

ORIGINAL

No. 20-5726

FILED

AUG 24 2020

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

Washington, D.C.

IN RE, CHARLETTE JOHNSON — PETITIONER
(Your Name)

VS.

UNITED STATES — RESPONDENT(S)

ON PETITION FOR A WRIT OF MANDAMUS

4th CIRCUIT APPEALS CASE # 19-2287
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT MANDAMUS

CHARLETTE DUFFRAY JOHNSON
(Your Name)

1909 NORTH HILLS DRIVE APT B
(Address)

RALEIGH, N.C. 27612
(City, State, Zip Code)

910 882 1902
(Phone Number)

QUESTION(S) PRESENTED

The Issue Here goes beyond a MISCARriage of Justice. It's Lower courts blatant, and outright REFUSAL, to Administer Justice when Law WARRANTS otherwise, It's CONTRARY TO what THIS COURT STATED IN, MITCHUM V FOSTER 407 US 225, 240 (1972) "THROWS OPEN THE DOORS OF THE UNITED STATES COURTS TO THOSE, whose RIGHTS, under the Constitution ARE Denied, OR IMPAIRED".

Question 1) When the ONLY Legal Remedy to Resolve the biggest MISCARriage of Justice, IN the 21st Century, Being WRIT OF Mandamus, under 1292 (b), DOES the 4th Circuit REFUSAL TO CERTIFY, IN Light of IN RE, TRUMP WL 2997909 4th CIR (2019)

SEND A MESSAGE OF ONLY the WEALTHY, AND Famous Be AWARDED Justice.)

question 2) How can a PRO-SE petitioner
Be REFUSED AN WRIT OF MANDAMUS,
When case Being one of NATIONAL
Significance, And SPECIAL Consequence
In Light OF, In RE Trump WL 2997909
4th Cir (2019)

When ALL Legal Requirements
Where MET?

question 3) The Lower Courts, has gone
Rogue/Abusing powers, And Instead Corrupt
The Judicial Process, Constitutes AN
EXCEPTIONAL Circumstance, Here, The Actions
OF The Lower Courts, nullified its purpose
And Reasons, FOR Existence, LA BAY V Howes
LEATHER CO, 352 US 249, 256-258 (1957)

Therefore, TO CORRECT This miscarriage
OF Justice, And Abuse OF Discretion,
This WRIT OF MANDAMUS SHOULD Be
GRANTED? see cheney V United States (2004)

————— END OF Questions —————

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:

CC: copy sent
SOLICITOR GENERAL
ROOM 5614
950 PENNSYLVANIA AVE N.W.
WASHINGTON, D.C. 20530

RELATED CASES

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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 CASE 19-2287 4th CIR; or, MAR 24, 2020
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix A 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 NA

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

NA
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 MARCH 24, 2020.

☒ No petition for rehearing was timely filed in my case. MARCH 24, 2020

☒ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: MARCH 24, 2020 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 NA.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: NA, 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).

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CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

MALLARD V U.S DIST COURT, S. DIST OF IOWA 490, US 296, 309 (1989)

EX PARTE REPUBLIC OF PERU 318, US, 578, 583 (1943)

DAVIS V UNITED STATES, 417 US, 333, 346 (1974).

CHENEY V DIST COURT D.C 542, US 367, 371 (2004)

EX PARTE BRADSHAW 7 PET, 647, 8 L ED 815.

IN RE, TRUMP NO 18-2486 4th CTR (2019)
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SWINT V CHAMBERS CNTY COMM'N 514 US 35, 147 (1995)

KENNEDY V ST JOSEPH MINISTRIES INC, 657 F.3d 189, 195 (4th CTR 2011)

AHRENHOLZ V BD OF TRS OF THE UNIV OF ILL 219, F.3d 674, 677 (7th CTR 2000)

MOHAWK INDUS, INC V CARPENTER 558 US 100, 110-11 (2009)

HALO ELECS INC V PULSE ELECS INC 1365 CT 1923 1931-32 (2016)

UNITED STATES V BALIN JOSEPH CO
143, US, 1, 3 (1892), STATES FOR ANY BILL
TO BE VALID, MUST PASS IN PRESENCE OF
QUORUM.

