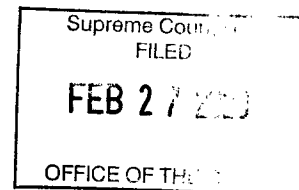


No. **19-7984** **ORIGINAL**

IN THE
SUPREME COURT OF THE UNITED STATES



DANNY PEREDA — PETITIONER
(Your Name)

vs.

UNITED STATE — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATE Court of APPEALS For the 9th CA
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Danny Pereda # 12769-111
(Your Name)

P.O. BOX 2099
(Address)

Pollock, La 71467
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

Preliminary statement, the District Courts of this Country have been deny relief to defendants under retroactive Amendments to the United States sentencing guidelines. Unless they agreed to become an agent of the government and assist the government in prosecuting others. The relief is being denied to Defendants who provided substantial assistance by admitting their own crimes in a timely manner. Thus, the question is

Is it unconstitutional to provided relief to Government Agents and exclude nonagents of the Government.

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:

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	
STATEMENT OF THE CASE	
REASONS FOR GRANTING THE WRIT	
CONCLUSION.....	

INDEX TO APPENDICES

APPENDIX A	<i>opinion of United States Court of Appeals</i>
APPENDIX B	<i>opinion of U.S. District Court.</i>
APPENDIX C	<i>Government's motion in opposition-</i>
APPENDIX D	
APPENDIX E	
APPENDIX F	

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

STATUTES AND RULES

OTHER

5th Amendment to The United States Constitution
14th Amendment to the United States Constitution
8th Amendment to the United States Constitution

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☐ is unpublished.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.

N/A
☐ 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 Dec 17 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

5th Amendment to the United STATES Constitution

[No person] [will be] deprived of life, liberty or property without due process of Law.

8th Amendment to the United STATES Constitution

[No person] [will be] [subject] to cruel and unusual punishment.

14th Amendment to the United STATES Constitution

Not deny to Any person equal protection of the Law.

STATEMENT OF THE CASE

MR. Danny Pereda was convicted under 21 U.S.C. section 841. He and the government negotiated a deal with the basis being the offense level applied to the drug amount alleged. The Government agreed to abandon the "Career offender" under USSC section 4B1.1. Subsequent to the sentence, the sentencing Commission lower the drug amount base offense level. Pereda moved for a reduced sentence. The Government argued Pereda was a Career offender. Moreover, due to the fact he had not agreed to be a government agent he could not benefit. Pereda appeal and was denied. Thus the request.

REASONS FOR GRANTING THE PETITION

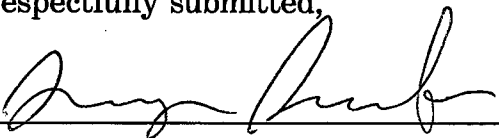
The Sentencing Commission and the United States District Court are violating the 5th Amendment, the 8th Amendment, and the 14th Amendment by granting relief to only government agents.

Such a practice is fundamentally unfair, and constitutes unequal protection of the law. Moreover, to require a defendant to become an agent of the government to get equal protection, which not only puts his life on danger, but his family's as well constitutes cruel and unusual punishment. This is an ideal case to review such unconstitutional practice.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: Jan 10th 2020