

APR 26 2020

OFFICE OF THE CLERK

20-5371

No. 19-6358 ^{6th} Circuit court of appeals,
from originating

Case No. 3:19-cv-00590 middle district court in
Nashville, TN.

IN THE

SUPREME COURT OF THE UNITED STATES

Washington, D.C.

Pro'se - Keith L. Farmer #401959
(Your Name) — PETITIONER

(T do c) vs.
Warden: LBO — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO
United States Court of Appeals
OF

for The Sixth Circuit Case no. 19-6358
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE) /

PETITION FOR WRIT OF CERTIORARI

Mr. Keith L. Farmer #401959
(Your Name)

West Tennessee State Prison
(Address) P.O. Box 1150

Henning Tennessee 38079
(City, State, Zip Code)

Contact By Via U.S. Mail
(Phone Number)

ORIGINAL

QUESTION(S) PRESENTED page 1 of 5;

This Highest level Supreme Court of United States at Washington D/C as By law held under § 2101 (A) a direct appeal to Supreme Court from any decision under section 1253 of this Title, holding "unconstitutional" in whole (or) in part. any of Congress shall be taken within thirty days after the entry of the interlocutory (or) final order, judgment (or) decree; (B) any direct appeal to the Supreme Court which is authorized by law from a decision of a district court in any civil action suit (or) proceeding shall be taken appeal from if interlocutory as petitioner relief over's at § 2101 at (F) The final judgment (or) decree of any court is subject to its review by the Supreme Court on writ of Certiorari. The execution and enforcement of such judgment of Certiorari from the Supreme Court.

as pro'se - petitioner over's (C) This Reply notice is held against the Sixth Circuit judge: Thapar order which was filed by: Deborah S. Hunt [Clerk] as this Court denies the application for a certificate of appealability, 1/3 Denies the motion to stay the district court proceedings as moot. as petitioner voice on appeal against above order is that
NEXT pg # 2.

2 (of 5) Question^(s) Presented.

as he never once was able to argue equitably
to toll the AEP's one-year statute of
limitations. → because of His mental -
incompetence had prevented him from timely
filing His petition.

as petitioner (Farmer) ever by alleged that
[mentally incompetent.] See → 9th v. Scott + United.
States court of Sixth Circuit November 28, 2011. 662.
F.3d 736. as it's clear that entitled to relief
By equitable Tolling only if He shows (#1) that He has
been pursuing his rights diligently & (#2) That some
extraordinary circumstance stood in His way & pre-
vented timely filing → Holland, 130 S.Ct. 94. 2562.
(Quoting Pace v. Diguglielmo, 544 U.S. 408, 418. 125.
S.Ct. 1807. 161 L.Ed. 2d 669 (2005)) as now comes
Pro-se-petitioner (Farmer) as judge: Thapar, of Sixth
Circuit Court submitted under oath that over
at His order along page #3 farmer argues that
He is entitled to equitable tolling because of His
ignorance of the law. Yet as the above said
Judge: Thapar, over at page #4 because an invalid
arrest warrant does not establish that farmer is
factually innocent of attempted murder. / reasonable
jurists would not debate the district court's
resolution of This issue.

as Petitioner over relief is held at Fed. R. Crim.
P. 12(c) → Court, for cause shown may grant relief

Next pg # 3 →

3 (f) E. Question's presented.

3 allow motion to suppress after waiver of standing by defendant see $\rightarrow$ Steagald v. U.S., 451 U.S. 204, 209 (1981) as government may lose right to raise factual issue on appeal if it "made contrary assertions in the court below". "acquiesced in contrary findings" $\rightarrow$ (a.) failed to raise issue in timely fashion see e.g. U.S. v. Upham, 168 F.3d 532, 534 (1st Cir. 1999) "government waived standing argument by failing to raise it at [suppression hearing] also U.S. v. Maldonado, 472 F.3d 388, 391 n.1 (5th Cir. 2006) (same) abrogated on other grounds by K.Y. v. King, 131 S. Ct. 1849 (2011) holding that the police cannot deliberately create circumstances with bad faith intent to avoid getting a warrant as by U.S. v. Trost, 152 F.3d 715, 722 (7th Cir. 1998) as the government waived standing argument by failing to raise it $\rightarrow$ Petitioner avers U.S. v. Cardona, 955 F.2d 976, 982 (5th Cir. 1992) Though government did not challenge defendant's standing in trial court, it could do so on appeal if Defendant never carried the initial burden of offering facts from which standing can be inferred and no evidence government was shifting on appeal (same) $\rightarrow$ U.S. v. Rodriguez-Arreola, 270 F.3d 611, 616-17 (8th Cir. 2001) Though government did not challenge defendant's standing in trial court government cannot waive objection to Defendant lack of standing on appeal.

NEXT Pg # 4.)

4 (F) E. Questions Presented.

as petitioner Showing of good Cause is once more
Unconstitutional Due To official misconduct by
illegal court because void guilty Pleg entry
By His Trial-Court of Tennessee Criminal
Court of Davidson County judicial District of
20th judicial Division; as this now holds
fair review by Fed. R. Crim. p. 12 (c) grant relief
1/3 allow motion to suppress after waiver of standing
By defendant Due falsely/falsehood re'entry
act [fraudulent behavior.] By above Trial-Court
attempted to cover up the void original
Invalid Warrant.

as Petitioner relief is held at best law review
under → Rule 13. Scope of review at (C) facts
That may be considered on appeal to the Supreme
Court of appeals; and Court of Criminal appeals
may consider those facts established by the
evidence in the Trial Court & set forth in the
record and any additional facts that may be judicially
noticed (or) are considered pursuant to Rule 14.

which open (S) → The Common-law writ of certiorari
in order bring's up entire record to determine whether
there was absence (or) excess of jurisdiction
(or) failure to proceed according to essential
requirements → of law Gatinsburg Beer Regulation Committee
V. Ogile. 1947. 206 S.W. 2d 891. 185 Tenn. 482. as Petitioner
formerly entry his relief as to void proceedings

NEXT Pg# 5.)

5 (of) 6 ; Questions Presented :

(OR) $\leftrightarrow$ orders nature and grounds for review of Certiorari interlocutory order of Trial-Court (OR) orders of such court prior to final determination of the case there in cannot be reviewed by common-law writ of Certiorari unless the Trial-Court has acted illegally (OR) $\rightarrow$ without jurisdiction.
3 There is no other plain-seepay (OR) adequate remedy T.C.A. §§ 27-801, 27-802 Ellenburg v. Hartford, 9 CC3, Indem. Co.; 1966. 406 S.W.2d. 66; 56. Tenn. app. 272.

as it's held within the record under said Trial-Court of Davidson County judicial district 20th judicial Division had in fact acted illegally (And) $\rightarrow$ was without its jurisdiction.

as The U.S. district Court of middle district of Tennessee at Nashville Division, as judge: William L. Campbell JR submitted his order Document 44 that was entered on 12/04/2019 at entry pg# 2. The court further finds that Petitioner's (c) appeal is taken in good faith. / accordingly Petitioner's application to proceed on appeal in forma pauperis (Doc. No 41) is granted.
as Petitioner (Famer) seek on this request reply his entitlement by Rule 13. Scope of
NEXT pg# 6. $\rightarrow$

Pg 6 of 6. Questions Presented.

