

No. 20-7141

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

FEB - 3 2021

OFFICE OF THE CLERK

Curtis Jerome Brown Sr. — PETITIONER
(Your Name)

vs.

United States Of America, et al RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Federal District Court, Charleston, S.C. 29402
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Curtis Jerome Brown Sr. #238979
(Your Name)

Kershaw Court Inst.
(Address)

Kershaw South Carolina 29067
(City, State, Zip Code)

N/A
(Phone Number)

RECEIVED

FEB 11 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

QUESTION(S) PRESENTED

Does Probation Office have the right to let my Probation Violation expire, when I demand them to violate my Probation for two years and they did not without any lawyer representing me?

Should the Probation Officer should have appointed me a lawyer under Federal Rule 32.1 under the violation of my 5th Amendment?

Should the Probation Office have let my Probation expire without probable Cause, or without any representation or Notice?

Did the First Circuit held that a Judge other than the trial Judge should rule on the 28 USC § 2255 motion, under Halliday v. United States, 380 F.2d 270 (1st Cir. 1967)?

Can I file an Affidavit Alleging bias in order to disqualify Judge David C. Norton, and did?

Does Judge David C. Norton have a Conflict of Interest under Statute in this case under 28 USC § 2255?

Should I be release for the Criminal and Civil Conspiracy?

Can they under law allow my probation to expire without any probable Cause under Forgery of the Arrest warrants?

Should Judge David C. Norton should have Disqualify himself under 28 U.S.C. § 455?

Can I be Released under 28 USC § 2255 For Forgery of my Arrest warrants, And False imprisonment, And False Arrest?

Can the Probation Officer use Fraud and Conspiracy to let my probation violation expire to use duress to keep me in prison on Unlawful and defective Arrest warrants?

Can this Court nunc pro tunc Release me under Habeas Corpus when All my Charges was Dismissed Nov. 21, 1996 in a State Court order for Discharge from Jail Jan. 31, 1997?

Should the Federal Court should have let the State Court give me a kangaroo Court without violating my Probation, when I sent the illegal Arrest warrants and demand they violate my Probation?

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:

United States Of America, et al

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.....	4

INDEX TO APPENDICES N/A

APPENDIX A	Unlawfully letting my Federal Probation expire illegally
APPENDIX B	Limited Jurisdiction, dependent on Constitution or Statutes.
APPENDIX C	Conflict of Interest Statute violated by Judge Norton.
APPENDIX D	Violation of Article III of U.S. Constitution.
APPENDIX E	Mapp v. Ohio hearing under Special Sessions.
APPENDIX F	Probation Violated under 32, 1 F.Crim. R.P. .

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Rule 32.1; Speedy trial violation; Habeas Corpus 28 USC § 2255 - One
 Won Summary Judgment for my Release And Mooted And Stole Certified Mail
 § 2254 Habeas Corpus, RICO Statute; Mapp v. Ohio, 367 U.S. 643, 81 S.Ct 1684
 (1961); Trezevant v. City of Tampa, 741 F.2d 336; Shabazz, C.R. (Iowa)
 1981, 657 F.2d 189; Gregory v. U.S. C.A. (Mass.) 1978, 585 F.2d 548. Page three
 Rizzo v. U.S. C.A. N.Y. 1975, 516 F.2d 789,

STATUTES AND RULES

28 USC § 2255 Nunc pro tunc; False Oath Act 18 & 286-287; Article
 III of Const. Violation; Battery State Statute § 16-17-10, § 16-17-20.
 Racial Terrorism. Page three.
 Rule 22; 28 USC § 2255; Charges Dismissed Nov. 21, 1996 For Release.
 on page four.

OTHER

Civil And Criminal Conspiracy. S.C. Ann. § 16-13-10(A) For Forgery.
 Pennoyer v. Neff 95 U.S. 714. • Can I be convicted without any arrest
 warrants or crimes in a Kangaroo Court as a Federal prisoner?

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 N/A 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 United States district court appears at Appendix N/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 N/A 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 N/A 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 N/A.

☐ 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 N/A none.
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).

Table Of Contents

Page One. Judge David C. Norton cannot decide his own conviction, and use fraud to commit a crime. All my arrest warrants was defective, and forgery was used to violate my federal probation, so I am still a federal prisoner nunc pro tunc, and my probation can't be revoked or let expire when I demanded Mr. Phil O Quinn, Jr. to violate my federal probation constantly for 2 years.

Page two. Jurisdiction, Duty of Court Function of Appeals is to review allegations of complaint to determine whether a substantial federal question is presented, and whether there is a question fairly open to debate, entitling plaintiff to the three Judge District Court relief requested. Eddburg v. Illinois Racing Bd., 7 (Ill.) 1976, 540 F.2d 279.

