

19-7873

No. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

DERRICK MICHAEL ALLEN SR. — PETITIONER
(Your Name)



vs.
UNITED STATES OF AMERICA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS, FOR THE 4TH
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE) CIRCUIT.

PETITION FOR WRIT OF CERTIORARI

DERRICK MICHAEL ALLEN SR.
(Your Name)

P.O. Box 25419

(Address)

DURHAM, N.C. 27702

(City, State, Zip Code)

919-450-7497

(Phone Number)

QUESTION(S) PRESENTED

I, MR. ALLEN, APPEAL ASKED WHETHER THE GOVERNMENT MUST PROVE A DEFENDANT'S KNOWLEDGE OF HIS PROHIBITED STATUS IN ORDER TO CONVICT UNDER 18 U.S.C. 922(g). IN BELTAIF, THE SUPREME COURT CONCLUSIVELY ANSWERED THAT QUESTION "YES."

SHOULD THE CASE BE REMANDED TO THE DISTRICT COURT FOR ENTRY OF JUDGMENT OF ACQUITTAL, AS OPPOSE TO AN DISMISSAL?

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:

RELATED CASES

SEE, REHAF V. UNITED STATES, — U.S.—, 139 S. CT. 2191, 2194 (2019).

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OTHER

BRIEF OF Petitioner, REHARF V. UNITED STATES
No. 17-9560 (U.S. FEB. 22, 2019)

MEM. FOR THE UNITED STATES, ALLEN V. UNITED STATES
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PETITION FOR WRIT OF CERTIORARI, ALLEN V. UNITED STATES, No. 18-7123 (U.S. Dec. 17, 2018).

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 USCA4 17-4762; 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[] is unpublished.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 1:17 CR 000157; 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[] is unpublished.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[] is unpublished.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 01/10/2020.

No petition for rehearing was timely filed in my case. (2nd TIME AROUND)

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

UNITED STATES Constitution, AMENDMENT
IV.

UNITED STATES Constitution, AMEND-
MENT VI.

STATEMENT OF THE CASE

THIS CASE WAS REMANDED BY THE UNITED STATES SUPREME COURT IN LIGHT OF REHAF V. UNITED STATES [17-9560]; HOWEVER, THE COURT OF APPEALS FOR THE 4TH CIRCUIT HONORED THE GOVERNMENT'S DISMISSAL AS OPPOSE TO GRANTING AN ACQUITTAL. DEFENDANT, I -- DERRICK M. ALLEN SR., RESPECTFULLY REQUEST OF THE U.S. SUPREME COURT TO ENTER AN JUDGMENT OF ACQUITTAL.

REASONS FOR GRANTING THE PETITION

Granting my REQUEST will
ASSIST in PURSUING AN CERTIFICATE
OF INNOCENCE in ACCORDANCE WITH
28 U.S.C. 2513

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Derrick M. Allen Sr.

Date: 2/28/2020