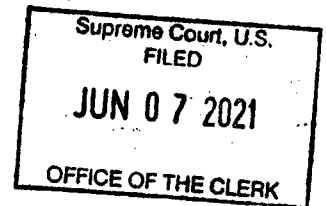


20-8320 ORIGINAL

NO. _____



IN THE

SUPREME COURT OF THE UNITED STATES

JAMES EDWARD NOTTINGHAM - PETITIONER

VS.

HARRY et al. - RESPONDENTS

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

PETITION FOR WRIT OF CERTIORARI

JAMES EDWARD NOTTINGHAM (MV4522)

SCI CAMPHILL, PO. BOX 8837, 2500 LISBURN ROAD

CAMPHILL, PA. 17001

QUESTION PRESENTED

Should the Petition for Writ of Certiorari be granted for the Respondents lack of Jurisdiction? suggested answer: Yes.

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APPENDIX B	Decision of the Middle district Court of Pennsylvania
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APPENDIX D	Police Complaint of July 13, 2015, and Count 10 7/17/15
APPENDIX E	STATE POLICE REQUEST NO. 2020-0612, July 9, 2020
APPENDIX F	LYCOMING County Docket No. 1190-2015, Page 5 conviction reversed
APPENDIX G	CASE NO. 418-cv-2002, MWB-KM DOC. 43 Filed 10/9/19.
APPENDIX H	CASE NO. 419-cv-0595, MWB-KM DOC. 38 Filed 12/19/19.
APPENDIX I	CASE NO 418-cv-2002, MWB-KM undocketed filed 3/19/2020.
APPENDIX J	Rule 60 Relief from a Judgment or order
APPENDIX K	U.S. district Court No. 419-cv-0595 opinion

LIST ALL PARTIES

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;

LAUREL HARRY; NANCY BUTTS; RICHARD A. GRAY; MATHEW; DANCE DRIER;
JASON COOLEY; BLAKE BROWN; WILLIAM JONES; JANET SMITH; STEPHANIE
SMITH; BRANDON RENNER; THOMAS MARKLEY; MICHAEL SIMPLER;
TIMOTHY REETZ; MARY KILGUS; ATTORNEY GENERAL PENNSYLVANIA.

RELATED CASES

1. JAMES NOTTINGHAM V. LAUREL HARRY, et al.
CASE NUMBER: 20-2984
DISTRICT COURT CASE NUMBER: 4-19-CV-00595
2. JAMES NOTTINGHAM V. SUPERINTENDANT CAMP HILL SCT, et al.
CASE NUMBER: 20-2821
DISTRICT COURT CASE NUMBER: 4-18-CV-02002
3. JAMES E. NOTTINGHAM V. SUPERINTENDENT CAMP HILL SCT; ATTORNEY GENERAL PENNSYLVANIA; DISTRICT ATTORNEY CHESTER COUNTY PA.
CASE NUMBER: 20-2892
DISTRICT COURT CASE NUMBER: 3-19-CV-01949
4. Nottingham v. Josh Shapiro, No. 121-CV-0396 Middle District of Pennsylvania

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

FEDERAL COURT:

The opinion of the United States court of appeals appears at Appendix "A" to the Petition and is designated for Publication, but is not yet reported.

The opinion of the United States district court appears at appendix "B" to the Petition and is reported at, James Nottingham v. Laurel Harry, et al., 2020 U.S. Dist. LEXIS 84947 (M.D.Pa. May 13, 2020).

JURISDICTION

The date on which the United States Court of Appeals decided my case was APRIL 22, 2021, certified by the court.

A timely Petition for rehearing was denied by the United States Court of Appeals on the following date: MAY 11, 2021, And a copy of the order denying rehearing appears at appendix "A".

The Jurisdiction of this court is invoked under 28 U.S.C. §1254(1),

TABLE OF AUTHORITIES CITED

Cases	PAGE NUMBER
Bucks v. United States, 437 U.S. 118, 48 S.Ct. 2141, 2151, 57 L.Ed. 2d 1114 (1978)	<u>4</u>
Commonwealth v. Thorpe, 549 Pa. 543, 701 A.2d 488 (1997)	<u>5</u>
Campbell v. Nordstrom, 2013 U.S. Dist. LEXIS 6358 (M.D. Pa. 2013)	<u>5</u>
Lowery v. Estelle, 696 F.2d 335, 336-39 (5th Cir. 1985)	<u>4</u>
Maura v. New Jersey Supreme Court, 285 F.App'x. 791, 793 (3d Cir. 2007)	<u>5</u>
Notttingham v. Gray, 2019 U.S. Dist. LEXIS 222163 (M.D. Pa. Dec. 30, 2019)	<u>5</u>
Siranahan Gear Company Inc. v. NL Industries, Inc., 800 F.2d 53 (3d Cir. 2007)	<u>5</u>
United States v. Toshiba Color Television, 213 F.3d 147, 157 (3d Cir. 2000) (en banc)	<u>5</u>
Federal Rules of Civil Procedure	
Rule 4 (b) insufficient service of Process and Process of service insufficient	<u>5</u>
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Constitutional Amendments	
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Fifth - hindering and obstructing the fair due Process Clause	<u>5</u>
Fourteenth - hindering and obstructing the fair due Process Clause	<u>5</u>

