a)(1) Motion to Vacate and Set Aside Judgment (Doc. 7) is **DENIED** and the case is **DISMISSED without prejudice**;<sup>1</sup>
2. The Clerk of the Court is **DIRECTED** to enter judgment accordingly and **CLOSE** this case;
3. The Clerk of Court is directed to file a copy of this Order in criminal case number 6:16-CR-96-Orl-37-GJK and to terminate the Second Amended Emergency Motion to Vacate (Criminal Case, Doc. 51) pending in that case.
4. Petitioner is **DENIED** a certificate of appealability.

**DONE** and **ORDERED** in Orlando, Florida on October 29, 2019.

---

<sup>1</sup> Petitioner is cautioned that he remains subject to the one-year limitations period. See 28 U.S.C. § 2255(f).



  
ROY B. DALTON JR.  
United States District Judge

Copies furnished to:

Counsel of Record  
Unrepresented Parties  
OrlP-4

No. \_\_\_\_\_

**IN THE SUPREME COURT OF THE UNITED STATES**

**EX PARTE EMERGENCY PETITION  
FOR WRIT OF HABEAS CORPUS**

**JOINT APPENDIX**

Petitioner's §2255 Motion to Vacate and Set Aside Judgment,  
dated September 16th, 2019.

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

JOEL LAW

Defendant. /

Case No: 6:16-CR-96-Orl-37GJK

COVER SHEET

TYPE OF ACTION: Emergency §2255.

REMEDIES SOUGHT: Immediate Release.

CAUSE OF ACTION: Legal Innocence, serious physical injury, loss  
of enjoyment of life; wrongful detention.

HAS NOTICE BEEN SENT: No, motion is filed on an ex parte basis.

IS JURY TRIAL DEMANDED: No.

I state that the foregoing is true, correct, and complete.

Dated this 16th day of September, 2019.

/s/ 



UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

JOEL LAW

Defendant.  
\_\_\_\_\_ /

Case No: 6:16-CR-96-Orl-37GJK

EMERGENCY §2255 MOTION TO  
VACATE AND SET ASIDE JUDGMENT

I, Joel Law, am currently in the custody of warden K. Lane at, 846 NE 54th Terrace, Coleman, Florida 33521, Coleman Low, sentenced to 120 months under 18 U.S.C. §2422(B). See exhibit A.

SPECIFIC REMEDIES SOUGHT

I respectfully demand that this court:

- 1) Forthwith review this §2255 motion on its merits.
- 2) Forthwith review this §2255 motion on a just, speedy, and extraordinary basis; absent objection and hearing.
- 3) Forthwith vacate and set aside the judgment.
- 4) Forthwith issue an order discharging me from custody.

GROUND FOR RELIEF; CAUSE AND PREJUDICE

1) Counsel failed to advise me of the Confrontation Clause of the Sixth Amendment to the Constitution of the United States as a defense, resulting in ineffective assistance. Said prejudice led to a grossly unfair outcome, in that, I accepted a plea agreement that I would not have, had I been advised of said right.

LEGAL INNOCENSE

2) 18 U.S.C. §2422(B); Attempted enticement of a minor to engage in sexual activity, is in violation of the Confrontation Clause of the Sixth Amendment to the Constitution of the United States, in that, in part, the word "minor" means, (B) "an individual, wheather fictitious or not." See exhibit B. The Confontation Clause provides that, " in all criminal prosecutions, the accused shall enjoy the right... to be confronted

with the witnesses against him." In the instant case, prosecution presented a fictitious minor, taking away my constitutional protection of the Sixth Amendment.

§2255(F); PROCEDURAL TIME BAR

If a time limitation problem exists, Article 1, Section 9, Clause 2, of the Constitution of the United States, provides, "the privilege of Writ of Habeas Corpus shall not be suspended;" bared, rendering §2255(F), unconstitutional and/or non-applicable. Furthermore, the "ends of justice" mandate that this court view this motion on its merits.

§2255(B); OBJECTION AND HEARING

§2255(B) violates Article 1, Section 9, Clause 2 of the Constitution of the United States, in that, said objection and/or hearing amounts to suspension; delay; time to respond and/or for hearing to be had. Furthermore, the motion and exhibits to the motion of record, conclusively show the violation(s) there in.

I state that the foregoing is true, correct, and complete.  
Dated on this 16th day of September, 2019.

