

20-5399

No.

ORIGINAL

FILED

AUG 01 2020

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

Anthony Leon Latimer — PETITIONER
(Your Name)

vs.

Ben Jones, et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. COURT OF APPEAL 4TH CIRCUIT

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

PETITION FOR WRIT OF CERTIORARI

Anthony Leon Latimer ^{#1956719-}₄₆₆₇₉₁
(Your Name)

18800 Roxbury Road
(Address)

Hagerstown, MD. 21746
(City, State, Zip Code)

240-420-1601
(Phone Number)

QUESTION(S) PRESENTED

1. Did the petitioner call 911 in a Mental State of MENREA?
2. During the INVESTIGATION PHASE, did defendant (Sgt. Ben Jones) Violate the petitioner's Good Samaritan IMMUNITY by arresting, and charging the petitioner with Criminal Offenses 5-601, and 5-619?
3. During the INVESTIGATION PHASE, did defendant (Sgt. Ben Jones) commit "perjury" to secure the warrant, and arrest the petitioner for calling 911 by stating he "avers he retrieved" 2 control purchases from the residence?
4. During the JUDICIAL PHASE, did defendant (JUDGE Danielle Dwyer) violate the petitioner's Good Samaritan IMMUNITY that was GRANTED at the "Motions Hearing" by JUDGE G. Leasure, by allowing Petitioner to be subsequently prosecuted?
5. During the INVESTIGATION PHASE, did defendant (ASA Michele Hansen) violate the petitioner's Good Samaritan IMMUNITY by charging, and prosecuting Petition for the Prohibit offenses 5-601, and 5-619?
6. If the decedent (K.G.T.) was found in possession of Narcotic's in her bra, pants pocket, and her Louis Vuitton purse (own effects), could the Good Samaritan be charged for any drug possession offenses, being locked out the apartment by the Deadbolt?
7. Was the LEGISLATURE INTENT by passing the Good Samaritan Law (CP-1.210), was for the 911 caller to be protected from FALSE IMPRISONMENT for in "Good faith", seeking EMERGENCY PROVISION to try to save a life? Or the LEGISLATURE INTENT by passing the Good Samaritan Law was for the 911 caller to still be subject to arrest, charge, and prosecution for in "Good faith" seeking EMERGENCY PROVISION to try to save a life?
8. Can the defendant's be allowed to maintain they IMMUNITY, even when they chose to violate the IMMUNITY of the 911 caller (petitioner) by arresting, charging, and seeking prosecution?
9. Was the defendant's (A.S.A. Michele Hansen, Sgt. Ben Jones, JUDGE Danielle Dwyer) in "DEFAULT" by refusing to answer to the petitioner's complaint within "60 days" that was "ORDERED" by U.S. District Court JUDGE Paula Xinus on 10/12/18, and defendant's didn't answer until after petitioner's MOTION FOR DEFAULT JUDGEMENT on 12/26/18?
10. Did the petitioner experience cruel and UNUSUAL Punishment when he was held without Bond for 9 months as a Good Samaritan, Petitioner had no FTA's, not a threat to the community, and met all the Mitigating Factors for Bail release?

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TABLE OF AUTHORITIES CITED

CASES

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STATUTES AND RULES

GOOD SAMARITAN LAW
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OTHER

JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was May 21, 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

Constitution's Provision's

1. 14th Amendment - False Imprisonment, Due process
2. 8th Amendment - cruel and unusual punishment
3. 4th Amendment - Legal search and seizure, application for search
warrant

Statutory Provision's

1. Criminal Procedure 1-210 Good Samaritan Law

STATEMENT OF THE CASE

On 4/11/16 at around 7:00pm, the petitioner did call 911, and seek for emergency provision in "Good faith" for his girlfriend, the decedent (K.G.C.) was being unresponsive by Via phone, and had placed a "Dead Bolt" on the front door to prevent entry for the petitioner to be able to have any knowledge of the drug uses, and drug possession of the decedent (K.G.C.). Sheriff's arrived, and he broke the window and sent petitioner in the apartment first to open the front door for the other sheriff. Petitioner immediately discovered the overdose, Sheriff's contacted N.T.F, and Sgt. Ben Jones arrived on the scene. During the "INVESTIGATION PHASE", on 4/12/16 Sgt. Ben Jones chose to commit "PURSURY" on the application for "SEARCH WARRANT" by stating he "overs there were #2 control purchases out of the residence." On 4/12/16 at 2:40 am, JUDGE Kenneth Long at his residence signed the "WARRANT"; then Sgt. Ben Jones crossed out the #2 control purchases statement, then executed the "WARRANT". The decedent (K.G.C.) was found in possession of Narcotic's in her Bra, pants pocket, and her Louis vutton purse (own effects). During the "INVESTIGATION PHASE", Sgt. Ben Jones chose to arrest petitioner as being the 911 caller Good Samaritan, and charge petitioner for the Narcotic's that was found in the decedent (K.G.C.) purse. (CP 1-210) Good Samaritan Law states that the 911 caller can't be arrested, charge, nor prosecuted for criminal offenses 5-601, and 5-619. During the "INVESTIGATION PHASE", A.S.A. Michele Hansen and Sgt. Ben Jones chose to charge petitioner with the "PROHIBIT OFFENSES 5-601, and 5-619". This Decision by the defendants (A.S.A. Michele Hansen, Sgt. Ben Jones) clearly violated the petitioner's Good Samaritan "IMMUNITY"; the defendants are not "IMMUNE" for these actions during the "INVESTIGATION PHASE". Petitioner was held without "BOND" for 9 months, and was denied the request to attend the "FUNERAL". On 9/15/16 petition went to a "MOTIONS HEARING" in front of JUDGE G. LEASURE, and he "GRANTED" the Good Samaritan "IMMUNITY" for the Petitioner from prosecution for Criminal Offenses 5-601, and 5-619. A.S.A. Michele Hansen at the "Motions Hearing" chose not to Dismiss the case, and postpone the case for "TRIAL". On 12/15/16 the petitioner's trial date, JUDGE Danielle Dwyer denied petitioner's request for "DISMISS", and allowed A.S.A. Michele Hansen to prosecute petitioner for possession with intent to Distribution Narcotic's that was found in the decedent (K.G.C.) Louis vutton purse, Petitioner was acquitted of all charges.

