

FILED
OCT 23 2020
OFFICE OF THE CLERK
SUPREME COURT, U.S.

20-7684

IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM 2020
NO. _____

RICHARD S. GLENN, JR.
Petitioner
- against -
UNITED STATES OF AMERICA
Respondent

PETITION FOR A WRIT OF
CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Richard S. Glenn, Jr.
Inmate # 65130-060
Federal Correctional Institution -
Hazleton

P.O. Box 5000

Hazleton Mills, WV 26525

RECEIVED
MAR 31 2021
OFFICE OF THE CLERK
SUPREME COURT, U.S.

RECEIVED
NOV - 3 2020

ORIGINAL

QUESTION PRESENTED

Whether the Court applied too high of a standard for an evidentiary hearing, as a matter of public policy.

PARTIES

The petitioner is Richard S. Glenn, Jr., a prisoner at FCI Hazelton in Bruceton Mills, WV 26525. The Respondent is the United States of America.

DECISIONS BELOW

The decisions of the United States Court of Appeals for the Sixth Circuit are Richard S. Glenn, Jr. v. United States, No. 20-3405 decided on August 4, 2020; and en banc decision of denial on September 10, 2020.

JURISDICTION

The en banc decision of the United States Court of Appeals for the Sixth Circuit was entered on September 10, 2020. (Petitioner does not have access to a copy machine.) Jurisdiction is conferred by 28 U.S.C. section 1254(1).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

This is based on a public policy argument that pro se inmates should not have to meet such a high bar to have an evidentiary hearing on a section 2255 habeas.

STATEMENT OF THE CASE

The petitioner filed a section 2255 submitting that his counsel did not file a notice of appeal as petitioner wanted.

There were dueling affidavits. However, the sixth circuit seemed to tip the scale because the lawyer provided a letter regarding a notice of appeal. Petitioner wanted at the evidentiary hearing to challenge the facts surrounding the letter. No opportunity to do same was granted.

BASIS FOR FEDERAL JURISDICTION

This case involves public policy argument. The district court regarding the original 2255.

REASONS FOR GRANTING THE WRIT

A pro se litigant has too high of a burden to meet to prove he is entitled to an evidentiary hearing.

As a matter of public policy our system is based on the notion

that the best means developed to find the truth is in a courtroom where both sides can present their side of the story. It is wrong to deny this well-respected means of finding the truth to a pro se litigant. The burden on the system of an evidentiary hearing is de minimus and the value of the finding of the truth is substantial.

CONCLUSION

For the foregoing reasons, certiorari should be granted in this case.

This the 22 day of October, 2020.

Respectfully submitted,
Richard Glenn Jr.

Richard S. Glenn, Jr.
Inmate # 65130-060
Federal Correctional Institution -
Hazelton
P.O. Box 5000

Bruceston Mills, WV 26525