EX PARTE SIEBOLD, 100 US, 371, 376, 25 L
ED, 717 (1880)

QUORUM CLAUSE, ARTICLE I, § 5 CL 1,

WRIT OF MANDAMUS 1292(b)

1ST Amendment, petition The government
FOR A REDRESS OF GRIEVANCES

XIVth Amendment deprive, Any person
OF LIFE, LIBERTY OR PROPERTY, WITHOUT
DUE PROCESS OF LAW."

XIVth Amendment deprive, equal protection
OF THE LAW."

TITLE 18 USC 3231, gives DISTRICT COURTS
AUTHORITY TO IMPRISON

PUBLIC LAW 80-772, PART OF TITLE
18, WHICH WAS NEVER RAFFIED IN
PRESENCE OF QUORUM.

————— END OF Case Laws —————
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TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Mitchum V Foster 407 US 225, 240
(1972)

IN RE Trump NO 18-2486 4th Cir (2019) page 6

LA Buy V Howes Leather CO, 352 US, 249
25 L 258 (1957)

Cheney V US Dist Ct D.C 542 US 367, 380-
381 (2004)

CAROL BOND V United STATES NO 09-1227 (2011)
Concurring, Ginsberg, Breyer.

STATUTES AND RULES

TITLE 18 USC 3231

Public Law 86772

U.S Constitution (Quorum Clause)

Habeas Corpus 28 USC 2241

Summary Judgment, Rule 56

WRIT OF MANDAMUS 1292(b)

U.S Constitution, Article I, § 5, CL 1,
Commands, majority of both Houses
must have quorum to do business

OTHER

Email, former FBI Director, Lappin
DATED July 27, 2009

AFFIDAVITS, AS Evidence. ATTACHED
IN Appendix S. page 5

STATEMENT OF THE CASE

PRO-SE, PETITIONER, WHILE INCARCERATED AT ALDERSON PRISON CAMP, ALDERSON WEST VIRGINIA, IN EARLY 2017 - 2019 DID OBTAIN EVIDENCE FROM THE LIBRARY OF CONGRESS, TO PROVE FOR 70 YEARS, THE DOJ, HAS USED VOID LAW TITLE 18 USC 3231 PART OF PUBLIC LAW 80 772, TO FALSELY IMPRISON U.S. CITIZENS, CONSTITUTES FALSE IMPRISONMENT VIOLATION OF U.S CONSTITUTION QUORUM CLAUSE.

THEREFORE, FOR THIS CAUSE PETITIONER, SUBMITTED AS FOLLOWS:

A) ON, OR ABOUT APRIL 15, 2019, PETITIONER SUBMITTED, IN THE DISTRICT OF HER INCARCERATION A HABEAS CORPUS, 2241, CITING VOID LAW TITLE 18 USC 3231, CONSTITUTES FALSE IMPRISONMENT CITING, CAROL BOND V UNITED STATES (2011) (SEE APPENDIX 6)

B) ALONG WITH 2241, A PREPONDERANCE OF EVIDENCE, OBTAIN FROM LIBRARY OF CONGRESS, BEING EXHIBITS

EXHIBIT 1) EMAIL FORMER FBOP, DIRECTOR HARLEY LAPPIN, DATED JULY 27, 2009 (APPENDIX I, APP I)

Exhibit

[Page 7]

2) AFFIDAVIT, FORMER Judge Walter Sweltick, CONFIRMING TITLE 18 USC 3231 PART OF PUBLIC LAW 80772 VOID AS LAW DATED June 2, 2017 (See Appendix I)

Exhibit

3) AFFIDAVIT, Eyewitness ALAN BERNITT IN FEDERAL COURT, OF Chief Judge GRIESBAUGH LOCATION, GREENBAY WISCONSIN, ON MARCH 21, 2018 Judge DISMISSED 26 cases, Citing VALIDITY OF 18 USC 3231 IN QUESTION. DATED APRIL 13, 2018 (See Appendix I)

Exhibit

4) 2 Letters, FROM OFFICE OF CLERKS FOR THE U.S. HOUSE OF REPRESENTATIVES AND, U.S. SENATE, LISTED AS FOLLOWS:
* A) U.S. HOUSE REPRESENTATIVES, CLERK MRS. KAREN HAAS, CONFIRMING NO QUORUM ON RECORD, HR 3190, ALSO CALLED PUBLIC LAW 80772. DATED SEP 11, 2008 (See Appendix L)

