

ORIGINAL

20-6466  
No.

IN THE  
SUPREME COURT OF THE UNITED STATES

FILED  
NOV 16 2020  
OFFICE OF THE CLERK  
SUPREME COURT U.S.

**LOUIS ANTHONY JACKSON**

— PETITIONER  
(Your Name)

VS.

**UNITED STATES OF AMERICA**

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

**UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT**

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

PETITION FOR WRIT OF CERTIORARI

**LOUIS ANTHONY JACKSON (PRO SE)**

(Your Name)

REG. NO. 11067-007  
U.S. PENITENTIARY

(Address)

P.O. BOX 1000  
LEAVENWORTH, KS 66048

(City, State, Zip Code)

N/A

(Phone Number)

QUESTION(S) PRESENTED

[1] WHETHER A CERTIFICATE OF APPEALABILITY SHOULD HAVE BEEN GRANTED, WHERE MR. JACKSON ARGUED THAT IN LIGHT OF THIS COURT'S DECISION IN UNITED STATES v. DAVIS, 139 S.Ct. 2319 (2019), WHICH INVALIDATED THE RESIDUAL CLAUSE OF § 924(c)(3), HIS SENTENCE UNDER § 924(c) IS NOW INVALIDATED SINCE **HOBBS ACT ROBBERY** IS NO LONGER CATEGORICALLY CONSIDERED TO BE A CRIME OF VIOLENCE?

SEE, UNITED STATES v. CHEA, 2019 U.S. Dist. LEXIS 177651 (N.D. Cal. October 2, 2019).

## LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

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## TABLE OF AUTHORITIES CITED

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### OTHER

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&B to the petition and is

[ ] reported at \_\_\_\_\_; or,  
[ ] has been designated for publication but is not yet reported; or,  
XX is unpublished.

The opinion of the United States district court appears at Appendix C to the petition and is

[ ] reported at \_\_\_\_\_; or,  
[ ] has been designated for publication but is not yet reported; or,  
XX is unpublished.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[ ] is unpublished.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 JUNE 19, 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

DUE PROCESS RIGHTS AS PROVIDED UNDER UNITED STATES v. DAVIS,  
139 S.Ct 2319 (2019), WHERE THIS HONORABLE COURT HELD THE  
18 U.S.C. § 924(c)(3) RESIDUAL CLAUSE UNCONSTITUTIONALLY VAGUE.

### STATEMENT OF THE CASE

Louis Anthony Jackson (hereinafter "Petitioner"), pleaded guilty to a **two-count** criminal information --he was **never indicted** by a Grand Jury. Count 1 alleged violation of 18 U.S.C. §: 924(c) and 2, specifically, the use, carrying, and discharge of a firearm during and in relation to a crime of violence. Count 2 alleged violations of 18 U.S.C. §§ 924(c) and 2, specifically, the use, carrying, and brandishing of a firearm during and in relation to a crime of violence. The § 924(c) charges were predicated upon two separate instances of **HOBBS ACT ROBBERY** for which Petitioner **WAS NEVER CHARGED, INDICTED, OR CONVICTED UNDER 18 U.S.C. § 1951 (a)**. Nevertheless, on June 27, 2014, Petitioner was sentenced to **35-years'** imprisonment, for the **consolidated** 18 U.S.C. § 924(c) charges in the criminal information. Count 1 consisted of 10-years to be served consecutively with 25-years on Count 2, as well as 5-years of supervised release, \$ 17,134.00 restitution, and a \$ 200 special assessment.

## REASONS FOR GRANTING THE PETITION

Petitioner herein, argues that **HOBBS ACT ROBBERY** is [not] Categorically a crime of violence under the elements clause of § 924(c)(3), because the offense can be committed by causing fear of future injury to property, which does not require "physical force" within the meaning of § 924(c)(3).

Petitioner informs this Honorable Court, that he does NOT have access to the Prison's Inmate Law Library due to the **COVID-19 OUTBREAK** at USP Leavenworth, were more than 500 inmates, including Prison Staff, have tested positive for the deadly virus. Therefore, he prays that this Honorable Court accept the U.S. District Court's Decision in UNITED STATES v. REY CHEA, 2019 U.S. Dist. LEXIS 177651 (N.D. Cal. Oct. 2, 2019) as his case law to argue the above.

## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Louis A. Jackson  
LOUIS ANTHONY JACKSON (PRO SE)

Date: November 9, 2020