

No. 20-8250

ORIGINAL

Supreme Court, U.S.
FILED

MAY 25 2021

OFFICE OF THE CLERK

28 U.S.C. 1254 (1)

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 2021

NATHANIEL H. THOMAS — PETITIONER
(Your Name)

vs.

UNITED STATES OF AMERICA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

THE FIFTH CIRCUIT COURT OF APPEALS
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

NATHANIEL H. THOMAS
(Your Name)

1404 E. PARKER ROAD
(Address)

PLANO, TEXAS, 75074
(City, State, Zip Code)

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(Phone Number)

QUESTION(S) PRESENTED

(1) WAS ALL INCARCERATED PRO-SE INMATES DENIED DUE-PROCESS OF LAW DURING THE COVID-19 PANDEMIC DUE TO THE FACT ALL FEDERAL PRISONS WAS CLOSED TO ALL INCOMING INMATES THAT WAS LOCKED AWAY IN COUNTY JAILS AT THAT TIME WITH NO ACCESS TO TYPE WRITERS OR COMPUTERS TO PREPARE THEIR WORK,

(2) WHETHER THIS PETITIONER SHOULD HAVE BEEN GRANTED MORE TIME TO PREPARE HIS BRIEF ON APPEAL, OR SHOULD HAVE BEEN GRANTED THE RIGHT TO HAND WRITE HIS APPEAL BRIEF.

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TABLE OF AUTHORITIES CITED

CASES

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LASSITER V. DEPT OF SOC. SERV'S
452 U.S. 18, 24-25 101 S.Ct 108 L.Ed
2d, 640 (1981)

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STATUTES AND RULES

28 U.S.C., 1291
18 U.S.C. 3583
28 U.S.C. 1254(1)

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 20-40458; 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☒ is unpublished.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☐ is unpublished.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☐ is unpublished.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 12, 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: _____, 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

- (1.) THE FIFTH AMENDMENT TO THE UNITED STATES CONSTITUTION.
- (2.) THE FOURTEENTH AMENDMENT TO THE UNITED STATES CONSTITUTION,

STATEMENT OF THE CASE

ON JUNE 12, 2020, THE PETITIONER PLEAD GUILTY TO A VIOLATION OF 18 U.S.C. 3583, ONE COUNT OF A VIOLATION OF SUPERVISED RELEASE, THE SENTENCE WAS 12 MONTHS IN FEDERAL PRISON, THE PETITIONER FILED A TIMELY NOTICE OF APPEAL, THE PETITIONER WAS THEN SENT TO COUNTY JAIL TO AWAIT TO BE TRANSFERRED TO FEDERAL PRISON, HOWEVER, DUE TO THE COV.D-19 THE PETITIONER WAS NEVER SENT TO FEDERAL PRISON, THE PETITIONER SERVED THE WHOLE 12 MONTHS IN COUNTY JAIL, THE FIFTH CIRCUIT COURT SET PETITIONER'S DATE TO FILE HIS OPENING BRIEF ON APPEAL, HOWEVER, THE PETITIONER HAD NO OTHER CHOICE BUT TO HAND WRITE HIS BRIEF ON APPEAL BECAUSE PETITIONER COULD NOT HAVE ACCESS TO A TYPE WRITER OR COMPUTER IN COUNTY JAIL, THE PETITIONER SENT HIS TIMELY HAND WRITTEN BRIEF TO THE FIFTH CIRCUIT COURT OF APPEALS BUT THE COURT REFUSED TO EXCEPT IT SAYING THAT IT HAD TO BE TYPED AND NOT HAND WRITTEN.

REASONS FOR GRANTING THE PETITION

THE PETITIONER IN THIS CASE THINKS THAT IT WAS VERY UNFAIR TO DENY HIM THE RIGHT TO BE HEARD IN HIS CASE. THE RIGHT TO BE HEARD IS PROTECTED BY THE DUE PROCESS CLAUSE OF THE U.S. CONSTITUTION, DUE TO THE COVID-19 ALL FEDERAL INMATES THAT REPRESENTED THEMSELVES WAS DENIED THE RIGHT TO BE HEARD IN COURTS, THIS WAS WRONG UNDER THE CONSTITUTION AND THE LAWS OF THE UNITED STATES, THEREFORE THIS COURT SHOULD GRANT THIS WRIT TO PROTECT THE RIGHTS OF PRO-SE INMATES, HOW CAN IT BE CALLED FAIR WHEN ONLY ONE SIDE GET TO BE HEARD, THIS MUST NOT BE UPHOLD IN THE THE UNITED STATES OF AMERICA, THEREFORE, THIS COURT SHOULD GRANT THIS WRIT IN THE NAME OF JUSTICE AND FAIRNESS, IT IS SO PRAYED. (SEE) LASSITER V. DEPT OF SOC. SERVS, 452 U.S. 18-24-25, 101 S. CT. 68 L. ED. 2D 640 (1981)

THE FIFTH FIFTH CIRCUIT COURT OF APPEALS
EVEN REFUSED TO GRANT PETITIONER AN EXTENSION OF
TIME TO FILE A TYPE WRITTEN BRIEF, THIS WAS
WRONG, THE PETITIONER'S RELEASE DATE WAS 60 TO 90
DAYS AWAY, THE PETITIONER SPENT HIS WHOLE SENTENCE
IN A COUNTY JAIL WITH NO ACCESS TO ANYTHING,
THEREFORE THIS COURT SHOULD GRANT THIS WRIT, IT IS
SO PRAYED.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Matthew H. Thomas

Date: MAY, 25, 2021