* B) U.S. SENATE, CLERK, NANCY ERIKSON STATING, NO QUORUM ON RECORD, FOR HR 3190, ALSO CALLED PUBLIC LAW 80772 DATED MARCH 9, 2009 (See Appendix L)

Exhibit

5) AFFIDAVIT, BY OFFICER, RONALD TITLBACH STATING THAT COURTS HAVE NO JURISDICTION TO USE, TITLE 18 USC 3231, BECAUSE NO STATUTE EXISTS, THEREBY VOID LAW DATED APRIL 14, 2017 (See Appendix K)

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EXHIBIT
6) AFFIDAVIT, FORMER FEDERAL INMATE,
JESSE BLACKBONNET, I.D # 12477-073
AT YA300 PRISON, IN 2010.

CONFIRMING, EMAIL BY FORMER
FBOP DIRECTOR LAPPIN, STATING TITLE
18 USC 3231 VOID AS LAW.

THIS EMAIL READ TO INMATES,
BY WARDEN PEARSON.

DATED AUGUST 11, 2014 (SEE APPENDIX K)

EXHIBIT

7) EMAIL, LAWFUL REMEDIES, STATING
PRESS RELEASE, CONTACT EMASSIES
OVER 8 million people, AFFECTED
SINCE, 1948, FALSE IMPRISONMENT
UNDER VOID LAW 18 USC 3231

DATED OCT 12, 2018 (SEE APPENDIX M)

————— END OF EXHIBITS SUBMITTED —————

C) ON JUNE 10, 2019, DISTRICT COURT, ORDERED
RESPONDENT TO RESPOND, WITHIN 60 DAYS
DATED JUNE 10, 2019 (SEE APPENDIX F)

D) SINCE, RESPONDENT, U.S. ATTORNEY STUART, ALONG
WITH WARDEN ALDERSON, FAILED TO DEFEND
OR DENY, IN THEIR RESPONSE.

PETITIONER, DID SUBMIT RESPONSE
ON AUG 14, 2019, TO RESPONDENT BRIEFING
DATED AUG 14, 2019 (SEE APPENDIX E)

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E) on Aug 9, 2019, DISTRICT COURT ORDERED, PETITIONER TO RESPOND TO U.S. ATTORNEY STUART, BRIEFING IN WHICH HE DID NOT DEFEND OR DENY TITLE 18 USC 3231 LOED DATED Aug 9, 2019 (See Appendix E)

F) on Aug 22, 2019, petitioner submitted Summary Judgement Rule 56(A) Since, The Respondent, FAILED TO DEFEND, OR DENY ANY MATERIAL FACT. Thereby By Law, petitioner entitled TO Summary Judgement. DATED Aug 22, 2019 (See Appendix D)

G) petitioner WAS RELEASED FROM PRISON ON Aug 29, 2019, BUT HAS SUPERVISED RELEASE OF 5 years. However, Respondent, AND DISTRICT COURT FAILED TO RESPOND TO SUMMARY Judgement Rule 56(A).

H) ON, OR ABOUT NOV, 11, 2019, PETITIONER SUBMITTED WRIT OF MANDAMUS, TO 4TH CIRCUIT APPEALS, REQUESTING COURT ORDER, DISTRICT COURT, GRANT SUMMARY Judgement, Rule 56(A). DATED NOV 13, 2019 (See Appendix C)

{page 9}

I) ON, OR ABOUT DEC 5, 2019, PETITIONER RESPONDED, TO FINDINGS, AND RECOMMENDATIONS BY MAGISTRATE JUDGE EIFERT.

DATED DEC 5, 2019 (SEE APPENDIX B)

J) ON, OR ABOUT DEC 2, 2019, PETITIONER DID FILE FORM A PAUPER'S ORDER DATED NOV 15, 2019.

(SEE APPENDIX A)

K) ON, OR ABOUT JANUARY 22, 2020 4TH CIRCUIT DID DENY MANDAMUS.

L) TIMELY REHEARING, REQUESTED NOT ENBAEC.