Review (9) Question of law that may be urged upon
appeal under except as otherwise provided in Rule 5(c)
any Question of law may be brought up for review
relief by any party cross appeals.
Separate appeals and separate applications for permission
to appeal are not required Dismissal of the original
appeal.

The main Question of law in petitioner behalf
is that he has been pursuing his rights
Diligently & that some extraordinary circumstance
stood in his way and prevented timely filing
relief as held in → Holland v. Florida at Supreme
Court of the United States June 14, 2010 560 U.S. 631.
130 S.Ct. 2549. 177 L.Ed. 2d 130. [mentally incompetent]
as petitioner seek to file motion unto this Court by
relief to (Subpoena). request in order to order
T doc "Short" for Tennessee. Department of Corrections
Commissioner: Tony Parker.

To contact W.T.S.P medical records Clerk
to order mental Health Staff (c) member
Mrs. Olga Robinson; April Submitted & ←
HIPAA authorization for consideration. Due
review petitioner (c) added above motion
for this Court (c) reviewing (end.)

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: (Tdoc) Warden: Mr. Jonath P. LeBO; along with

Trial - Court of Tennessee Criminal Court of Davidson County judicial district 20th judicial Division; AT Torney for The Appellee (s) Honorable: Andrew Graig Coulam Plus -> Zachary L. Barker Federal Habeas Corpus Division State Paid at Torney.

Address(es): #1 Honorable Andrew Graig Coulam
Criminal office of State Attorney General
Justice Division P.O. Box 20207
Nashville, TN 37202 - 0207

#2 Zachary L. Barker
Federal Habeas Corpus
P.O. Box 20207 at
Nashville, TN 37207.

RELATED CASES #1.

in The Circuit Court for

19th County Tennessee, at Tiptonville. Case # No. 18-CR-10520

#2 in The Court of Criminal Appeals of Tennessee at Jackson. Case # No. W2018-01687-CCA-R3-HC.

#3 in The Supreme Court of Tennessee at Jackson Application for rule 11 was file 06/24/2019 upon the Court (s) Consideration it was denied.

#4 in The U.S. District Court of Middle District of TN Nashville Division; Case # No. 3:19-cv-00590 Judge: Campbell

#5 United States Court of Appeals for the Sixth Circuit at Cincinnati, Ohio
Case # No. 19-6358 / originating Case No. 3:19-cv-00590

(end)

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

- # 1 . → APPENDIX A Decision of The U.S. Court of 6th Cir. appeals.
- # 2 . → APPENDIX B Decision of The U.S. district Court of middle TN at Nashville.
- # 3 . → APPENDIX C Decision of The Court of Criminal appeals of TN at Jackson.
- # 4 . → APPENDIX D Decision of The Supreme Court of TN at Jackson.
- # 5 . → APPENDIX E Decision of The Lake County Circuit Court at Tiptonville, TN.
- # 6 . → APPENDIX F Decision of This Supreme Court of The United States at Washington, D/C.

TABLE OF AUTHORITIES CITED

1 (OF) 4

CASES	Questions Presented.	PAGE NUMBER
#1 9th Cir. V. Scott United States Court of Sixth Circuit	no. #	pg 2 . see
#2 Holland; 130 S. Ct. 97-2562. (Quoting Pacey Diguglielmo)	no. #	pg 2 . see
#3 Steggald V. U.S.; 451 U.S. 204, 209 (1981)	no. #	pg 3 . see
#4 U.S. V. Upham 168 F.3d. 532; 534 (1st Cir. 1999)	no. #	pg 3 . see
#5 U.S. V. Maldonado; 472 F.3d. 388, 391 n. 1 9th Cir. 2006. (Same as 9th Cir. 2006)	no. #	pg 3 . see
#6 U.S. V. Trost; 152 F.3d. 715, 722 (7th Cir. 1998)	no. #	pg 3 . see
#7 U.S. V. Cardona; 955 F.2d. 976, 982 (5th Cir. 1992)	no. #	pg 3 . see
#8 U.S. V. Rodriguez-Arreola; 270 F.3d. 611, 616-17. (8th Cir. 2001)	no. #	pg 3 . see
(STATUTES AND RULES 1 (OF) ., NEXT added pg # 2. (8th Cir. 2001)	Questions presented.	No. # 3 .

#1 Under § 2101 (A) by Section 1253 of This Title; holding unconstitutional in whole (B) in part / § 2101 (F) The final judgment review by the Supreme Court on writ of certiorari.	no. #	pg 1 . see
#2 able to argue equitably toll the AEDPA one-year statute of limitations; because of his mental-incompetence.	no. #	pg 2 . see
#3 Fed. R. Crim. p. 12 (e) grant relief.	no. #	pg 4 . see
#4 Rule 13 Scope of review 9th Cir. (C).	no. #	pg 4 . see
#5 T. C. Agg 27-801, 27-802.	no. #	pg 5 . see
#6 Rule 13 Scope of review (a) provided in Rule 5 (e)	no. #	pg 5 1/2 6 (end.)

OTHER
 → Petitioner over 15 See all exhibits . . . next added pg # 2 Constitutional & Statutory Provisions involved.
 Which are part of this petition as will be added unto this area of (other) as this petition is only 40 page (B) and is not exceed over 40 page(s) The documents required to be contained in the appendix to the petition do not count toward the page limit
 See Rule 33.2 (b) X Mr. Keith Lamont Farmer 7/31/2020 .

Table of authorities cited 2 (of) 4.

#9 Gottinburg Beer Regulation Committee v. Ogle, 1947. 206 S.W. 2d. 891. 185 Tenn. 482. → no # pg 4. See

#10 Ellenburg v. Hartford Indem. Co., 1966. 406 S.W. 2d. 66. 56 Tenn. 9pp. 272. → no # pg 5. See

#11 Holland v. Florida at Supreme Court of The United States June 14, 2010. 560 U.S. 631. 130 S. Ct. 2549. 177 L. Ed. 2d. 130. → no # pg 6 (end).

