

No. 20-8097 **ORIGINAL**

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED
MAY 14 2021
OFFICE OF THE CLERK

Mustafa Beezy Bey — PETITIONER
(Your Name)

vs.

Mitchell G. Stuvers,
U.S. Court of Appeals, et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. Courts of Appeals for the fourth circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

ex rel Brandon Jennings #65213056
(Your Name)

USP-Hazleton, P.O. box 2000
(Address)

Bruceton Mills, WV 26525
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

1. Does the party not have the right to consult with appellate counsel about issues surrounding the appellate matter.
2. Is it required as to an appellate counsel's responsibility to raise each of the appellate issues while participating as counsel on the behalf of the party.
3. Throughout the matter is it reasonable to state that the party should be availed the opportunity of consulting with counsel, and do you find it unreasonably prejudice when one is not availed this option.
4. Are the foregoing issues such as Double Jeopardy, Abuse of Discretion, prosecutorial misconduct, ineffective assistance of counsel, Professional misconduct, deprive the right to witnesses in one's own defense, denied Jury Selection, denied self representation, deprivation of fair trial, and denied the right to cross examine the witness, not grounds to be raised on appeal.
5. Should counsel for appeal be removed from the matter when failing or disregarding to raise severe and criticle appellate issues.
6. Does the party have the right to effective assistance of counsel while on appeal.
7. Does the law promise the defendant to receive more than nominal representation from counsel on appeal, and if so, what exactly does this intel.

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:

RELATED CASES

USA v. Jennings, No. 5:18-cr-318-FL-1, U.S. District court for the eastern district of North Carolina. Judgement entered August of 2020

Jennings v. Styers, NO. 5:21-CT-3094-D, U.S. District court for the eastern district of North Carolina. Judgement entered Pending

Jennings v. Flanagan, et al, NO. 5:21-CT-3004-Bo, U.S. District court for the eastern district of North Carolina. Judgement entered Pending

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APPENDIX A Denial of pro se motion for rehearing on relieving counsel from further representation on appeal. April 21, 2021.

APPENDIX B Issues surrounding the matter that counsel has failed to raise on appeal.

APPENDIX C Letter from Mr. Styers indicating the issues he intends to argue on appeal.

APPENDIX D First letter from Mr. Styers indicating that he would be appearing as counsel on the behalf of the party on appeal.

APPENDIX E Mr. Styers response to the party's first pro se motion to relieve counsel and reconsideration.

APPENDIX F The courts response to the party's first motion to relieve counsel.

Appendix G Document provided by the district court indicating the filing of the party's cease and desist order against Mr. Styers for violating the sixth Amendments effective assistance of counsel clause.

Appendix H The party's second motion to relieve counsel.

TABLE OF AUTHORITIES CITED

CASES Anders v. California, Evitts v. Lucey

PAGE NUMBER

STATUTES AND RULES

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 to the petition and is

reported at ~~United States Court of Appeals, Circuit~~; 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 _____ 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

[] 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 March, 25, 2021.

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: April 21, 2021, and a copy of the order denying rehearing appears at Appendix A.

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

Sixth Amendment right to counsel.

STATEMENT OF THE CASE

The party received a letter in the mail on the 27th day of August, 2020, from Mitchell G. Styers. In the letter it indicated that Mr. Styers had appeared for counsel on the behalf of the party, and it further stated that if the party had any questions to contact him. Upon receipt of this letter the party made an effort to contact Mr. Styers from the jail's monitored phone, after noticing that Mr. Styers was disconnecting the phone the party immediately had the jail officials contact Mr. Styers for a conference call. Mr. Styers answers their call and responds that he was on a call and that he would call back in thirty minutes. After waiting several hours for Mr. Styers to return the call the party then had jail officials return him to his unit when noticing that Mr. Styers was not going to return his call. The party has made an great effort in contacting Mr. Styers by mail and still no response. After feeling neglect from Mr. Styers the party filed a motion for substitution of counsel on the 8th day of December, 2020, raising issues as stated above and it was then denied. The party filed an rehearing en banc in response to the denial of the motion for substitution of counsel. In response to the rehearing en banc Mr. Styers had stated that he had filed a brief on the behalf of the party, in his effort to satisfy the court so that he would not be removed as counsel. In response to Mr. Styers brief on the behalf of the party, the party sent several letters to Mr. Styers indicating several appellant issues that Mr. Styers had failed to raise, issues that were obvious in a sense. Again after not receiving an reply from Mr. Styers and feeling negligence the party then filed another motion to retrieve Mr. Styers as counsel on the 25th day of March, 2021, for neglect and failure to raise several factual issues on the appeal, and that motion was also denied. While awaiting the response from the re hearing en banc the party then filed an violation warning seeking an cease and desist order against Mr. Styers for his violation of the sixth Amendment's effective assistance of counsel clause. After response following the rehearing en banc from the fourth circuit court of appeals it is now deemed denied as of the 21st day of April, 2021. The party now moves for certiorari to the supreme court for the united states to address the following issues found in the foregoing statement. Issues Mr. Styers refuse to raise are Abuse of discretion, Double Jeopardy, prosecutorial misconduct, ineffective assistance of counsel, professional misconduct, deprivation of fair trial, denied self representation, denied jury selection, denied witnesses in ones own defense, and denied the right to cross examine the witness.

REASONS FOR GRANTING THE PETITION

This petition is to be granted to ensure the safety that has been binded by the institution of justice when referring to the united states constitution.

The constitution enables the freedom of all men to be equally protected by the laws that govern these lands in this great part of america called the United States. A system slipping away is one that we shall grasp with effort and cherish as the framers did when they approached truth. We are approaching times in society where winning is more valuable than truth, it is no longer about right or wrong, it is simply about injustice. Why shouldnt this petition be granted? This petition seeks the common approach in obtaining adequate legal assistance that does not wish to rail road an individual simply because he is disliked, and if this petition is not granted the party will be rail roader, not because of right or wrong, but because of injustice and the fact that he is disliked. The granting of this petition will help in the fight against injustice and cure all worries of being rail roaded whereas the individual will have a chance at being equally protected by the laws governing this land. With respect to you and the united states constitution I request the granting of this petition. Thank You! Reason for granting this petition is to relieve counsel Mitchell G. Stuyers from the matter currently pending appeal. Seeking replacement of counsel. When you appeal your conviction, you have the right to effective assistance from your appellate lawyer.

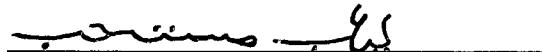
Evitts v. Lucey, 469 U.S. 387, 396, 105 S. Ct. 830, 836, 83 L. Ed. 2d 821, 830 (1985)

(holding that fairness of appellate process requires that a defendant receive more than nominal representation from counsel)

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James E.", is written over a horizontal line.

Date: May 10, 2021