ON MARCH 24, 2020 REHEARING DENIED

(SEE APPENDIX A)

THEREFORE, SINCE THE 4TH CIRCUIT OF APPEALS HAS FAILED TO ENSURE JUSTICE, IN THIS PARADIGMATIC CASE, IN LIGHT OF INRE, TRUMP (2019)

Inclosing, petitioner seeks
WRIT OF CERTIORARI, TO GRANT
WRIT OF HABEAS CORPUS.

This is the biggest miscarriage
of justice, of the 21st century.
NO, OTHER COURT CAN GRANT
RELIEF.

————— END OF STATEMENT —————
OF CASE

Aug 19 2020
DATE

Charlottesville
CHARLOTTE DUFRAY JOHNSON

[page 11]

REASONS FOR GRANTING THE PETITION

[WRIT OF MANDAMUS]

Reason 1) Adequate Relief, cannot be obtained, in any other forum or from any other court.

Mandamus appropriate where petitioner lack alternative means to obtain the relief they seek
MALLARD V U.S. DIST COURT FOR S DIST OF IOWA 490, US 296 309 (1989)

The writs thus afford, an expeditious and effective means, of confining the inferior court to a lawful exercise, when it is its duty, to do so, *Ex parte Republic of Peru* 318, US, 578, 583 (1943)

Reason 2) Exceptional circumstances where "circumstances inherently results in a complete miscarriage of justice, and presents exceptional circumstances a writ must issue, *Davis v United States*, 417 US, 333, 346 (1974)

Fraudulent's action have constitute abdication of its constitutional judiciary duties, writ appropriate impairment performance of its constitutional duties, *Cheney v U.S. Dist Court for D.C* 542, US 367, 371, (2004)

Reason 3) WRIT will Be IN AID OF
 COURTS APPELLATE JURISDICTION
 When A case IS within The APPELLATE
 JURISDICTION, which might otherwise Be
 DEFEATED, By the UNAUTHORIZED ACTION
 OF The COURT Below, IN EX PARTE BRAD STREET
 7 PET, 647, 8 L, ED 815, The Same RULE
 WAS LAID down By chief Justice MARSHALL
 SPEAKING FOR The COURT, Requiring
 A FEDERAL COURT, OF INFERIOR, JURISDICTION
 TO REINSTATE A CASE, AND TO PROCEED
 TO TRY AND ADJUDICATE The Same.

Reason 4) This case, Being The biggest
 case of The 21ST CENTURY, Since FOR
 70 years The DOJ HAS USED VOID LAW
 18 USC 3231, ALSO CALLED HR 3190
 OR public Law 80772, TO IMPRISON
 U.S CITIZENS, IN FEDERAL PRISON
 CONSTITUTES FALSE IMPRISONMENT.
 OVER 8 million people Since 1948.

* THIS IS A PARADIGMATIC CASE
FOR CERTIFICATION UNDER 1292(b), AND
THE 4TH CIRCUIT REASONS, TO NOT
CERTIFY, WAS NOT BASED ON SOUND
LEGAL PRINCIPLES, IN RE, TRUMP 4TH CIR
WL 2997909 (2019), Page 6.

————— END OF REASONS —————

AUG 19 2020 [page 13]
 DATE


 CHARLETTE DUFRAJ JOHNSON

The Lower Courts Have gone Rogue/Abusing powers, And Failure, To Enforce the Laws Under the U.S Constitution.

This case, Being the Biggest case of The 21st Century, A case of PARADIGMATIC AFFECTING OVER 8 million people. In Light of, IN RE, TRUMP vth CTR (2019) page 6.

Therefore, To Ensure justice, For The U.S. Citizens, and To Establish Confidence In The COURT systems.

Request The Following:

1) Request, COURT Issue Order, granting WRIT OF MANDAMUS. CONCLUSION

2) Request COURT, Appoint ATTORNEY, And place case, on the calendar, For ORAL ARGUMENT.

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: Aug 19, 2020

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES
Washington D.C.

CHARLETTE JOHNSON — PETITIONER
(Your Name)

VS.