Start of → Constitutional & Statutory provisions involved

#1 King v. Harwood, 852 F. 3d. 568. 587. 88. (6th Cir. 2017) → no # pg 5. See

#2 Silverman v. United States, 365 U.S. 505. 81 S. Ct. 679. 5 L. Ed. 2d. 734. no # pg 6. See

#3 McGinnis v. United States, 1 Cir. 227. F. 2d. 598. → no # pg 6. See

#4 *486 Nye Stein v. District of Columbia, 73 App. D.C. 85. 115 F. 2d. 690. no # pg 1. See

#5 Rea v. United States, 350 U.S. 214. 76 S. Ct. 292. 100 L. Ed. 253. → no # pg 7. See

#6 Elkins v. United States, 364 U.S. 206. 80 S. Ct. 1437. 4 L. Ed. 2d. 1669. → no # pg 1. See

#7 Mardone v. United States, 308 U.S. 338. 341. 60 S. Ct. 266. 268. 84 L. Ed. 307. no # pg 1. See

#8 Wong Sun v. U.S. Supreme Court of United States January 14, 1963. 371 U.S. 471. 83 S. Ct. 407. 9 L. Ed. 2d. 441. → no # pg 8. See

#9 Rogers v. Richmond Supreme Court of The United States March 20, 1961. 365 U.S. 534. 81 S. Ct. 735. 5 L. Ed. 2d. 760. → no # pg 9. See

#10 Malley v. Briggs Supreme Court of The U.S. March 5, 1986. 475 U.S. 335. 106 S. Ct. 1092. 89 L. Ed. 2d. 271. 54 USLW 4243. → no # pg 9. See

#11 Kyles v. Whitley Supreme Court of The United States April 19, 1995. 514 U.S. 419. 115 S. Ct. 1555. 131 L. Ed. 2d. 490. 63 USLW 4303. → no # 9. See

#12 Manning v. Jernigan United States Court of Appeals (6th Cir.) July 30, 1974. 501 F. 2d. 408. → no # 9. See

#13 United States v. Mallicks, 473 F. 2d. 859. 862 at (9th Cir. 1973) → no # 9. See

#14 Donnelly v. DeChristoforo, 416 U.S. 637. 94 S. Ct. 1868. 40 L. Ed. 2d. 431. (1974) Supreme Court. → no # 10. See [Due-process] id at. 645. 94 S. Ct. at.

1872. (end) at pg # 10. See 3 (of) 4 Table of authorities cited.

Table of authorities cited 3 @ 4;

- Start of Statement of The Case,
- #1 Rogers V. Richmond Supreme Court of The United States March 20, 1961. 365 U.S. 534. 815. Ct. 735. 56, Ed. 2d 760 → no # 1. See
- #2 Strobble V. State of California; 343. 4 S. 181. 72 S. Ct. 599 → no # 1. See
- #3 Kyles V. Whitley Supreme Court of The United States April 19, 1995 514. 4 S. 419 115. S. Ct. 1555. 131. L. Ed. 2d. 490. 634. 15. L. W. 4303 → no # pg 1. See
- #4 Brady V. Maryland 373. 4 S. 83. 83 S. Ct. 1194. 10. L. Ed. 2d. 215. (1963) → no # pg 4. See
- #5 Agurs V. United States 427. 4 S. 97. 112. 96 S. Ct. 2392. 2401. 49. L. Ed. 2d. 342 (1976) → no # pg 4. See
- #6 Moldowen V. City of Warren 578. f. 3d. 351. 381. (6th Cir 2009) → no # pg 4. See
- #7 White V. McKinley 519 f. 3d 806. 814 (8th Cir. 2008) → no # pg 4. See
- #8 Gregory 44 f. 3d. 97. 794 n. 8 Brady Violation → no # pg 5. See
- #9 King V. Harwood 852. f. 3d. 568. 587. 88 (6th Cir. 2017) → no # pg 6. See
- #10 Kyles V. Whitley 9th Supreme Court of United States April 19, 1995. 514. 4 S. 419. 1155. Ct. 1555. 131. L. Ed. 2d. 490. 63. 4 S. L. W. 4303 → no # pg 6.
- #11 McCabe; The federal magistrate act of 1979, 16 Fla. V. J. L. Regis 343. 364-79 (1979) in order to allow jurisdiction; to a magistrate must be specially designated under 28 U.S.C. § 636(c) + (1). 28 no # pg 1. See
- #12 McCracken V. State. Tenn. 1. Crim. p. 12. (b) 2. 201. 1. (Tenn. Crim. App. 1992) → no # pg 10. See
- #13 Wallace V. United States. C.C. 9. 2d. L. Ed. 97 573 → no # pg 9. See
- #14 Fiske V. Buder. C.C. A. (8th Cir. 1942) 125 f. 2d. 841 along intentionally Buey V. Maytag Construction Co. C.C. A. 97 (9th 1942) 125 f. 2d. 213 → no # pg 9. See
- NEXT Page 4 →

- Table of authorities cited 4 (of) 4;
- #15 McCracken v. State, 489 S.W. 2d (Tenn.) crim app. 1972 no#pg 10. See
- #16 State v. Perkins, 867 S.W. 2d. 1. (Tenn.) crim app. 1992 no#pg 10. See
- #17 U.S. v. Upham, 168 F.3d. 532. 534. (1st Cir. 1999) no#pg 11 (end).
- Start of → Reasons for granting the petition.
- #1 State v. Thompson, 1907. 102 S.W. 349. → no#pg 1. See
- #2 Peter v. Kiff, 407. U.S. 493. → no#pg 2. See
- #3 Marybury v. Madison 137. 163. L. Ed. 60. → no#pg 3. See
- #4 Zurich - v - Thill, 113. 11. 2d. 294. 497. N.E. 2d. 1156. (1986) → no#pg 3. See
- #5 Old Wayne Mut. L. Assoc. v. McDough, 204. U.S. 8, 27. S. Ct. 236. (1907) → no#pg 3. See
- #6 Dillion v. Dillion 26. S. Ct. 764 (mem) 50. L. Ed. 1176. → no#pg 3. See
- as (end) of Table of authorities cited, 4 (of) 4

x Mr. Keith Lament Farmer pro'se petitioner.

7th / 31st / 2020.

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

1 (OR) 2;

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 U.S. Court of Appeals 6th circuit
☒ reported at Case # 19-6358 (Doc # 46) file 04/2/20; 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 U.S. district court for the middle district of Nashville
☒ reported at Case # 3:19-cv-00590 memorandum order; 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 C to the petition and is The case # 102018-01687-CCA-R3-HC3/19/2019.
☒ reported at The Court of Criminal Appeals of Tennessee; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the Supreme Court of TN at Jackson court appears at Appendix D to the petition and is case # 102018-01687-SC-R11-HC.
☒ reported at order of 12/1/2019.; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

[Opinions Below] 2 (6F) 2 .

#5 The opinion of The Lake County Circuit Court enter by cart appears at Appendix E. To this petition and is ☒ reported at lower court judgment transcript of record on August 24, 2018 .

