

No. 20-5067

20-5067

IN THE
SUPREME COURT OF THE UNITED STATES

James A. Rieger
(Your Name)

PETITIONER

ORIGINAL

vs.

Jay Cassidy and now Warden
Kelly Moress
RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

FILED

JUN 26 2020

OFFICE OF THE CLERK
SUPREME COURT, U.S.

U.S. District Court for the Western District of Missouri-Springfield-8th Circuit Court
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE) of Appeals

PETITION FOR WRIT OF CERTIORARI

James A. Rieger
(Your Name)
Algoa Correctional Center
8105 No More Victims Rd
(Address)

Jefferson City, Mo. 65101
(City, State, Zip Code)

573.751.9311
(Phone Number)

QUESTION(S) PRESENTED

- 1) WHETHER a Petitioner, Now a CONVICTED STATE PRISONER, has a standing to CHALLENGE His Conviction upon the grounds that the 44th Circuit Court displayed a blatant abuse of their ENUMERATED POWER, being INCONSTANT with the 10th Constitutional Amendment Resulting in a WRONGFUL Exasperated outcome.
- 2) Whether I, the Petitioner was denied of my 5th and 6th Constitutional Amendments Rights upon the NEGLIGENCE of the States by way of failure to provide notification of four separate crucial hearings.
- 3) Whether I have been granted due process, in accordance with the Constitution Amendment 14, any and all appeals in which I made in request to dismiss all charges to dismiss all charges or at the very least grant a new trial due to any of the 92 merits brought forth against me at my original trial.

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:

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Case # 19-3587*

TABLE OF AUTHORITIES CITED

CASES - Also - See attached -	PAGE NUMBER
STATE V. Hammonds, 651 S.W.2d 637 (Mo. App. E.D. 1983) - Appendix H	pg 35
STATE V. Weig, 24 S.W.3d 198 (Mo App. W.D. 2000) - Appendix H	pg 35
STATE V. Williams, 119 S.W.3d 198 (Mo App. S.D. 2000) - Appendix H	pg 35
STATE V. AYE, 921 S.W.2d 951 (Mo App. E.D. 1996) - Appendix H	pg 35
STATE V. SANDERS, 634 S.W.2d 525 (Mo. App. E.D. 1982) - Appendix H	pg 36
STATE V. Phelps, 677 S.W.2d 418 (Mo App. E.D. 1984) - Appendix H	pg 36
STATE V. Clements, 789 S.W.2d 101 (Mo App. S.D. 1990) - Appendix H	pg 36
STATE V. Churchill, 98 S.W.3d 536 (Mo banc 2003) - Appendix H	pg 38, 39
STATE V. Presberry, 128 S.W.3d 80 (Mo. App. E.D. 2003) - Appendix H	pg 38
STATE V. Pelaboy, 844 P2d 1 (Hawaii App 1992) - Appendix H	pg 39
Gomez V. STATE, 25 A 3d 186 (Del 2011) - Appendix H	pg 40
STATUTES AND RULES	

RS Mo. 491.075

Rule 30.20

Section 491.050

Rule 29.11

Sections 491.725 and 564.062

OTHER

5th, 6th and 14th Amendments to the United States Constitution.

Mo. Constitution, Art I, Sections 10 and 18

Mo Constitution, Art I, Section 17

Continuation of Authorities Cited

Cases -

		Page Number
STATE V. Powell, 318 S.W. 3d 786 (Mo. App. W.D. 2010)	— Appendix H	pg. 40
STATE V. Connor, 252 SW 713 (Mo 1923)	— Appendix H	pg. 40
STATE V. Sloan, 912 S.W. 2d 592 (Mo App. S.D. 2011)	— Appendix H	pg. 40
STATE V. Cobb, 366 S.W. 3d 603 (Mo App. E.D. 2000)	— Appendix H	pg. 40
STATE V. Buchli, 152 S.W. 3d 298 (Mo App W.D. 2004)	— Appendix H	pg. 42
Gassen v. Woy, 785 S.W.2d 60 (Mo App WD 1990)	— Appendix H	
STATE V. Storey, 901 S.W. 2d 886 (Mo. banc 1995)	— Appendix H	pg. 42
STATE V. Miller, 372 S.W. 3d 455 (Mo. banc 2012)	— Appendix H	pg. 43
Berger v. United States, 295 U.S. 78 (1935)	— Appendix H	pg. 43
State v. Roper, 136 S.W. 3d 891 (Mo. App. W.D. 2004)	— Appendix H	pg. 43
State v. Schnelle, 7 S.W. 3d 447 (MO. App. W.D. 1999)	— Appendix H	pg. 44
State v. Roberts, 838 S.W. 2d 124 (MO. App. E.D. 1993)	— Appendix H	pg. 44

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 _____ to the petition and is

reported at ~~the United States District Court for the Western District of Missouri Southern Division~~; 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 _____.

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 19.30.2016. 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

RSMo. 491.075

Rule 30.20

Section 491.050

Rule 29.11

Sections 491.725

Sections 500.062

United STATES Constitutional Amendments
5th, 6th and 14th

Missouri Constitution, ART I, Sections 10 and 18

Missouri Constitution, ART I, Section 17

STATEMENT OF THE CASE

THE procedural history of this case in its entirety has been both unfortunate and unjust in upholding and adhering to James A. Riggs' Constitutional Rights. (See Appendix A for Grounds and Claims for Relief and Appendix B for FACTS)

On October 07th 2014 James A. Riggs was sentenced by the 4th Circuit Court of Douglas County Missouri of Statutory Sodomy in the 1st degree - MCC 1109714 - RSMo566.062 (Case # 13DG-00313-01).

In the "Totality of Circumstances" James A. Riggs pleads with the Supreme Court of the United States for a revision of his entire case and all evidence and documents provided in the Appendices A through I in this petition for Writ of Certiorari and acknowledge that James A. Riggs should be granted a retrial by way of Due Process and or dismiss all charges based on ~~false dichotomy~~ and or anecdotal evidence.

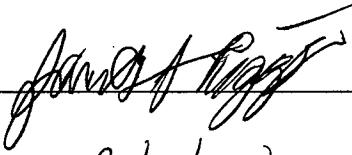
REASONS FOR GRANTING THE PETITION

- See Appendix A and B -

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: 06/26/2020