/s/ 

COLDG 540\*23 \*  
PAGE 001 \*

SENTENCE MONITORING  
COMPUTATION DATA  
AS OF 05-02-2018

\* 05-02-2018  
\* 13:46:23

REGNO...: 67053-018 NAME: LAW, JOEL DAVID

FBI NO.....: 849304NC8  
ARS1.....: COL/A-DES  
UNIT.....: C-1  
DETAINERS.....: NO  
DATE OF BIRTH: 12-03-1990 AGE: 27  
QUARTERS.....: C03-934L  
NOTIFICATIONS: NO

HOME DETENTION ELIGIBILITY DATE: 07-19-2024

THE FOLLOWING SENTENCE DATA IS FOR THE INMATE'S CURRENT COMMITMENT.  
THE INMATE IS PROJECTED FOR RELEASE: 01-19-2025 VIA GCT REL

-----CURRENT JUDGMENT/WARRANT NO: 010 -----

COURT OF JURISDICTION.....: FLORIDA, MIDDLE DISTRICT  
DOCKET NUMBER.....: 6:16-CR-96-ORL-37GJK  
JUDGE.....: DALTON  
DATE SENTENCED/PROBATION IMPOSED: 11-07-2016  
DATE COMMITTED.....: 12-01-2016  
HOW COMMITTED.....: US DISTRICT COURT COMMITMENT  
PROBATION IMPOSED.....: NO

	FELONY ASSESS	MISDMNR ASSESS	FINES	COSTS
NON-COMMITTED..:	\$100.00	\$00.00	\$00.00	\$00.00

RESTITUTION...: PROPERTY: NO SERVICES: NO AMOUNT: \$00.00

-----CURRENT OBLIGATION NO: 010 -----

OFFENSE CODE.....: 512  
OFF/CHG: 18:2422(B) ATTEMPTED ENTICEMENT OF A MINOR TO ENGAGE IN SEXUAL  
ACTIVITY(CT1)

SENTENCE PROCEDURE.....: 3559 PLRA SENTENCE  
SENTENCE IMPOSED/TIME TO SERVE.: 120 MONTHS  
TERM OF SUPERVISION.....: 10 YEARS  
DATE OF OFFENSE.....: 05-05-2016

G0002 MORE PAGES TO FOLLOW . . .

**EXHIBIT B:**

§ 2422. Coercion and enticement

(a) Whoever knowingly persuades, induces, entices, or coerces any individual to travel in interstate or foreign commerce, or in any Territory or Possession of the United States, to engage in prostitution, or in any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both.

(b) Whoever, using the mail or any facility or means of interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States knowingly persuades, induces, entices, or coerces any individual who has not attained the age of 18 years, to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title and imprisoned not less than 10 years or for life.

***Criminal Law & Procedure > Criminal Offenses > Sex Crimes > Sexual Assault > Abuse of Children > Elements***

An actual minor victim is not required for an attempt conviction under 18 U.S.C.S. § 2422(b). A defendant can be convicted under this section when he arranges to have sex with a minor or a supposed minor through communications with an adult intermediary. In either circumstance, the government must show that he (1) intended to cause assent on the part of the minor, and (2) took a substantial step toward causing assent, not toward causing actual sexual contact.

***“Minor”*** means (A) an individual who had not attained the age of 18 years; (B) an individual, whether fictitious or not, who a law enforcement officer represented to a participant (i) had not attained the age of 18 years, and (ii) could be provided for the purposes of engaging in sexually explicit conduct; or (C) an undercover law enforcement officer who represented to a participant that the officer had not attained the age of 18 years.

No. \_\_\_\_\_

**IN THE SUPREME COURT OF THE UNITED STATES**

**EX PARTE EMERGENCY PETITION  
FOR WRIT OF HABEAS CORPUS**

**JOINT APPENDIX**

Petitioner's §2255 Motion to Vacate and Set Aside Judgment,  
dated September 27th, 2019.

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

JOEL LAW

Petitioner. /

Case No: 6:19-cv-01817-RBD-GJK

COVER SHEET

TYPE OF ACTION: Ex parte, amended emergency §2255(1)(a)(1),(2)(b).

REMEDIES SOUGHT: Extraordinary circumstances, just, speedy, vacate  
and set aside judgment and discharge.

CAUSES OF ACTION: Serious physical injury; false imprisonment;  
loss of enjoyment of life, legal innocence.

HAS NOTICE BEEN SENT: No, motion is filed on an ex parte basis.