#6 The opinion of The Supreme Court of U.S. of Washington O/C Court appears at Appendix f. To this petition and is ☒ reported at May 11, 2020 Clerk Type letter By Scott S. Harris .

(end*)

JURISDICTION

☒ For cases from federal courts:

The date on which the United States Court of Appeals decided my case was 04/2/2020.

☒ 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 June 25th (date) on 2020 (date) in Application No. 6 A F.

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 3/19/2019.
A copy of that decision appears at Appendix C.

☒ A timely petition for rehearing was thereafter denied on the following date: 06/24/2019, and a copy of the order denying rehearing appears at Appendix D.

☒ An extension of time to file the petition for a writ of certiorari was granted to and including (60) days June 25th (date) on 2020 (date) in Application No. 6 A F.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

AS held under: Statement of The Case;

Tennessee. Const. art. 6 § 10. at article VI.
Judicial Department § 10. Writ of Certiorari.
Constitutional law 2356.

The fourteenth Amendment Violation of
Due-process By LAW(S).
U.S.C.A Const. amends 5; $\frac{1}{3}$ § 8 Deprivation
of life; liberty (or) property under law of
Due-process.

§ 1:2 Reasons for Challenging The Validity of
(a) arrest warrant / invalid warrant are
discussed in chapter 3.

T.C.A § 29-21-121 Witness(es); Subpoena
By Title 29. / Magistrate judge: 28 U.S.C § 636

(C) 3 as rule 73 (C) + 28 U.S.C § 636 (C) 1.
also → 28 U.S.C. § 639 (C) / 28 U.S.C § 1291
Governing appeals.

Fed. R. of Civil. P. Rule 60 (b) 2, 6. Reopen
judgment / Stay 28 U.S.C. § 2101 (f).

Original Rule 60 (B) $\frac{1}{3}$ →
NEXT Pg# 2.

Constitutional & Statutory Provisions Involved.

2. (of) 10

Statute of Indictment for a violation of Statute of limitations are discussed in Chapter 16. Also § 16:1 The motion to dismiss as Chapter 16 motion dismiss & amend Indictments (Plus) → § 16:3 1 time To file a motion To dismiss as Chapter 16 motion to dismiss and amend indictment s holds relief as The court may excuse The waiver for good Cause.

(False imprisonment) → a ransom and reward for the release of a kidnapped person Conduct alleged to be in violation of 18 U.S.C. § 875(A). Also Fed. Rules of Civil procedure (5) Rule 60 (b) 5* which is The judgment has been Satisfied, released. (OR) discharged.

T.C.A. § 39-12-101 Criminal & attempted at pg# 1 (C) Plus

See page # 2 at §§ 39-12-104 ←

(Renunciation) → T.C.A. § 39-12-105

Lack of responsibility + T.C.A. § 39-12-106 Multiple convictions Barred. Also

T.C.A. § 39-12-107 / Tennessee Trial

Court Rule 12 Pleadings & motions

Before Trial. Defense & Objections

(A) / Rule 12 at pg# 9

Constitutional & Statutory Provisions Involved.

3 (of) 10

Plus → Rule 12(b) + (e) . Plus
T. C. A § 29-21-108 Duty of Court
Wrongful refusal, fines and penalties
By West law as title 29 of Chapter 21
Habeas Corpus.

Plus → T. C. A § 29-21-103 Authority.
Fed. R. of Civil p. Rule 60(A) + (B)
grounds for relief from a judgment
By final order (or) proceeding at
#3 & #4 The judgment is
void.

§ 16: 3 time to file a motion to
dismiss - Exception's (9n) relief
By (9) lack of jurisdiction.
Plus → Fed. R. Crim. p. 12 (e) Court
may for Cause show grant relief and
allow [Motion to Suppress] after
waiver.

as held under: → Reasons for granting The petition.

T. C. A. § § 27-801 → 27-802
illegally (or) without jurisdiction.

§ 10 Writ of certiorari.

(Plus) → Supreme Court Rule 10 Considerations
governing review / U.S.C.A. Const
Amend 5 according to T.C.A § 40-12-206
The State of Tennessee is in flagrant
disregard and Violation of it's own
law's. Which open(s) Violation

of → T.C.A. § 40-12-206
it is well clear that Verdict rendered

By jury impaneled in direct Pg #4. →

pg#4 Constitutional $\frac{1}{3}$ Statutory Provisions
Involved.

Contravention Violation of
Tennessee State law must
be set - aside est. of

T. C. § 40-12-206 [Exhibit A]
Court can on way get

as if they have (or) had
The entire of pro'se Petitioner: farmer
HQS clause and voided entry
Order by judgment of Trial-Court
Judge: Hon. Monte D. Watkins.

guilty plea which is [an] false

Clear error of law. That a
Court must prove on the face
of the record all jurisdiction
facts related to the jurisdiction
asserted.

as clear + flagrant prosecutorial
(misconduct). as petitioner is allow
this relief to be under good
faith by [1972 Amendment] as
18 U.S.C. § 3148 → The Burden
of establishing the existence
of these criteria remains with
the government.

[Petitioner seeks] → That his
Reason for granting the petition
is clear before the face of
the record as to void entry
Plea and fraudulent Behavior.
act Malicious intent →

pg#5.

Pg # 5 (of) 10 Constitutional & Statutory Provisions Involved.

under Color of State Law & Abuse also (Fraud)
as well [Fraudulent behavior].
Statute of limitations error
Violation by arguably lift (5) The toll
allows the Statute of limitations to bar
Prosecutions.

Which Pin-points liability on behalf
T. C. A. § 39-13-302 which is false imprisonment
& conduct alleged to be in violation of
18 U.S.C. § 875 (A) "Unconstitutional" → abuse
By fraud to get against false imprisonment.
& conduct alleged to be in violation
of 18 U.S.C. § 875 (A) [Unconstitutional]
abuse.

By fraud to get against false imprisonment
Clear * 487 that individuals have (a) clearly
establish malicious prosecution; by Trial
Court who has made influence (or) participated
in the decision to prosecute the Petitioner
By knowingly (or) recklessly making false statements
By material to the prosecution either
in reports (or) in affidavits filed to
secure warrant → King V. Harwood.

§ 52.4.3d.568.587.88. (b 14 Cir. 2d 7)

& Petitioner: Farmer, over Civil Suit as

this is same abuse has been held
to his relief review → his Pleading
lawsuit which was submitted under

The U.S. District Court at Middle Tennessee

at Nashville as rule judge: Mrs. Alet & #. Truener
& in her [Memorandum] Document # 26.

& along The last Page # 16 (of) [Exhibit # 5] →
Pg # 6.

Constitutional $\frac{1}{3}$ Statutory Provisions

Pg # 6 (of) 10

Involved.