UNITED STATES — RESPONDENT(S)

PROOF OF SERVICE

I, CHARLETTE JOHNSON, do swear or declare that on this date, Aug 19, 2020, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

U.S. SOLICITOR GENERAL OFFICE
Room 5614, 950 PENNSYLVANIA AVENUE NW
WASHINGTON D.C. 20530

I declare under penalty of perjury that the foregoing is true and correct.

Executed on Aug 19, 2020

Charlotte Johnson
(Signature)

IN RE, CHARLOTTE DUFREY JOHNSON
VS
UNITED STATES

COVER
PAGE

[WRIT OF MANDAMUS / RULE 20]

1) CASE EXTRAORDINARY

2) RELIEF CAN ONLY BE GRANTED BY
SUPREME COURT

3) PETITIONER HAS EXHAUSTED ALL LEGAL
REMEDIES, SINCE 4TH CIR DENIED MANDAMUS
ON MARCH 24, 2020. CASE: 19-2287

* 4) RELIEF SOUGHT; BEING

A) PLACE CASE ON DOCKET

B) APPOINT ATTORNEY, TO ARGUE CASE

* C) ISSUE ORDER WRIT MANDAMUS
DIRECTING 4TH CIRCUIT, ISSUE ORDER DIRECTING
DISTRICT COURT, ISSUE ORDER FOR SUMMARY
JUDGEMENT,
PUBLIC LAW 80-772

SEP 4, 2020
DATE

Charlotte Dufrey Johnson
CHARLOTTE DUFREY JOHNSON

CC: COPY: SOLICITOR GENERAL OFFICE
ROOM 5614
950 PENNSYLVANIA AVE, NW
WASHINGTON D.C 20530-0001

IN RE, CHARLETTE DYFRAY JOHNSON
VS
UNITED STATES

[FOR: WRIT OF MANDAMUS, only LEGAL
WAY, TO RESOLVE, Biggest MISCARRIGE
OF JUSTICE, IN THE 21ST CENTURY]

ISSUE 1: CASE EXCEPTIONAL, PARADIGMATIC
CASE.

ISSUE 2: PETITIONER HAS EXHAUSTED, ALL
LEGAL REMEDIES.

ISSUE 3: NO OTHER COURT, CAN GRANT
RELIEF.

FROM: 4TH CIRCUIT APPEALS
RICHMOND, VA

PETITIONER: PRO-SE CHARLETTE JOHNSON
1909 NORTH HILLS DR
APT B
RALEIGH, N.C 27612

RESPONDENT: SOLICITOR GENERAL OFFICE
ROOM 5614
950 PENNSYLVANIA AVE N.W.
WASHINGTON, D.C 20530

[PAGE 1 OF 1]
COVER PAGE

[Petition writ of Mandamus]

Comes now, petitioner in this petition, for writ of certiorari, to pray this Supreme Court considers the criteria for granting writ of Mandamus, and § 1292(b) certification are well established.

A party seeking a writ of Mandamus must demonstrate as follows:

1) that it has a clear and indisputable right, 2) that there are no other adequate means to vindicate that right, and 3) that the writ is appropriate under the circumstances. See *Cheney vs U.S. Dist Ct Ford*, 542 U.S. 367, 380-81 (2004)

Under these principles it is understood that a writ of Mandamus, can properly issue to remedy a clear abuse of discretion, *Id.* at 390, under principles of Mandamus jurisdiction, the Court of Appeals may exercise its power to issue the writ only upon a finding of exceptional circumstances amounting to a judicial usurpation of power, or a clear abuse of discretion.

TO BE SURE, THE DISCRETION CONFERRED ON DISTRICT COURTS BY 1292(b) IS BROAD, SEE SWINT V CHAMBERS CNTY COMM'N 514 U.S. 35, 47 (1995) THE STATUTE PROVIDES THAT A DISTRICT COURT SHALL CERTIFY ITS ORDER FOR INTERLOCUTORY APPEALS WHEN THERE IS SUBSTANTIAL GROUND FOR DIFFERENCE OF OPINION, AND THAT AN IMMEDIATE APPEAL FROM THE ORDER MAY MATERIALLY ADVANCE THE ULTIMATE TERMINATION OF THE LITIGATION 28 USC 1292(b) SEE ALSO, KENNEDY V ST JOSEPH'S MINISTRIES INC 657 F.3d 189, 195 (4th CIR 2011)

