

19-8738
No. _____

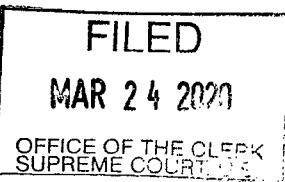
ORIGINAL
COURTIAL

IN THE
SUPREME COURT OF THE UNITED STATES

Charles Clark — PETITIONER
(Your Name)

vs.

VANCE LAUGLIN — RESPONDENT(S)



ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

Charles Clark
(Your Name)

Wheeler Correction Po Box 466
(Address)

Alamo Georgia 30411
(City, State, Zip Code)

None
(Phone Number)

QUESTION(S) PRESENTED

IS the Fourteenth AMENDMENT OF the United States Due process clause Violated where the State trial Court was without Subject-matter Jurisdiction to pronounce Judgment where the State has fail to prove VENUE

IS the Sixth Amendment of the United states Constitution Violated Where the trial court is without Competent Jurisdiction to pronounce Judgment upon a Jury Verdict

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:

Vance Laughlin, Warden
Homer Bryson, Commissioner

RELATED CASES

US V Cotton 535 U.S. 625, 630 (2002)

Jones v. State 272 Ga 900, 902 (2000)

Tolbert v. Toole 296 Ga 357 (2014) Foot Note 8

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 Georgia Supreme Courts ORDER

APPENDIX B State Habeas corpus court ORDER

APPENDIX C Superior Court of Wheeler County index to
Record Writ of habeas Corpus in case #18CV056
Appended in its entirety.

APPENDIX D

APPENDIX E

APPENDIX F

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

US V. Cotton 535 U.S. 625, 630 (2002)

Jones v state 272 Ga 900, 902, (2000)

Talbert V. Toole 296 Ga 357 (2014) Foot Note 8

STATUTES AND RULES

OTHER

Sixth Amendment of the united States Constitution

Fourteenth Amendment of 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 _____ 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 _____ 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 A to the petition and is

[] reported at Georgia Supreme Court; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

The opinion of the State Habeas Court 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.

JURISDICTION

For cases from **federal courts**:

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

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 12/23/2019. A copy of that decision appears at Appendix A.

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

STATEMENT OF THE CASE

Petitioner was convicted in the superior court of Fulton County Atlanta Georgia For Enticing a child For the Purpose of child molestation to wit,

Petitioner received a 20 year Sentence on Nov-4, 2010

Petitioners Appeal was affirmed by the court of Appeals of Georgia on August 9, 2013 petitioner filed petition for Habeas corpus in the Superior court of Wheeler County state of Georgia on June 12, 2018 it was Denied on ~~December~~ April 5, 2019 petitioner filed a Certificate of probable cause to Appeal with the Georgia Supreme court it was Denied on December 23, 2019 From that Decision petitioner Brings this Writ, within 90 days

In petitioners state Habeas corpus petitioner Raised the Facts that the Fulton county Superior court ~~had~~ Was without Subject-Matter Jurisdiction Because the state failed to prove venue. The Indictment alleged that the crime accurred at the Fulton Inn Hotel located at 4230 Wendell Drive in Atlanta Fulton county Georgia. Detectives Found that there was absolutely no evidence that a crime had accurred at 4230 Wendell Drive in Atlanta Georgia in Fulton County.

The state Fail to prove Venue stripping the trial court of Subject Matter Jurisdiction to pronounce Judgment upon the Jury Verdict

REASONS FOR GRANTING THE PETITION

Because petitioner is being Held in Illegal confinement in unlawful custody and his Liberty is being Illegally restrained against his will, IN Violation of his sixth Amendment Rights Depriving him of Due process of LAW IN Violation of His Fourteenth Amendment Rights of the united State Constitution,

Petitioner prays that this Honorable United States Supreme Court will Grant the writ Releasing petitioner from his unlawful Confinement and Illegal Custody

Petitioner prays that this court will Hear the Jurisdictional ISSUE

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Charles Clark

Date: 3/17/2020