Under The Records of U.S. district
Court at Middle TN at Nashville under
Frensky, Habeas → Pro'se - Case # 3:19-cv-
00590

as Petitioner over to The Courts eye¹⁰
as To Relief Would Be entitle Once
available To him By way of a petition
for Writ of habeas corpus → an appropriate
order will be entered as this was
entry by enter of judge: Mrs. Aletta A. Trauger,
Please review The above Civil Suit judge Court

[Memorandum] as By law, actionable
relief is held in good faith under
Section 1983 of The civil rights acts.

as Pro'se - petitioner: Farmer, Has
Aver His Fourth Amendment Has Been
Clearly Violated By Rules 3 and 4 of
The Federal Rules of Criminal Procedure
By law in → Silverman v. United States.

365 U.S. 555, 81 S. Ct. 679, 5 L. Ed. 2d

734. That The fourth Amendment may protect
against the overhearing of verbal statements
as well as against the more traditional
seizure of papers and effects. (Similarly)

Testimony as to matters observed during
an unlawful invasion has been excluded in
order to enforce The basic Constitutional

Policies → McGinnis v. United States, 1 Cir. 227 F.2d 588

Thus Verbal evidence which derives so immediately
from an [unlawful entry] → See Petitioner: Farmer,

[Exhibit E] and an unauthorized arrest

as The officer action at [Exhibit A] Pg # 7.

Pg #7 (A) 10

Involved.

"in the present case is no less the fruit of official illegality" → than the more common tangible fruit of the unwarranted intrusion" → See *486 *Nwolin v. District of Columbia*, 73 App. D.C. 85, 115, f. 2d. 690.

Nor do the policies underlying the exclusionary rule invite any logical distinction between physical and verbal evidence → Either in terms of deterring lawless conduct by federal officers → Reg. v. *United States*, 350 U.S. 214, 76 S. Ct. 292, 100 L. Ed. 253 (1956) of closing the doors of the federal courts to any use of evidence unconstitutionally obtained at → *Elkins v. United States*, 369 U.S.

206, 80 S. Ct. 1437, 4 L. Ed. 2d. 1669. The danger in relaxing the exclusionary rules in the case of verbal evidence would seem to great to warrant introducing such distinction.

as the discovery of the challenged evidence has become so attenuated as to dissipate the taint → *Mardone v. United States*, 308 U.S. 338.

341, 60 S. Ct. 266, 268, 84 L. Ed. 307. as this Court need not hold that all evidence *488 One is fruit of the poisonous tree simply because it would not have come to light but for

the illegal actions of the police. / yet → The use of out-of-court statements is one of admissibility rather than simply of weight of the evidence See [Exhibit - B.] and

[Exhibit - C.] The import of our previous holdings is that a co-conspirator's hearsay statements may be admitted

Constitutional & Statutory Provisions

pg # 8 (of) 16.

Involved.

against The accused for no purpose whatever unless made during and in furtherance of The Conspiracy.

See → Wong Sun V. U.S. Supreme Court of United States January 14, 1963. 371. U.S. 471. 83 S. Ct. 407. 9 L. Ed. 2d 441. / Relief By

The use of out-of-court statements is one of admissibility.

as pro-se-petitioner aver (s) that fair grounds for his relief is held throughout The Body of his petition under all area(s) → within The Table of Contents

Pin-points abuse under color of State law By The Trial-Court of Tennessee Division of Criminal Court of Davidson County judicial district 20th judicial at Nashville.

Has acted against its own laws / Careless Violation (s) of The 4th Amendment to falsely enter (an) guilty Pleg under Void Affidavit and arrest Warrant See [Exhibit A]

as The government may lose its right to raise factual issues before this new United States Supreme Court when government has made contrary assertions in courts below;

When it has acquiesced in contrary findings By those courts (or) when it has failed to raise such questions in timely fashion

By the litigation of [Suppression hearing(s)]

as pro-se-petitioner aver his request by

Suppress Evidence on relief → His witness

State-paid Trial Court Attorney Mrs. Erin Coleman ←

Suppressed Statement By Proof → Pg # 9

Constitutional & Statutory Provisions Involved.

pg 9 (of) 10

of Her Self entry admission of
Confession(s) on behalf withheld evidence
from the record for the past 8 year's (Plus).
Both of → **[Exhibit B]** and **[Exhibit C]**
give's all relief against fraudulent Behavior.
See → Rogers v. Richmond Supreme Court
of The United States March 20, 1961. 365. U.S. 534.
81. S. Ct. 735. 5 L. Ed. 2d 760. / (Plus) →
Malley v. Briggs Supreme Court of The U.S.
March 5, 1986. 475. U.S. 335. 106. S. Ct. 1092.
89. L. Ed. 2d. 271. 54. USLW 4243 as unconstitutionally
arrested a judicial officer's "judgment Call" in
determining Probable Cause; is entitled to
Substantial evidentiary weight in Suits
Seeking to impose personal liability
on The police officer. / (plus) → Kyles
V. Whitley Supreme Court of the United States
April 19, 1995. 514 U.S. 419. 115. S. Ct. 1555. 131. L. Ed. 2d.
490. 63 USLW 4303 as Suppression By
Prosecution of evidence favorable to
defendant upon request violates Due-process
where evidence is material either to
guilt (or) Punishment irrespective of good
faith (or) bad faith of prosecution as
held U.S. C. A. Const Amends 5, 14th.
as, Pro'se - petitioner: Farmer. IS held to
his relief at → Manning v. Jernigan
United States Court of appeals (6th Cir.) on
July 30, 1974. 501. F. 2d. 408 as By law
full relief By The stop and detention
were illegal & The fruit of The illegal conduct
was inadmissible → United States v. Mallie; 473. F. 2d. 857. 862 AT

Constitutional & Statutory Provisions

pg 10 (f) 10

Involved.

(9th Cir. 1973) as it held that evidentiary hearing & findings of fact are required.

as petitioner: ~~former~~. 9T takes his convictions on Count # 2. / Claiming Due-process

Violations in his state court trial is held void under false guilty plea entry see

Exhibit E as federal case wherein

The Supreme Court's Superintending Control afforded stricter supervision than is available to (us) in federal Habeas Corpus proceeding 9T taking a state court conviction.

BUT the facts we have referred to are disturbing enough to remand these issues in accordance with the recent opinion of

The Supreme Court in → Donnelly v. DeChristoforo, 416

U.S. 637. 94 S.Ct. 1868. 40 L.Ed. 2d. 431 9T

(1974) and decide whether this incident made respondents trial so fundamentally unfair as to deny him [due process] → id 9T. 645. 94 S.

ct. 9T 1872. This above case was held

under abuse of Tennessee Eastern District

U.S. district court denying petition for writ

of habeas corpus without [Evidentiary hearing]

as latter held on appeal was entered by

Reversed & remanded.