THE BROAD DISCRETION GIVEN TO DISTRICT COURTS UNDER § 1292(b) IS REFLECTED IN THE OPEN ENDED TERM USED, TO DEFINE THE STATUTORY CRITERIA WHEN A DISTRICT COURT DETERMINES THAT, THE STATUTORY CRITERIA ARE PRESENT, IT HAS A DUTY TO ALLOW AN IMMEDIATE APPEAL TO BE TAKEN ((AHRENHOLZ V Bd OF TRS OF THE UNIV OF ILL 219 F.3d 674, 677 (7th CIR 2000) SEE ALSO, MOHAWK INDUS, INC V CARPENTER 558 U.S. 100, 110-11 (2009) AND WHEN A DISTRICT COURT'S DISCRETION IN APPLYING THE STATUTORY CRITERIA IS NOT "GUIDED BY SOUND LEGAL PRINCIPLES, BUT BY, WHIM, A COURT OF APPEALS

MAY CONCLUDE, THAT THE COURTS ACTIONS AMOUNTED TO A CLEAR ABUSE OF DISCRETION SEE HALO ELECS INC V PULSE ELECS, INC 136 S. CT 1923, 1931-32 (2016) ADDRESSING GENERALLY THE NATURE OF DISCRETION.

Therefore, comes now, petitioner TO PRAY THIS U.S. SUPREME COURT GRANT THIS WRIT OF HABEAS CORPUS
The legal grounds, are as follows:

GROUND ONE

1) IN LIGHT OF, IN RE, TRUMP NO 18-2486 4TH CIR (2019) page 6, A PARADIGMATIC CASE FOR CERTIFICATION OF INTERLOCUTORY APPEAL UNDER 1292(b):

IN COMPASSION, THE BIGGEST CASE OF THE 21ST CENTURY, BECAUSE FOR 70 YEARS, SINCE 1948, TO CURRENT DATE, THE DOJ HAS USED VOID LAW, TITLE 18 USC 3231, PART OF PUBLIC LAW 80772, TO IMPRISON U.S CITIZENS CONSTITUTES FALSE IMPRISONMENT FOR THE FOLLOWING REASONS:

A) ON, OR ABOUT APRIL 15, 2019 PETITIONER, SUBMITTED 28 USC 2241 CITING VOID LAW TITLE 18 USC 3231 CONSTITUTES, FALSE IMPRISONMENT

[Page 4 of 12]

B) Relying on, Supreme Court case BOND V UNITED STATES 564 US 211 (2011) Ginsberg, Breyer Concurring, BOND LIKE ANY OTHER DEFENDANT HAS A RIGHT NOT TO BE CONVICTED, UNDER CONSTITUTIONALLY INVALID LAW.
SEE APPENDIX H)

C) THE RESPONDENT, BEING WARDEN ALDERSON, AND U.S ATTORNEY STUART. DID NOT DEFEND, OR DENY TITLE 18 USC 3231 WAS VOID.

D) ON, OR ABOUT AUG 22, 2019, PETITIONER SUBMITTED SUMMARY JUDGEMENT RULE 56(A). SINCE NO MATERIAL FACT WAS DENIED, AND WAS NOT DISPUTED (SEE APPENDIX D)

E) DISTRICT COURT FAILURE TO MAKE DECISION, FOR SUMMARY JUDGEMENT PETITIONER, SUBMITTED WRIT OF MANDAMUS TO THEIR APPEALS

F) ON, OR ABOUT NOV 13, 2019, PETITIONER, SUBMITTED WRIT OF MANDAMUS, 4TH CIRCUIT.
(SEE APPENDIX C)

[Page 4 of 12]

- G) ON, OR ABOUT DEC, 5 2019, PETITIONER DID, RESPOND TO THE MAGISTRATE JUDGE EFFERT'S FINDINGS, AND RECOMMENDATIONS.
By STATING, USING 2241, THE CORRECT LEGAL DOCUMENT, TO ADDRESS, ILLEGAL CONFINEMENT, VIOLATION OF U.S CONSTITUTION (SEE APPENDIX B)
- H) ON, OR ABOUT JANUARY 24, 2020 4TH CIRCUIT DENIED, WRIT OF HABEAS CORPUS. PETITIONER, DID FILE TIMELY REHEARING NOTICE.
- I) ON, MARCH 24, 2020, 4TH CIRCUIT APPEALS DID DENY REHEARING (SEE APPENDIX A)

INCLUSION, GROUND ONE, IN LIGHT OF, IN RE, TRUMP NO 18-2486 (2019) PAGE 6, A PARADIGMATIC CASE, FOR CERTIFICATION OF INTER/OCULTORY APPEAL UNDER 1292(b).