REASONS FOR GRANTING THE PETITION

The Reasons for Granting the petition is based on the facts, as Officials in the defendant's (Sgt. Ben Jones, A.S.A. Michele Hansen, JUDGE Danielle Dwyer) positions, did know that they conduct Violated clearly established pre-existing Law, the created Liberty interest, and "LEGISLATIVE INTENT" in not being prosecuted, arrested nor charged were clearly established, and Petitioner Legal Counsel (Mr. Bernard W. Semler Esq.) placed defendant (Judge Daniel Dwyer), and defendant (A.S.A. Michele Hansen) on "NOTICE" that "C.P. 1-210", Precluded defendants from this Illegal Prosecution. Despite this knowledge, they disregarded the Substantial Risk to the petitioner health, and safety in violation of petitioner Right(s) to "EQUAL PROTECTION OF LAW", and violative of petitioner(s) "PROCEDURAL AND SUBSTANTIVE DUE PROCESS RIGHTS" under the 14TH AMENDMENT to the UNITED STATES CONSTITUTION. Defendants (A.S.A. Michele Hansen, JUDGE Danielle Dwyer) moved forward with Criminal Prosecution, they act of moving forward initiating an acquainted in the Illegal prosecution that petitioner was acquitted on all charges, is significantly harmful to demonstrate Deliberate Indifference to a Substantial Risk of harm to petitioner. This deliberate attitude of indifference is conscience shocking arbitrary, and capricious, defendant(s) (A.S.A. Michele, JUDGE Danielle Dwyer) knew of the petitioner's "IMMUNITY" from this Illegal prosecution, despite their knowledge they intentionally disregarded it, and failed to take reasonable measures to abate the ultimate harm that befall the petitioner. Their blatant disregard for petitioner's created Liberty interest, equal protection of Law, and his Due process Rights. Procedural and Substantive are objectively sufficiently serious, and the defendant(s) (A.S.A. Michele Hansen, Sgt. Ben Jones, Judge Danielle Dwyer) knew of petitioner rights, and subjectively disregarded them as a direct result of defendant's deliberate indifference. Petitioner suffered irreparable harm in the form of severe Emotional and physical damage from being subjected to "Cruel and unusual Punishment." Petitioner suffered the deprivation of his Liberty for "9 months", and suffered unnecessarily the severe Emotional Distress inflicted upon the Petitioner, and his losses are "conscience shocking" as a direct result petitioner has undergone extensive psychological, and Atypical Hardship in violation of his clearly established Rights under the 14TH AMENDMENT to the UNITED STATES CONSTITUTION, and MARYLAND ANN. C.P. 1-210. Petitioner worked for a couple years, was established in the community, well respected, and liked, just to have compiled tragedy overwhelming his life. These tragedies include the loss of his loved one, job, home, car. Petitioner experience future pain from continued reliving of the event that lead to this Litigation, and all the days and nights spent thinking of "what I did wrong," coupled with being placed in jail for "calling 911." This emotional injury is intolerable and irreparable, I think of my losses daily which affects my activities, (eg) sleep general concentration to minimum tasks. Petitioner is seeking "Mental Health" for my P.T.S.D., any Jury or fact finder may find that severe emotion-

al Distress is causation in itself, and the painful memories associated with reliving these events over and over. There is no Genuine issue of fact in dispute with regards to the Petitioner's Final Element, he is entitled to JUDGEMENT as a Matter of Law, and this Honorable Court should GRANT this Petition for writ of certiorari, nunc pro tunc.


REQUESTED RELIEF

Petitioner Demands Compensatory damages in the amount of \$25,000,000
Petitioner Demands Nominal damages in the amount of \$25,000,000
Petitioner Demands Punitive damages / I.E. Special damages
Emotional Distress in the amount of \$50,000,000 or any amount
this court deem necessary.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: JULY 30, 2020