Petitioner over to (end) Constitutional & Statutory Provisions Involved.

STATEMENT OF THE CASE

1 of 11

Petitioner Aves' (S) The grounds for relief will be held
Under Rogers v. Richmond Supreme Court of The United States
March 20, 1961. 365. U.S. 534. 815 Ct. 735. 5L. Ed. 2d. 760,
as Confess falsely not the requirements of probable Truth (or)
falsity.

(OF The Confessions as by Due-process requirements the
fourteenth Amendment) is Test of admissibility of,
Stroble v. State of California, 343. U.S. 181. 72. S.Ct.
599.

→ While the State court failure to enunciate the
Correct Standard was (an) Clear error as it is held.
That the Petitioner aver the Trial-Court of Davidson County
Judicial district at 20th Judicial Division had Suppression

By Prosecution of Evidence favorable to Defendant upon
request Violates [Due-process] were evidence is metted
as material either to guilt "or" Punishment. ()
irrespective of good faith (or) Bad faith of prosecution

U.S.C. Const amends 5. / (Plus) 14th Amendment See Kyles v.
Whitely Supreme Court of The United States April 19. 1995.
514. U.S. 419. 115. S.Ct. 1555. 131. L.Ed. 2d. 490. 634. 15. L.W.
4303 as This Same abuse done above Has held (an) failed

To disclose By evidence favorable to the defense.
That the Evidence withheld was material to the defense
and That this Conviction was thus obtained in Violation
of Brady.

Statement of the case 2 @ 4

Please review pro'se petitioner (Exhibit B.) which is the State Suppressed evidence from State of Tennessee Criminal Court of Davidson County Judicial District 20th Judicial Division. as pro-state attorney Mrs. Erin Cloeman enter the Self Type letter on February 21, of 2018. By review of (Exhibit C.) which is falsely false Hood re-entry out abuse of fraudulent behavior; Due malicious intent By Trial - Court's attempt by Cover up of (an) Invalid Warrant which opens a Clear Violation to § 8. deprivation of life; liberty; (or) property. Under law of Due - process as a Clear fourteenth Amendment Violation as petitioner seek to give light unto Darkness as abuse Done by [malicious prosecution] which must be determine that at this time Sufficiently Pledged this Claim (C) of fabrication & Evidence; Malicious Prosecution Stated that it was Clearly established. See → as proof is held (Exhibit A.) which is § 12 Reasons for Challenging the Validity of (an) arrest warrant at area 1st where the warrant is illegally restrained of a defendant by being invalid petitioner over this is illegally restrained of his liberty. as "an" motion to release a defendant on "an" Invalid Warrant are discussed in Chapter 3; as see along at 2nd area arguably an Warrant arrest with (an) invalid Warrant for a misdemeanor Committed outside The officers presence would result in The Suppression

Pg# 3 →

Statement of the case 3 of 11
of resulting evidence / motion to suppress evidence based on
(an) unlawful arrest warrant (a) lack of (an) arrest warrant
are discussed in more detail in Chapter 18.
See at 4th area lastly while the issuance of a warrant
tells the running of the statute of limitations to bar
prosecution.

Petitioner aver see as held in (Exhibit-A) which
is the state court void warrant number: 98549444;
as Affidavit by E Signature By Prosecutor: Harold D. Harey
#0000001142. This arrest warrant was never self signed by
Judge: Cardyn Phipps. The metropolitan general sessions court
Commissioner she did not witness her signature & long
sworn to $\frac{1}{3}$ subscribed before me on 08/09/2011 at
15:12:32 Hour's. The same day /

Please review [Exhibit C] as this was [fraudulent behavior]
guilt is held at a temp'd cover up arrest warrant
as this judge is not the same acting name as this
false-file entry was done by judge: Howard T. Gresham;
as he submitted (an) fraud statement by sworn to $\frac{1}{3}$ subscribed
on 08/09/2011 at 15:12:32 Hour's ?
as this above judge act act against abuse of Civil Conspiracy
as to one plan to cover-up a void affidavit with
Co-party Prosecutor: Harold Dean Harey; as he falsely
self signature his name to act out by false file affidavit
 $\frac{1}{3}$ arrest warrant as petitioner avers this pin-points
that (Exhibit-A) which is the trial-court. Pg # 4.

Statement of the Case

original of fiduciary $\frac{1}{2}$ arrest warrant was yield from the 8/9/72

as the state has violated by civil-conspiracy which is (an)

agreement between two (or) more persons to injure another

By (u) unlawful

This is fraud of (negligious intent) pettiar over s

Brady litigation as reviewed in 83 S. Ct. 1194. 10. C.E.D. 2d. 215. (1963.) That the metering of evidence must be evaluated in the Court.

By Aguirre Y. United States 427.4.5.97 of the entire record.

2401. 49. L. Ed. 2d. 342 (1976) it is simply not enough to show that in light of all the evidence

that untainted by the grounds [Baddy Violation*] as

False evidence. The State Court knowingly manufactured

with factual allegations. There are merely consistent

which is 'a factor withheld. favorable evidence' →

Def. 1.1.1. Let G be a group. A G -module M is a module over the group ring $R[G]$. To $R[G]$ is a G -module.

351.381. (6th Cir. 2009) Under Moldovan v. City of. Carver 578. f.3d.

(an equally important) Investing stars bear

The prosecutor's office / as defendant / potentially exculpatory evidence to

McKinley 1519. f. 3d. 806, 814. (814 cir. 2008) Has (quoting white y.

Deprived (9) deprivation of liberty that the preceding

This controversy resolved in this favor as Trial Court

Office Attorney
[Mrs. Erin Coleman]
As # 5

Statement of The Case 5 (of) 11;

She Did Suppress on The behalf → Respondent @ To
explored Prose - petitioner Claim That His warranted was
not Signed.
as review [Exhibit - #0] which is T.C.A. § 29-21-121.
Witness(es); Subpoena Title 29. Remedies; Special proceedings
held Chapter 21 By Habeas Corpus as (A) → Subpoena for witness
in all proceeding (S) under this Chapter may be issued by the
Court (C) judge granting the writ (C) before whom the same is
returnable (C) by any general sessions judge.
as petitioner seeks to use [Exhibit - #0] on behalf
of The State - paid attorney (official behavior.) as
She Confessions freely Self-determined, to the Truth
against Yaid (Exhibit - A) as Truly Confession at
Both (Exhibit - B) & (Exhibit - C) as above is held by
Mrs. Erin Coleman entry admission of the confessions
By Suppression of Suppressed evidence as each of
Both Exhibits (B) + (C) which are now held by at
least 1992 That knowing fabrication of evidence
Violates Constitutional rights. See → Gregory 44 F.3d at
794 n. 8 Brady Violations are of course clearly established
Violated of any Constitutional rights / it is also clear
487 That individuals have (a) clearly establish fourth Amendment
right to be free from (malicious prosecution*)
By Respondents who Has made influenced (or)
participated in The Decision to prosecute The said
Petitioner By knowingly (or) recklessly making of
[false-statement(s)]. By material to the prosecution.
pg # 6. →