IS JURY TRIAL DEMANDED: No.

I state under the penalty of perjury that the foregoing is  
true, correct, and complete. Dated this 27th day of September,  
2019.

/s/



UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

JOEL LAW

Petitioner..

Case No: 6:19-cv-01817-RBD-GJK

EX PARTE AMENDED EMERGENCY  
§2255(1)(a)(1),(2)(b)  
MOTION TO VACATE AND SET ASIDE JUDGMENT

I, Joel Law, am currently in the custody of warden K. Lane at, 846 NE 54th Terrace, Coleman, Florida 33521, Coleman Low, sentenced to 120 months under 18 U.S.C. §2422(B), in violation of the Sixth Amendment's Confrontation Clause. See exhibit A.

GROUND'S FOR RELIEF

Cause and Prejudice

1) Counsel failed to advise me of the Confrontation Clause of the Sixth Amendment to the Constitution of the United States as a defense, resulting in ineffective assistance. Said prejudice led to a grossly unfair outcome, in that, I accepted a plea agreement that I would not have, had I been advised of said right and said plea agreement resulting in a ten year sentence, causing serious physical injury; false imprisonment; loss of enjoyment of life.

Legal Innocense

2) 18 U.S.C. §2422(B); Attempted enticement of a minor to engage in sexual activity, is in violation of the Confrontation Clause of the Sixth Amendment to the Constitution of the United States, in that, in part, the word "minor" means, (B) "a individual, wheather fictitious or not." See exhibit B. The confrontation Clause provides that, "in all criminal prosecutions, the accused shall enjoy the right...to be confronted with the witnesses against him." In the instant case, prosecution presented a fictitious minor, taking away my constitutional protection of the Sixth Amendment.



Extraordinary Circumstances; Emergency

3) A legitimate bearing on present and prospective matters relating to life; loss of enjoyment of life.

§2255(B); Objection and Hearing

4) §2255(B) violates Article 1, Section 9, Clause 2, of the Constitution of the United States, which reads, "the privilege of Writ of Habeas Corpus shall not be suspended"; delay; time to respond and/or for hearing to be had, rendering §2255(B) nonapplicable and/or unconstitutional. Furthermore, the motion and exhibits to the motion of record, conclusively show the violation(s) there in.

§2255(F); Procedural Time Bar

5) If a time limitation problem exist, Article 1, Section 9, Clause 2, of the Constitution of the United States reads, " the privilege of the Writ of Habeas Corpus shall not be suspended"; barred; rendering §2255(F) non applicable and/or unconstitutional. Furthermore the "ends of justice" mandate that this court view this motion on it's merits.

**MOOT**

6) A subject for argument unsettled; undecided. A moot point is one not settled by judicial decisions, one which seeks to get a judgment on a decision in advance about a right before it has been actually asserted and contested.

Extraordinary Case

7) The presence of an unexpected point of law, determinative of litigation makes litigation an extraordinary case.

**ARTICLE 1, SECTION 9, CLAUSE 2**

8) Any and all specified and unspecified reasons to not forthwith review and award this §2255 amounts to violation of

Article 1, Section 9, Clause 2, of the Constitution of the United States, which reads, "the privilage of Writ of Habeas Corpus shall not be suspended"; any reason for delay.

**ARTICLE 6 CLAUSE 2**

9) "This Constitution shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby."

**COURT'S ORDER; STANDARD FORM**

10) Pursuant to the court's order dated September 20th, 2019, the Clerk of the Court, in fact, did not provide petitioner with the standard preprinted form, Motion to Vacate, Set Aside, or Correct Sentence(28 U.S.C. §2255). Furthermore, this amended motion has been filed timely pursuant to Rule 2(b).

**SPECIFIC REMEDIES SOUGHT**

I respectfully demand that this court:

- 1) Forthwith review this §2255 motion on it's merits.
- 2) Forthwith review this §2255 motion on a just and speedy basis taking into concideration the extraordinary circumstance.
- 3) Forthwith award this §2255 motion absent objection, hearing, and any further delay.
- 4) Upon awarding this §2255 motion, forthwith vacate and set aside the judgment and forthwith issue an order discharging me from custody.

I state under the penalty of perjury that the foregoing is true, correct, and complete. Dated this 27th day of September, 2019.

/s/ 

**Additional material  
from this filing is  
available in the  
Clerk's Office.**