NO. 19-7968

IN THE

SUPREM COURT OF THE UNITED STATES

Akube Wuromoni Ndoromo –PETIONER
(Your Name)
VS.

William Pelham Barr, U.S. Attorney General et al,. –RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATE COURT OF APPEALS CIRCUIT FOR DISTRICT OF COLUMBIA

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Akube Wuromoni Ndoromo
(Your Name)

1525 Newton Street N.W.
(Address)

Washington D.C. 20010
(City Sate Zip Code)

(202) 910-5765
(Phone Number)

QUESTION(S) PRESENTED

- Does Fourth (VI) Amendment protect the right of the people to be secure therein?
- Does the Fifth Amendment (V) can't allowed accuser to defend himself in criminal trial therein.
- Is the Federal Government entitled to rob peoples Bank Accounts therein?
- Is the Jury Trial of Seven Amendment (VII) has been abolish to the public therein?
- Does the Fourteen Amendment (XIV) protect all persons therein?

LIST OF PARTIES

[ ] All parties appear in the caption of the case on the cover page.
[X] 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:

- Jessie Kong Liu, U.S. Attorney for the District of Columbia.

RELATED CASES

- Akube Wuromoni Ndoromo vs. William Perham Barr, et al, Appeal No 19-5211, D.C. Circuit entered on February 13, 2020.

- AKUBE WUROMONI NDOROMO vs. William Perham Barr Civil No. 1:18-cv-02339-CKK Judgment enters July 02, 2019.

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- Ndoromo v. Holder et al., No. 1:09-cv-05686 "Cause: 28:2241, Petition for Writ of Habeas Corpus" Second Court of Appeal Eastern District of New York. (Back to freedom).

- United States vs. James Criminal no. 1:06-cr-019-EGS, Judgment enter March 30, 2007,

- United States vs. vs. 455,273.72, in funds from Bank of America, Civ. No. 05-cv-0356-EGS, case shut down no Judgment.

- Akube W. Ndoromo vs. Eric H. Holder Civ. No. 10-01984-D.C. Circuit, Freed Akube Ndoromo form 51 months confinement.

- Akube Ndoromo vs. Emmett G. Sullivan, Judge, 08-cv-0742, U.S. District Court for the District of Columbia, Shut down.

- Akube Wuromoni Ndoromo v. Jeff Session et al., Appeal No. 18-cv-946-Appeals Court for District of Columbia Judgment enters October 23, 2019.

- Akube Wuromoni Ndoromo v. Jeff Session, et al., Civil No. CAB 3602-18-ACE, Superior Court of District of Columbia, Judgment enter August 28, 2018.

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Title 28 U.S.C. Section 2255
Title 18 U.S.C. A. E. Section 22-1301

RULES

Fed. Rule Civil Procedure Rule 38.
Fed. R. Crim. Procedure 7((f)
Fed. R. Crim. Procedure 12(b)(2)

OTHERS

Seven Amendment (VII)
Fifth Amendment (V)

Fourth Amendment (VI)
Fourteen Amendment (XIV)

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

[X] For cases from **federal courts:**

The opinion of the United States court of appeals appears at Appendix to the petition and is
[ ] reported at; N/A or,
[ ] has been designated for publication but is not yet reported; or,
[X] is unpublished.

The opinion of the United States district court appears at Appendix to the petition and is
[ ] reported at; N/A or,
[ ] has been designated for publication but is not yet reported; or,
[ ] is unpublished.
[X] 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; N/A or,
[ ] has been designated for publication but is not yet reported; or,
[X] is unpublished.

The opinion of the court appears at Appendix to the petition and is
[ ] reported at; N/A or,
[ ] has been designated for publication but is not yet reported; or,
[X] is unpublished.

JURISDICTION

[X] For cases from **Federal courts:**

The date on which the United States Court of Appeals decided my case
Was _____

[X] 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: None, 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 A N/A

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

[X] For cases from **state courts:**

The date on which the highest state court decided my case was October 23, 2019
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 (date) N/A 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

- Jury Trial of Seven Amendments (VII)
- Fourth Amendment Right of people to their properties and funds.
- Fifth Amendment a person can be indicted and tried based on the indictment passed by grand Jury only not by hear say.
- Fourteen Amendment (XIV) all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens
- Act 12 U.S.C. Section 1817 (j)(16)(A)(B).

- Title 28 U.S.C. Section 2241.
- Title 18 U.S.C. A. E. 22-1301
- Fed. Rule Civil Procedure 12(b)(6)
- Fed. Rule Criminal Procedure 7(f)
- Federal Rule of Civil Procedure Rule 38

STATEMENT OF THE CASE

AMENDMENT IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

AMENDMENT V

The Fifth Amendment says (in part) "... nor be deprived of life, liberty, or property, without *due process* of law; nor shall private property be taken for public use, without just compensation."