Statement of the case 6 (c) 11 - /
either in reports (or) → in affidavits failed to
secure warrants see → King v. Harwood. 852. f. 3d. 568.
587-88 (6th Cir. 2017)

Civil Suit as the same abuse .
is held on petitioner behalf as to his relief is
review'able with "good Cause" under this United States
Supreme Court 9T Washington D/C, 9S (9n) writ
of certiorari for cert of entitlement due by
Kyles v. Whitley 9T Supreme Court of United States
April 19. 1995. 514. U.S. 419. 1155. Ct. 1555. 31. L. Ed. 2d.
490. 63- U.S. L.W. 4303 / 9S prose-petitioner over this
is plain error against;

U.S. district Court of Middle Tennessee at Nashville
(plus) → The Sixth Circuit of United States Court of
appeals at Cincinnati, Ohio . / Due by it is
unnecessary to try (9n) At tempted to over look at

This point & stage of assuming that the favorable
significance of a given item of undisclosed evidence is
enough to demonstrate a clear Brady Violation; on which
The Defense could have made (9n) attack'd by the investigation
as suppression by prosecution of evidence favorable to the
Defendant. / → prose-petitioner over in the Trial Court
of Tennessee Court of Davidson County judicial
district 20th judicial Division;
upon request had violated → Due-process where
Evidence is material either to guilt (or) Punishment. pg# 1

Statement of the Case 7(f) 11;
This clearly a Violation of U.S.C.A Const. Amends 5
1/3 14 as Petitioner seeks By law That U.S. district
Court enter it (a) relief By it (a) magistrate judge
Frenley. Due 28 U.S.C. § 636 (C) 3 as by
Rule 73 (C) as further review By Subdivision
of the 1979 Amendment (a) implements The Broad
Authority of the above magistrates act 28 U.S.C. § 636 (C)
Which permit a magistrate to sit which permit
a magistrate to sit in lieu of a district judge
1/3 exercise Civil jurisdiction over a Case. When
The parties consent see → [Exhibit - C] Has gone
unanswered as McCabe, The federal magistrate act of
1979; 16 Fed. Y. J. C. legis 343-364-79 (1979) in order
to allow jurisdiction. a magistrate must be specially
designated under 28 U.S.C. § 636 (C) + (1) By the
district Court (a) Courts He serve.
The only exception to a magistrates exercise of (a)
Civil-jurisdiction, which includes The power to conduct
jury 1/3 non-jury trials 1/3 decide dispositive motions
This is the Contempt power a hearing on Contempt
is to be conducted by The District judge upon
Certification of the facts.

Statement of The Case 8 (of) 11;

See → 28 U.S.C. § 639 (c) in view of 28 U.S.C. § 636 (c) 1; 3
This rule, it is unnecessary to amend Rule 58 to provide that
the decision of a magistrate is a "decision by The Court",
for the purpose of that rule 3 Final decision of
The district Court as the purposes of 28 U.S.C. § 1291
governing appeals. / Federal rules of civil procedure
60 (b) 2 3 6, is held as petitioner once have already
file with their lower level U.S. district court
By motion: Rule 60 (b) 1 2 et 6 reopen as this
lower level Court judge: W. Campbell Jr., Did not
reply which has gone un'answer to any of petitioner
relief from above U.S. District Court in middle
Tennessee at Nashville, as well the Sixth Circuit Court
of appeals has made (an) clear err of law by not
allow petitioner pending motion (c) as # 2 federal rules
of civil procedure by rule 60 (b) 2 3 6. holds relief
as by 9T pg # 2 of Rule 60 as of the right to
entertain a new action to relieve a party from
a judgment were generally supposed to cover the
field since the rules have been (force) to obtain
relief from all final judgment (c) is still proper.
Moore & Rogers → Federal relief from Civil judgments 1946;
55 Yale L.J. 623 see Moore's federal practice 1938. 32 54. et seq.
Commentary, effect of Rule 60 (b) on other method (or) methods
of relief from judgments 1941. 4. fed. Rules Serv. 942. et seq. # 2.

Statement of Case 9 (F) 11.

Wallace v. United States C.C.A. 2d. Cir. 945. 95 petitioner
over whether error by the court (CR) any kind of
newly discovered evidence;

petitioner over See → pg #3 fraud rule 60 whether
intrinsic (CR) 95 are express grounds for relief by
motion under amended subdivision b There is no sound
reason for their exclusion. The like within the
scope of the rule (9/50.) removes confusion as to
the proper procedure it has been that relief by (CR)
from judgment obtained by extrinsic fraud.
could be secured by motion within a "reasonable
time".

Which might be after the said time stated in
the rule Has run by review → fiske v. Buder. C.C.A.
(8th 1942). 125. f. 2d. 841. 9 long inferentially

Bucy v. Nevada Construction Co., C.C.A. 94 9th 1942.
125. f. 2d. 213. On the other hand of choice by
hand → if has been suggested that in view of the fact
that fraud was omitted from original rule 60(B)
as a ground for relief.

as this relief is voice'able by a Brady omission
must be evaluated in the context of the entire record
which had with held evidence that impeaches
(fraudulent behavior) within false-file affidavit by
arrest warrant as petitioner over once more to pin point →
pg #10.

[Exhibit - A] which is Trial - Court original /
Statement of case to (CP) II.

Affidavit + arrest warrant.

was void as fraud was done at malicious intent.
See [Exhibit I] which is closing # (1) § 1:2 reasons for challenging
the validity of an arrest warrant this holds relief as to
review at ever lower level area of this document the
lake county circuit court Black stamped by filed clerk
Deborah Brasley.
Circuit court clerk.

as she made clear contact of petitioner at 4/24/99
(a) invalid warrant which is void arguably lifts
Toll § allows the statute of limitations to bar
prosecutions → motion to dismiss an indictment for
violation of the statute of limitations are
discussed in chapter 16. But the same rules may
be used for a warrant. → prose 'petitioner' over
Both § 16:1 the motion to dismiss as chapter 16 motion
to dismiss § grand indictment also use as said
(Coloing # 2 (plus) § 16:3 time to file a motion to
dismiss as chapter 16 This motion to dismiss §
grand indictments as this holds the court may excuse
The lawyer for Good Cause. That a material variance
Between The offense charged & the evidence offered at
Trial is not normally waived / as petitioner relief
Tenn. 1. Crim P. 12 (b) 2. See → McCracken v. State.
489 S.W. 2d (Tenn.) Crim. app. 1972 + / State v. Perkins. 867 S.W.
201. 1. (Tenn. Crim. app. 1992) + Gilio To State an offense pg # 11.