STATEMENT OF THE CASE

1. On July 12, 2015, A "911" call was Placed by Janet Smith a disbarntled Girlfriend at the time, N.T. June 26, 2017 at 33.
2. On July 13, 2015, Pennsylvania State Troopers Blake Brown and off duty Jason Cooley claimed to be responding to the "911" call. See Appendix A-H.
3. Excessive use of force was found in Petitioners favor. No. 419-CV-0595.
4. On July 17, 2015, Counts 1-9 at appendixes "D" 1-7 were dismissed and count 10 was added by Lyscomins county District Attorney Aaron Bickle for State Trooper Blake Brown failure to appear at the hearing. see Appendix "D" 6 Count 10 7/17/15.
5. Count 10 Proceeded to trial November 1, 2016, and sentenced on January 10, 2017, To an aggravated 5-10 years by Richard A. Gray.
6. On June 6, 2017, Judge Marc Lovecchio, entered into agreement on record that all blood evidence was suppressed by the Commonwealth.
7. Counts 1-2 of this same day was Nolle Prossed.
8. On June 26, 2017, The blood evidence suppression was renewed Presided by Nancy Butts, Both suppressions was in the jurors absence.
9. Petitioner denied the gun for breach of agreement and being held twice in Jeopardy. A violation of the fifth amendment. Burks v. United States, 437 U.S. 1, 18, 91 S.Ct. 2141, 2151, 57 L.Ed. 2d 1, 14 (1978).
10. On June 29, 2017, counts 1-9 was Reversed convictions. see Appendix F.
11. On September 14, 2017, LYCOMING County District Attorney Detective Michael Simpler filed one count of Perjury against the Petitioner for the denial of the gun that breached the two prior agreements being suppressed for having blood on the gun.
12. The Petitioner was never arrested for Count 10 added July 17, 2015.
13. The Petitioner was never Rearrested for Counts 1-9, Reversed 6/29/2017.
14. The Petitioner was never arrested for Perjury. see Appendix G-H, dates of arrest July 12, and/or 13, 2015. No arrest or booking records exceeds these dates and see Appendix "E" 1-2. The STATE TROOPERS acted in clear absence of Jurisdiction, and the court was without Power to Convict in violation of the Due Process Clause of the fifth and fourteenth Amendments. Lowery v. Estelle, 696 F.2d 333, 336-38 (5th Cir 1983).

REASONS FOR GRANTING THE PETITION

A defendant must be served with original Process for a court to obtain Personal Jurisdiction. The rules governing service of Process must be strictly enforced, and invalid service renders a court powerless to enter Judgment against a defendant.

Stranahan Gear Company Inc. v. NL Industries, Inc., 800 F.2d 53

(3d. cir. 1986); Campbell v. Nordstrom, 2013 U.S. Dist. LEXIS 6358 (M.D. Pa. 2013);

Nottingham v. Gray, 2019 U.S. Dist. LEXIS 222163 (M.D. Pa. Dec. 30, 2019).

Because the Petitioner has never been arrested for court 10, on July 17, 2015, rearrested for the "Reversed convictions" on June 29, 2017, is well established by case law. Commonwealth v. Thorpe, 549 Pa. 343, 701 A.2d 488 (1997); and never arrested for Perjury on September 14, 2017 as evinced in Appendix "G, H, I". The only dates of arrest is July 12, or 13, 2015, and establishes the Petitioner has never been properly served. Therefore the respondents lack subject matter Jurisdiction over the denied gun and Personal Jurisdiction over the Petitioner for insufficient service of Process under the Fed. R. Civ. P. 4(b), and the fifth and fourteenth amendment hindering and obstruction of fair due Process, and the fourth amendment the state troopers acted without Probable Cause as established in Appendix "E" that resulted in unreasonable use of excessive force and illegal Seizure. Not once, or twice but three occurrences establishing a common Practice of illegal conduct that will ultimately undermine the Public's trust. Legal Standard Federal Rule of Civil Procedure 60(b)(4) Provides relief from Judgment if the Judgment is void. Fed. R. Civ. P. 60(b)(4). A Judgment can be void on two grounds (1) if the rendering court lacked Subject Jurisdiction, or (2) if it acted in a manner inconsistent with due Process of law. (Supra Rule 4(b) and failure to arrest) Mauro v. New Jersey Supreme Court, 238 F. App'x 791, 793 (3d cir 2007). A Rule 60(b)(4) motion on the grounds that a Judgment is void may be brought at any time. See United States v. Toshiba Color Television, 213 F.3d 147, 157 (3d cir. 2000) (en banc).

Conclusion

The Petition for a writ of certiorari should be GRANTED.

Respectfully Submitted, *James E. Nottingham*

James E. Nottingham mv4522

SCI CAMPHILL

PO BOX 8837

2500 LISBURN ROAD

CAMPHILL, PA. 17001

June 7, 2021