COMPARISON, THE BIGGEST CASE OF THE 21ST CENTURY, BECAUSE FOR 70 YEARS SINCE 1948, TO CURRENT DATE THE DOJ, HAS USED VOID LAW 18 USC 3231 (page 5 of 12)

PART OF Public Law 80-772 TO IMPRISON
U.S. CITIZENS, CONSTITUTES FALSE IMPRISONMENT

Therefore, petitioner PRAYS
THIS COURT GRANT THE FOLLOWING:

1) REQUEST, THIS U.S. SUPREME
COURT, ISSUE ORDER, IN LIGHT
OF, IN RE, TRUMP NO 18-2486 (2019)
DIRECTING 4TH CIRCUIT, GRANT WRIT OF
MANDAMUS,

ALSO,

2) REQUEST, WRIT OF MANDAMUS
STATE DISTRICT COURT, GRANT SUMMARY
JUDGEMENT RULE 56(A)

* BECAUSE, NO MATERIAL FACT WAS
NOT DENIED, OR DISPUTED.

* 3) REQUEST SUMMARY JUDGEMENT
RULE 56(A), STATES TITLE 18 USC 3231
VOTED LAW, SINCE WAS NEVER
RATIFIED BY CONGRESS, VIOLATION
OF QUORUM CLAUSE, CITING BOND (2011)

AUG 19, 2020
DATE

Charlette DuFrays Johnson
CHARLETTE DUFRAYS JOHNSON

[PAGE 6 OF 12]

II ~~IN~~ MITCHUM V FOSTER 407 US 225 240 (1972)
THROWS OPEN THE DOORS OF THE UNITED
STATES COURTS TO THOSE, WHOSE RIGHTS
UNDER THE CONSTITUTION ARE DENIED, OR
IMPAIRED.

CITING BOND VS UNITED STATES 564, US
211 (2011) WINBERG, BREYER CONCURRING BOND,
LIKE ANY OTHER DEFENDANT HAS A RIGHT
NOT TO BE CONVICTED, UNDER CONSTITUTIONALY
INVALID LAW.

FOR THE FOLLOWING REASONS:

A) TITLE 18, 1845C3231, HR3190, PART
OF PUBLIC LAW 80772, IN DIRECT VIOLATION
OF ARTICLE 1 § 5, CL 1, COMMANDS IN
RELEVANT PART, THAT A MAJORITY
OF EACH HOUSE OF CONGRESS, SHALL
CONSTITUTE A QUORUM TO DO
BUSINESS,
(SEE APPENDIX I)

B) CITING SUPREME COURT CASE, BEING
UNITED STATES VS BALIN JOSEPH CO
143, US, 1, 3 (1892) STATES IN ORDER
FOR ANY BILL, TO BE VALID AS LAW
WHEN THE JOURNALS SHOWS THAT
IT WAS PASSED, IN THE PRESENCE OF
QUORUM (SEE APPENDIX I)

C) See EMAIL Former FBOP Director HARLEY Lapping, DATED July 27, 2009, STATING TITLE 18 USC 3231, PART OF PUBLIC LAW 80-772, WAS NEVER RATIFIED BY IN PRESENCE OF QUORUM.

CONSTITUTES VOFD LAW, VIOLATION OF THE QUORUM clause.

(SEE APPENDIX I)
APPENDIX M

D) EX PARTE Siebold 100 US 371, 376, 25L ED, 717 (1880) "AN OFFENSE CREATED, BY AN UNCONSTITUTIONAL LAW, THE COURT HELD, IS NOT A CRIME, A CONVICTION UNDER SUCH A LAW, IS NOT MERELY ERRONEOUS, BUT IS ILLEGAL CAUSE OF IMPRISONMENT Id AT 376-377 25L ED, 717, IF A LAW IS INVALID AS APPLIED TO THE CRIMINAL DEFENDANT CONDUCT, THE DEFENDANT IS ENTITLED TO GO FREE." (SEE APPENDIX G)

E) per petitioners 28 USC 2241, ALONG WITH A PREPONDERANCE OF EVIDENCE, WAS NOT DENIED BY RESPONDENT, THEREBY THESE MATERIAL FACTS, ARE TRUTHFULL BASED ON FACTS.