Statement of Case II (of) II;
may be raised at anytime (an) Indictment failed to charge the
essential element of an overt act.
as relief is actionable at Rule 60 (b) #4 The
judgment is held void as it's clear that the Tennessee
Department Correction is held to being liable
as record which pin-points both [Exhibit E] under
color of State law 42 U.S.C. § 1983 Civil liability is on
The behalf of T.C.A. § 39-13-302, which is clear
false imprisonment as at U.S. v. Heller. at court of appeal
Sixth Cir. Court June 30. 1978. 579. f. 2d. 990. give (s) light
to request for ransom and reward for the release
of a kidnapped person conduct alleged to be in
violation of 18 U.S.C. § 875(A) as rule to be
[UnConstitutional] because it was over broad and
vague and because it was state'd a malum
prohibitum. / Petitioner seek to enter his proof by
[Exhibit proof #1] → T.C.A. § 39-12-101 Criminal attempted
at pg #1 (c) it is no defense to prosecution for
criminal attempt that the attempted was actually
committed. / appellant / petitioner appeal could only
raise jurisdictional questions → see U.S. v. Upham.
168. f. 3d. 532. 534. (1st Cir. 1999) government waived its
standing argument by failing to raise it at (an) said
Suppression Hearing.

(end.)

1 (of) 4.

REASONS FOR GRANTING THE PETITION

as petitioner AVer To review The setting aside of a default judgment See → State v. Thompson, 1907. 102 S.W. 349. Void proceedings (or) order's nature and grounds for certiorari. interlocutory orders of a trial court (or) orders of such court prior to final determination of Common-law writ of certiorari unless Trial Court Has acted illegally (or) without jurisdiction, as petitioner attack is held By Challenge the legality of the grand jury.

a court can not confer jurisdiction where none existed and can not make a void proceeding valid. It is clear and well established law that a void order can be challenged in any court → Thus where a judicial tribunal has no jurisdiction of the subject matter on which it assumes to act its proceeding are absolutely void in the fullest sense of the term. The reason for secrecy no longer exist once the grand jury has completed its session (an) indictment has been taken into custody.

The Tennessee Court has acted in (an) unlawful fashion and with outrageous government conduct against petitioner as (He) moves This Honorable U.S. Supreme Court to seek Subpoena The Evidence requested for its request #1 The grand jury minutes for its entry Date? (plus) → #2 The Statistical Data original copies form Date? as petitioner is said entitled to the above request as it's held that (an) violation of Due - process Clause U.S.C.A. Const Amend 5 The trial court has violated Petitioner: Farmer 5th Amendment as According to T.C.A. § 40-12-206 The State of Tennessee is in flagrant disregard & violation of its own laws.

Reasons for granting The petition 2 @ 4;
The grand jury was [Rigged] and it wasn't a grand jury
operating lawfully when there are just (12) Random Selected
(jurors) 3, one (1) Hand Picked (foreman) By The Criminal Court
Judge from outside The Venue jury pool as recognized by
Mr. David L. Raybon; 3, Kyle Hixson 3, Mark Ward along
Supreme Court Chief Justice Warren Burger.
also Robert Cooper 3 others when the jury commissioners keyman
only select just (12) grand jurors 3, 5 Alternates They
Have Deviated from the law that they all-sworn in
under oath on State law.

petitioner aver review [Exhibit -f] as facts which
is T.C. A. § 40 - 12-206, it is well clear that
Verdict rendered by jury impaneled in direct Contravention
3, Violation of State law must be set-aside
despite absence of proof actual "prejudice" proof
of actual prejudice is not required when [Deviation] is
flagrant unreasonable 3 unnecessary. This so all these
(12) jurors who were selected by (jury commissioner(s)) again
were selected by jury commissioner(s); that along should
"vacate" 3 set aside → Indictment 3 Conviction (or)
Judgment See Peter V. Kiff; 407 U.S. 493. as states
The foreman is not a joint juror; See →
next pg # 3

Reasons for granting The petition 3 @ 4;

of fut 4. United States, 348. U.S. 11. 14. The United States Supreme Court
stated; the right of [Due-process] Clause U.S.C. A Const
Amend 5 Court Has Violated Petitioner 5th Amendment
According to T.C.A. § 40-12-206 There are supposed to
be (13) jury members in state of Tennessee & Adopted
as held at Maryburg v. Madison Branch 137. 163. 1. Ed. 60.
The government of the United States Has been emphatically termed
a government of law and not of man;
it will certainly cause to deserve this High appellation
if the laws furnish no remedy for the violation of a
vested legal right. → Plain truth by Petitioner established
That States #1 The Court must show that all of the Law;
of jurisdiction existed & existed at all time either Subject
matter jurisdiction existed @ it doesn't See State Bank
of Lake Zurich - Y-Thill. 113. Ill. 2d. 294. 497. N.E. 2d. 1156.
(1986) The Burden Shifts to The Court to prove jurisdiction
Where none existed and can not make a void proceeding
Valid!
it is clear & well established law that a void order
can be challenged in any Court See → Wayne Mut. L. Assoc.
v. McDough. 204. U.S. 8. 27. S. Ct. 236 (1907) Thus were
a judicial tribunal has no jurisdiction of the subject
matter on which it assumes to act; its said proceeding
are absolutely void in the fullest sense of the term See
Dillion v. Dillion 26. S. Ct. 764 (mem.) 50 L. Ed. 1176
next pg # 4 →

Reasons for granting The petition 4 @ 4 .
Petitioner avers if a court Does not receive jurisdiction from
a grand jury that Has been properly impaneled according to Rule
of T.C.A § 40-12-206 → [Exhibit F] Then a court can
NOT act as if they Have Subject of Tennessee.
This vitiated The entire of petitioner Case & voided
every order & judgment of Trial - court judge: Hon. Mr. Watkins
guilty plea entry [Exhibit E] is void as a clear
error of law .

as This Supreme Court (or) of its member(s) there
of is authorized To issue common-law writ of
Certiorari and in aid thereof the ancillary writ of
Super sed eas To review (9n) → interlocutory order (or)
decree of a lower court only where that court
Has exceeded its jurisdiction (or) is acting
illegally;

as Rule 10 Considerations governing review on Certiorari
(C) a State court (or) → U.S. Court of appeals
Has decided an important federal Question in a way
that Conflicts with relevant Decisions of this
Court.
x Mr. Keith Lament Farmer #461959

Date 7th / 31st / 2020 .

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Mr. Keith Lamont Garner

#401959.1

Date: 7th / 31st / 2020 .