Page three. Violation of Constitutional Violation of 4th, 5th, 6th, 8th, 14th and 1st Amendments. Court of Special Sessions has no stated term and is not continuous, but organized only for hearing a particular case. Rule 32r in my case have been violated under 5th, 6th, 14th Amendments without probable cause on forged arrest warrants that was made out originally to the lying victim.

Page four. Petitioner is still a federal prisoner nunc pro tunc, and my probation was allowed to expire to cheat me and cover-up their crimes in the conspiracy, and all my charges was dismissed Nov 21, 1996, and they tried to kill me over 14 times over a period of 25 years, and interpolated, mutilated, and violated all my trial transcripts, and two disappeared all together, and I was kidnapped, lynched and framed by federal and state officials in a criminal and civil conspiracy.

Cont page five. Reason for granting writ is because I am kidnapped illegally by conspirators on unlawful arrest warrants illegally and I am and was a federal prisoner.

LEGAL

BROWN-238979

Cont Table of Contents
Page 11a Conclusion. I request and demand my Release
From prison For Unlawful Arrest, False imprisonment,
And kidnapping me as a federal prisoner.

LEGAL

BROWN-238979

(1)

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

On April 8, 1996, I WAS arrested on warrants dated For April 9, 1996 And WAS on Federal probation and I sent All the warrants to my Probation Officer From the Charleston County Jail Asking him to Violate my Probation because I knew he had to Come and take me out of Jail and demand my release or Violate my Federal probation with probable Cause And he Could not under Rule 32.1, but he never Came. I stayed in 3 months before I saw A Lawyer or A Bond, and My lawyers State Public Defender Dietrich Von Frehe Came to me in Jail and Stole my Arrest warrants by force Against my will And left me without giving me back my warrants without knowing I had gotten Copies Already. I Called Collect Channel Two to Michelle King telling her what he did, and Collect to Mr. Phil O Quinn Jr. At the Courthouse telling him, and I asked both of them to send me back Copies of theirs, and they did right Away. Four Months later, Mr. Phil O Quinn Jr. Still never Violated my Federal Probation yet, and promise me he would. On Sept 1, 1996, I Filed a Writ of Habeas Corpus & 2241 to Federal Court under the Speedy Trial Statute, and Federal Magistrate Robert Carr At that time, Charged the Caption illegally From Federal Court to State, and Dismissed my Federal writ. It took me 10 years to find out what they did, with me still Calling Mr. O Quinn to Violate my Federal Probation, and he would not. So I wrote Judge David C. Norton Asking him to Violate my Federal Probation June 29, 1997, and he sent the letter of my request to Mr. Phil O Quinn, and Mr. O Quinn wrote me July 24, 1997 and again Advised me he was going to get warrant pertaining to my probation Violation. On July 28, 2005, I Filed Nunc pro tunc for Habeas Corpus 28 & 2255 And Asst. Brent Gray of the U.S. Atty's Office sent me the Governments Exhibit 1 saying I was no longer a Federal prisoner, when I knew I was never revoked by Judge Norton or the Probation Office, and never given any lawyer or Notice under Rule 32.1. So I dismissed my & 2255 until I found out what was going on without prejudice. I wrote Judge Norton And Filed Coram Nobis and he Sealed my Coram Nobis and ignored me. I also wrote Mr. Phil O Quinn, Jr. and the U.S. Attorney Office, and they ignored me and never replied or responded to me. So I sued under 28 U.S.C. 42 And they illegally dismissed my suits for 10 years without and with prejudice up until July 28, 2005. I Appealed Feb. 3, 2015 and the U.S. Appeal Clerk and Court sent my Federal Appeal to the Clerk of the State Appeal Court of Virginia Feb. 6, 2015, and they sent it back to the U.S. Appeal Court Feb. 10, 2015, and the Fourth Circuit Court of Appeals dismissed my Appeal illegally Nov. 28, 2008 without ever reviewing my Appeal And Arrest warrants At All, 7 years later.

I was never Appointed A Lawyer or ever saw Any in 25 years illegally Since Nov. 21, 1996 when State Judge R. Markley Dennis Dismissed All my Charges in A Continuance for 1997 if I was not given A trial, and they through Forgedly Forged All my Arrest warrants with Federal Judge

(2)

STATEMENT OF THE CASE

David C. Norton ~~And~~ forced me Against my will into William S. Hall mental Hospital for 17 days, and back-dated the Robbery Warrant twenty years before any Crime I was falsely Accused of, and there was never any Crime committed At All, and had the lying Victim te-Signed and Forged the Arrest warrants when the warrants was made out to her for Filing a False Statement for my Arrest, when I saved her life, and scratched her name out and placed mines next to hers. Every time I wrote Judge Norton Asking him to violate my Federal probation, he either sent it to the Office of the State Public Defender Ashley Pennington never telling me he and Mr. Phil O. Quinn was not going to violate me, and fabricate a Conviction that had not taken place yet, and let my Federal Probation expire unlawfully in a Criminal Conspiracy, ever since Nov. 20, 1996, a day before, All my Criminal Charges Dismissed Nov. 21, 1996 by R. Markey Dennis on the defective Arrest warrants before they used Forgery to Kidnap me under State Statute, and Judge Dennis and the Appellate Defense along with Judge David C. Norton in a State Habeas Corpus, I won Summary Judgment for my Release \$225K, stole my Order for release and mooted my case in the Chain Conspiracy.

