

20-5209

No. 20-11020-E

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Robert L Clark — PETITIONER
(Your Name)

vs.

Chiquita A. Fye — RESPONDENT(S)

FILED
JUL 28 2020
OFFICE OF THE CLERK
SUPREME COURT, U.S.

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. District Court Middle District of Georgia
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Robert L Clark
(Your Name)
Macon State Prison
2728 Hwy 49 South P.O. Box 426
(Address)

Oglethorpe, Ga. 31068-0426
(City, State, Zip Code)

N/A
(Phone Number)

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QUESTION(S) PRESENTED

1.

How could the U.S. Court of Appeals in Georgia, after learning it threw the petitioner's exhibits D and E, and exhibit B, that it's ruling was based on false information supplied by the defendants still refuse to vacate its void judgment on the petitioner's motion to vacate, pointing this fact out? Also citing this Honorable Court's case *Farmer V. Brennan*, 511, U.S. 825, 847, S.Ct. 1970, 128, L.Ed. 2d. 811, (1994).

2.

Why would the 11th Circuit refuse to uphold it's own rulings in *Brown V. Johnson*, 387, F. Ed. 1344, (2004). Concerning the plaintiff's statements and allegations in my complaint, and that they must be taken as true?

3.

Why would the 11th Circuit make false statements about me filing a motion for reconsideration, when the petitioner never filed any such motion?

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TABLE OF AUTHORITIES CITED

CASES

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Mooney V. Holohan, 294, U.S. 103, 112, 79, L. Ed. 791, 794, 55, S. Ct. 340, 98, A.L.R. 406, (1935). False evidence. Ciarpaglini V. Saini, 352, F.3d. 328, (7th Cir 2003). Jaffke V. Durham, 352, U.S. 280, 281, 77, S. Ct. 307, 308, 1. L. Ed. 2d. 314, (1957). Berger V. U.S. 295, U.S. 78, 88, 79, L. Ed. 1314, 55, S. Ct 629, (1935). False evidence. Lowery V. U.S. 956, F.2d. 227, 229, (11th Cir 1992) Coram nobis jurisdiction is the only available remedy in this case. Brown V. Johnson, 387, F.3d. 1344, (11th Cir 2004) Brady V. Maryland.

STATUTES AND RULES

U.S. Const Amend VIII, VI, ~~XIV~~,

28 U.S.C.S. 1915 (g)

Fed R. Civ P. 15 (a)

Fed R. Civ P. 56 (g) declarations

14th Amend Due Process

Fed R. Civ. P. 12 (b) (6) is a ruling on a question of law that the appellate court reviews de novo

OTHER N/A

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 No. 20-11020-E; 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 5:18-00071-MTT-MSH; 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 06-12-2020.

☐ 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

6th and 8th amend, and 14th amend U.S.C.A.

STATEMENT OF THE CASE

The 11th Circuit based their ruling on false evidence provided by the defendants. The petitioner sent the 11th Circuit evidence showing clearly that the defendants evidence was false and filed a motion to vacate the 11th Circuit's illegally rendered judgment. The 11th Circuit refused and went with the false statements made by the defendant. A clear due process violation. This request followed.

REASONS FOR GRANTING THE PETITION

Because false evidence has never been allowed to stand by this Honorable Court since *Mooney v. Holohan*, 294, U.S. 103, 112, 79, L.Ed. 791, 55, S.Ct. 340, 98, A.L.R. 406, (1935). In this case this Honorable Court made it clear that deliberate deception of a court and jurors by the presentation of known false evidence is incompatible with the rudimentary demands of justice.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Robert L. Clark

Date: 7-13-2020