AMENDMENT VII

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Amendment XIV

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state

deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Government's Stealing of funds, Bank Robberies, Seized Properties shutting down small business all happened before **Civil No. 1:05-cv-0356-EGS** and Criminal No. 1:06-cr-019-EGS, when the civil was exposing the pattern of the violators was shut down, and when the criminal failed to charge a crime the victim Akube Wuromoni Ndoromo aka Akiuber Ndoromo James was thrown to prison for 51 Months with hope that he will be depress, stress and die of anxiety then they will get away with their False Claim. The use of **FRCPR 12 (b)(6),** is to prolong the case and dreg it aimlessly and endlessly with hope that the victim(s) will collapse and they will benefit from their False Claim. When Jury Trial Demand **FRCP Rule 38** of **Seven Amendment (VII)** is requested, **FRCP Rule 12 (b)(6),** will not stop the trial, and that is where the **Court made a greater Error**.

REASONS FOR GRANTING THE PETITION

The Government was confident that the victim(s) of their crime will not be able to prove their case because they seized all the evidence, properties, funds and shut down the business, if the victims(s) want proceed with defends he/they will not have the funds to hire an attorney and if the public defendant(s) hired as happened in criminal trial March 26-29, 2007, will not have the evidence to prove or proceed with the case, in this situation the victims surprise Government and Court how he obtained the evidence and filed for Jury Trial of **FRCP Rule 38,.** When the indictment failed to charge a crime they alter it, and changed it, but still didn't work, the only way was to get rid of victim(s) by sending him to prison innocently for 51 Months, release upon, "***Ndoromo v. Holder et a***;., 1:09-cv-05686, Cause: 28: 2241, Petition for Writ of Habeas Corpus" Second Court of Appeal Eastern District of New York

An indictment is not framed to apprise with reasonable certainty of the nature of the accusation against victims is defective although it may follow the language of the statute, in ***U.S. v. Simons***, 96 U.S.

360, 362, 24 L.Ed. 819. Absent any allegation whatsoever in indictment, which charged the obtaining of value by false pretense with intent to defraud, as to what the false pretense were, the indictment was fatally defective and should have been dismissed upon timely objection, the United States attorney was not vested with authority to insert allegations as to the bill of particulars. **Fed. Rules of Crim. Procedure Rule 7(f) 12(b)(2), and 18 U.S. C. A. E. Section 22-1301.**

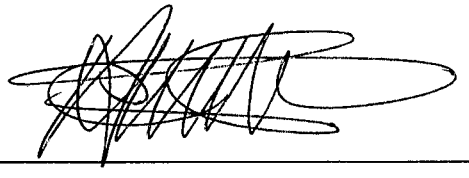
A bill of particulars will not cure a fatally defective indictment in ***Russell v. United States***, 369 **U.S. 749, 770-71, 82 S.Ct. 1038, 1050-51, 8E. d 240, 254-55, (1962**). An amendment of the indictment occurs when either prosecutor alters the charging terms of the indictment literally or in effect, or Court after the grand Jury has last passed upon them. A variance occurs when the charging terms of the indictment are left unaltered, but the evidence offered at trial proves facts materially different from those alleged in the indictment, in ***Gaither v. United States***, 413 F.2d 1061, 1071 (D.C. Cir. 1969), and ***Johnson v. United States,*** 613 A.2d 1381, 1384-85 (D.C. 1992), and ***Barker v. United States,*** 373 A.2d 1215, 1219 (D.C. 1977). This is exactly what the Court and the prosecutor did in fake trial of Akube Wuromoni Ndoromo aka Akiuber Ndoromo James and failed miserable to obtain conviction lead to this struggle since December 22, 2004-2020, only Supreme Court of United States, will protect the citizens from outrageous Government actions.

CONCLUSION

WHEREFORE, regulations must be reasonable and consistent with law. Regulations must conform to law when law exists upon subject. *See* ***Phelps v. Siegfried,*** (1892) 142 US 602, 35 Led 1128, 12 S.Ct. 179; ***International R.Co. v. Davidson,*** (1922) 257 US 506, 341, 42 S.Ct. 179. ***Hawk v. Olsen.*** Supra, 326 U.S. at 276, when error, in relation to the federal question of constitution violation, creeps into record, Supreme Court have the responsibility to review the proceedings.

The petition for a writ of certiorari should be granted.

Respectfully submitted



Date 02/24/2020

APPENDIX A

Opinion of the United States Court of Appeals For the District of Columbia Circuit.