Petitioner was never Appointed a lawyer to defend me by Judge David C. Norton or the State Supreme Court in my Direct Appeal in a Criminal Conspiracy under RICO for 25 years until this day, and I threaten in Mandamus in a Case he Judge Norton stole out of State Court, I won my Release in, to kill him in order to get a lawyer because I can't afford one, in Case: 2:16-CV-513, DCN-mgb in an illegal Removal to Federal Court Against Judge Norton to steal it out of the Pocket of State Court. I am requesting the U.S. Appeal Court to Appoint me a lawyer because I had no choice but to commit a Crime to prove a Crime under Statute for them to Charge me to get a lawyer, and Judge David C. Norton sent an F.B.I. Agent and two U.S. Marshals to Allendale Corr. Inst. and I waived my Miranda Rights and Confessed, and he said I can't arrest you, I have to go up higher, and I asked him if Judge Norton sent them, and the F.B.I. asked me what can the Judge do for you to forget about all he done to you? And I said Release me and pay me. This was on Oct. 21, 2016, and I haven't seen them since.

REASONS FOR GRANTING THE PETITION

Petitioner States, I am being held against my will kidnapped under State Law, And am innocent, and am being without any legal Arrest warrants, And never given a Preliminary hearing, or have any indictments or Charges held Against my will, and Request this Courts help under the Emergency Humanitarian Doctrine. Judge David C. Norton, and the Lawyers, I never saw or talked to, and State Officials in this case has Already tried to Kill me over 14 times in 25 years, and its on record in State and Federal Courts, and now I am put in Jeopardy Again by the Covid 19 pandemic in here and request my Release in this case under 28 U.S.C. § 2255 Order, And my Arrest by this Court for threatening Judge Norton's life to be Charged if this Court Can't Release me As my Relief. I Also want the Justice Dept. to investigate the Attempts on my life. The State and Federal Courts don't have and was without any Jurisdiction to impose Any Sentence. *Trezevant v. City of Tampa*, 741 F.R.T.2d 336; *Mapp v. Ohio*, 367 U.S. 643, 81 S.Ct. 1684 (1961).

Petitioner is requesting my Autonomy under the 5th, 1st, 14th, And 8th Amendments, and Consideration of the importance to the Public of the issue in this case. Judge Norton have Committed Graft under the False Claim Act 18 U.S.C. 286-287 For letting my Federal probation expire illegally without Due process under Rule 32.1. *Rizzo v. U.S.*, C.A. N.Y. 1975, 516 F.2d 789; Conflict of interest under 28 USC § 455 For Bias; Article III violation. Judge David C. Norton is mentally ill, and tried to kill me.

Judge David C. Norton have Also Committed Barratry under State Statute § 16-17-10 under Criminal and Civil Conspiracy, § 16-17-20. This is Racial Terrorism holding me Against my will.

Petitioner Request Appointment of Counsel under the Criminal Justice Act of 1964 under U.S.C. § 3006 A(d)(6); *Gonzales v. Beto*, 425 F.2d 963 (5th Cir. 1970); *U.S. v. Shabazz*, C.A. 8 (Iowa) 1981, 657 F.2d 189; *Gregory v. U.S.*, C.A. (Mass.) 1978, 585 F.2d 548.

(4)

I was never convicted on Sept. 3, 1996 and given 30 years at Alcatraz on April 21, 22, 23 1997. Therefore, I am requesting Relief under 28 USC § 2255 Nunc pro tunc in the U.S. Supreme Court of the Attempted Murder of me, Penoyer V. Neff 95 U.S. 714. This Case because of Attempted murder over 14 times in 25 years period for Compelling reasons for the exercise of the Courts discretionary Jurisdiction for the granting of 28 USC § 2255 Habeas Corpus Nunc pro tunc under Rule 22 for this Application to The Honorable Jus Chief Judge, John Roberts, and I request the Honorable Clerk to transmit it promptly, and Release for this Kangaroo Court Conviction. The State Court or Federal Courts have no Jurisdiction under the defective or Arrest warrants under the Forgery, and I am still a Federal Prisoner Nunc pro tunc for Release at Once, and I request this extremely honorable Court to obtain All my records from the Federal District Court for Cause under Art. III of the U.S. Constitution for my Release and Relief. Petition for 28 USC § 2255 Nunc pro tunc Should be granted.

CONCLUSION

Petition for 28 USC § 2255 Nunc pro tunc Should be granted, and I Should be released instantly and without delay by this honorable Court.

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Curtis J. Brown, Jr.

Date: Aug. 11, 2020