Inclusion, ground two, in *Mitchum v Foster* 407 US 225 240 (1972) throws open the doors of the United States courts to those whose rights, under the Constitution are denied, or impaired.

Citing *Bond vs United States* 564, US 211 (2011) Ginsberg, Breyer concurring Bond like any other Defendant has a right not to be convicted, under constitutionally invalid law

Therefore, petitioner prays this court, grant the following

1) Request, this U.S. Supreme Court issue an order, in light of *En re, Trump* (2019) page 6, case being paradigmatic because, for 70 years the DOJ has used invalid law title 18 USC 3231, to imprison U.S. citizens.

2) Request, this court issue an order directing the 4th circuit issue an order for mandamus

[page 9 of 12]

3) Request, COURT ISSUE AN ORDERING
DIRECTING 4TH CIRCUIT, CONFIRM
THAT RELYING ON BOND VS UNITED STATES
(2011) PETITIONER HAS A RIGHT, NOT
TO BE HELD IN VIOLATION OF
THE U.S CONSTITUTION.

4) Request, THIS COURT APPOINT
ATTORNEY ON THIS CASE, AND
PLACE ON CALENDAR, FOR ARGUMENT.

AUG 19, 2020
DATE

Charlette Johnson
CHARLETTE DUFRAJ JOHNSON

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COMES NOW, PETITIONER, TO CONCLUDE
THIS WRIT OF MANDAMUS PETITION
AS FOLLOWS:

A) THE CRITERIA FOR GRANTING
PETITION FOR WRIT OF MANDAMUS, AND
1292(b) CERTIFICATION ARE WELL
ESTABLISHED, IN THIS CASE.

B) THIS IS A CLEAR, AND
INDISPUTABLE RIGHT

C) NO OTHER, ADEQUATE MEANS
TO VINDICATE THAT RIGHT, AND THIS
WRIT IS APPROPRIATE UNDER THE
CIRCUMSTANCES, CHENEY VS. U.S. DIST CT
FOR D.C. 342, U.S. 367, 380-81 (2004)

UNDER THESE PRINCIPLES, IT IS
UNDERSTOOD THAT A WRIT OF MANDAMUS CAN
PROPERLY ISSUE TO REMEDY A CLEAR ABUSE
OF DISCRETION *Id* AT 390

D) EXCEPTIONAL CIRCUMSTANCES WARRANT
THIS WRIT OF MANDAMUS SINCE FOR
70 YEARS, THE DOJ HAS USED VOID LAW
TITLE 18 USC 3231, TO IMPRISON U.S.
CITIZENS.

PARADIGMATIC CASE, CITING
IN RE, TRUMP & THE CFR (2019) PAGE 6.

E) NO OTHER COURT CAN GRANT RELIEF
ALSO, PETITIONER HAS EXHAUSTED ALL
OTHER LEGAL REMEDIES. [Page 12 of 12]

Inclosing, This case Being the
biggest case of the 21st century.
Affecting over 8 million people.
FROM 1948, TIL CURRENT DATE
Some 70 years later, Citing IN RE Trump (2019)
TITLE 18 USC 3231, PART OF PUBLIC
Law 80772, WAS NEVER PASSED IN THE
PRESENCE OF QUORUM, THEREBY INVALID
Law, VOID NO LEGAL EFFECT,
(See Appendix M)

Therefore, Petitioner PRAYS
This Supreme COURT grant
The following:

1) Request, This Supreme COURT
Issue an order Appointing
ATTORNEY, on case.

2) Request, COURT Issue an
ORDER, placing case on
CALENDAR, FOR ORAL ARGUMENT.

^{D21}
AUG 19, 2020

DATE

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Charlotte Selzer

CHARLOTTE DUFREY JOHNSON
FORMER FEDERAL PRISONER