

20-7079

No. 20-7060

(2:18-cr-00150-RGD-RJK-3)

IN THE  
SUPREME COURT OF THE UNITED STATES

ORIGINAL

LORENZO LIWAYNE BARNES, a/k/a L.B.

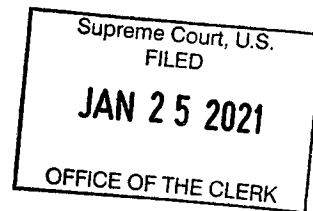
— PETITIONER

(Your Name)

vs.

UNITED STATES OF AMERICA

— RESPONDENT(S)



ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES DISTRICT OF VIRGINIA NORFOLK DIVISION

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

PETITION FOR WRIT OF CERTIORARI

LORENZO LIWAYNE BARNES # 92644-83

(Your Name)

FCI FORT DIX P.O.BOX 2000

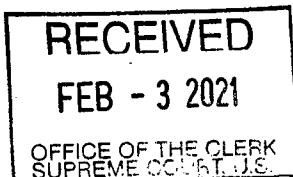
(Address)

JOINT BASE BDL, MDL, 08640

(City, State, Zip Code)

910-580-5117 MAMIE KINDELL

(Phone Number)



### **QUESTION(S) PRESENTED**

**Whether the United States Court of Appeal 4th Circuit violated the United States v McCarthy Rule.**

**Whether the United States Court of Appeal 4th Circuit violated the Appellant appeal rights on an ineffective assistant of counsel claim.**

**Whether the United States Court of Appeal 4th Circuit violated the Appellant appeal rights on his 3553(a)(2) Sentencing Factors.**

**Whether the United States Court of Appeal 4th Circuit violated the Appellant appeal rights by not ruling properly where Appellant Attorney made Appellant commit penalty of perjury by lying that Appellant should plea to count nine in violation of 21 U.S.C. 841 (a)(1) and (b) (1) (c) distribution of narcotics.**

## 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:

## **TABLE OF CONTENTS**

OPINIONS BELOW.....	1
JURISDICTION.....	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	3
STATEMENT OF THE CASE .....	4
REASONS FOR GRANTING THE WRIT .....	5
CONCLUSION.....	6

## **INDEX TO APPENDICES**

APPENDIX A	OPINIONS PAGE 1
APPENDIX B	JURISDICTION PAGE 2
APPENDIX C	CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED PAGE 3
APPENDIX D	STATEMENT OF CASE PAGE 4
APPENDIX E	REASON FOR GRANTING WRIT PAGE 5
APPENDIX F	CONCLUSION PAGE 6
APPENDIX G	JUDGES OPINION PAGE 7

## TABLE OF AUTHORITIES CITED

CASES		PAGE NUMBER
	Strickland v. Washington, 466 U.S. 688 (1984)	7
	United States v. Natanel, 938 F.2d 302 (1st Cir. 1991)	
	Hill v. Lockhart, 474 U.S. 52, 106 S.Ct. 366, 88 L.Ed. 2d 203 (1985)	
	United States v. Terry, 366 F.3d 312, 316-18 (4th Cir. 2004)	
	Matthew v. Evatt, 105 F.3d 907, 919 (4th Cir. 1997)	
	Elmore v. Ozmint, 661 F.3d 783, 858 (4th Cir. 2011)	
	Hutchins v. Garrison, 724 F.2d 1425, 1430-31 (4th Cir. 1983)	
	United States v. McCarthy, 22 Fed. 2d 418, 394 US 459.	
	Field v. Atty. Gen. of Md., June 5, 1991 (4th Cir. 1991)	
	Henry v. Scully, 78 F.3d 210 (2nd Cir. 2001)	
	McDowell v. Calderon, 107 F.3d 1351 (9th Cir. 1997)	

### STATUTES AND RULES

- 18 U.S.C. 3553 (a)
- 18 U.S.C. 924 (c)(1)(A)
- 18 U.S.C. 922 (a) (6) & 924(a)(2)

OTHER NONE

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 <sup>G</sup>\_\_\_\_\_ to the petition and is  
N/A

☐ reported at \_\_\_\_\_; 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 <sup>G</sup>\_\_\_\_\_ to the petition and is  
N/A

☐ 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 <sup>N/A</sup>\_\_\_\_\_ to the petition and is  
N/A

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

The opinion of the <sup>N/A</sup>\_\_\_\_\_ 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 \_\_\_\_\_.

☐ 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: September 25, 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 n/a (date) on \_\_\_\_\_ (date) in Application No. \_\_\_\_ A \_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).  
**THIS COURT HAS JURISDICTION OVER APPELLANT**

☐ For cases from **state courts**: **N/A**

The date on which the highest state court decided my case was N/A.  
A copy of that decision appears at Appendix \_\_\_\_\_.

☐ A timely petition for rehearing was thereafter denied on the following date: N/A, 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 N/A (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**

**3553 SENTENCING FACTORS**



## **STATEMENT OF THE CASE**

### **BACKGROUND AND OR STATEMENT OF THE CASE:**

Lorenzo is before this Court for sentencing after having plead guilty on December, 2018 two Counts six and Eleven the Indictment before the Honorable Robert G Doumar, Senior United States District Judge. The Court accepted Lorenzo's plea of guilty, found him guilty, and continued sentencing pending the preparation of a Presentencing Investigation Report. Count Six charged Lorenzo with False Statement during Purchase of a Firearm, in violation of 18 U.S.C. 922(a)(g) and 924(a)(2), on or about December 19, 2017. The Appellant was sentenced on April 2, 2019.

## **REASONS FOR GRANTING THE PETITION**

The Fourth Circuit Appeal's Court has violated Constitutional Issues as Follows:  
The Supreme Court Ruling in United States Ruling in United States v McCarthy Rule 22 L.Ed. 2d. 418, 394 US 459. That clearly states that it is Mandatory that the Court suppose to ask 62 interrogation questions before signing a plea-agreement. The appellant was not Afforded the Opportunity of the 62 interrogation that was suppose to be asked by the Court. The Appellant did not understand all of the procedures by the Court base on ineffective assistant of counsel claims the (4th Cir. Appeal court denied those claims). The Appeals Court over looked Appellants United States v. Booker issues [Sic]3553 Sentencing Factors. The Appeals Court further overlooked sef-purjury claim by Appellant committed by himself base on his Counsel cohersion getting Appellant to Plea to a charge that he did not commit.

### CONCLUSION

Base on the herein information and presented by Constitutional Laws and the Appeals Court Violation of Abuse of Discreation:

The petition for a writ of certiorari should be granted.

Respectfully submitted,

*Lurey & Barnes*  
*by Marie Buf-Bridell*  
Date: 1/25/2021 *Attorney in Fact*

6

JUDGES OPINION ATTACH: