

No. 20-14021

21-5006

IN THE

SUPREME COURT OF THE UNITED STATES

ORIGINAL

Jerome R. Smith PETITIONER  
(Your Name)

vs.

U.S. of America - RESPONDENT(S)

FILED  
JUN 21 2021  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. Court of Appeals for the Eleventh Circuit  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

(Your Name)

Jerome R. Smith  
(Address)

P.O. Box 1032, Coleman, FL, 33521  
(City, State, Zip Code)

(Phone Number)

**QUESTION(S) PRESENTED**

whether petitioner is actually  
innocent of his Title 28  
U.S. Code section 922(g)(1) offense,  
based on Rehrig -- United  
States, 139 S.Ct. 2191 (2019).  
Stages 139 S.Ct. 2191 (2019).

## **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**

## TABLE OF CONTENTS

OPINIONS BELOW .....	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	
STATEMENT OF THE CASE .....	
REASONS FOR GRANTING THE WRIT .....	
CONCLUSION.....	

## INDEX TO APPENDICES

APPENDIX A	u.s. Dist. court decision
APPENDIX B	u.s. court of Appeals decision and order
APPENDIX C	
APPENDIX D	
APPENDIX E	
APPENDIX F	

## TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
Rehaut - - - - -	
Hill - - - - - U.S. 368 u.s. 424-429 (1962)	139 sect. 2091 (a)(8)
Schlesinger - D.C., 513 u.s. 295 (1955)	
Davis - - - - - U.S. 417 u.s. 393-347 (1974)	
Grear - - - - - U.S. Supreme Court No. 819-8709	
Gary - - - - - U.S. Supr. Court Case No. 20-444	

## STATUTES AND RULES

Title 18 u.s.c. section 922(g)(1) (g)(2)  
 Title 18 u.s.c. section 924(g)(2)

## 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 B 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 is unpublished.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 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 is unpublished.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 \_\_\_\_\_ 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 \_\_\_\_\_ appears at Appendix \_\_\_\_\_ to the petition and is court

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 \_\_\_\_\_.

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: ✓ 9, 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 ✓ 11 (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 of the United States  
Constitution

Fifth Amendment of the United States  
Constitution.

## STATEMENT OF THE CASE

Defender was arrested for a  
Title 18 U.S.C. section 922(g)(1). He pro-  
ceeded to trial and was convicted.  
He appealed and Appeals were denied.  
He now proceeds to the United States  
Supreme Court, based on this writ  
of certiorari.

## REASONS FOR GRANTING THE PETITION

Petitioner understands that he does not have to be granted any access to this Honorable court. Because this United States Supreme Court has discretion as to whether grant any writ of certiorari. Petitioner is requesting from this Honorable court that his writ be granted and accepted based on Rehearing United States, 139 S.Ct. 2191 (2015), and before the Supreme court for a decision.

For his Argument:

## Argument one

whether petitioner  
is actually innocent  
of his Rehert - - - - -  
sues, 139 S. Ct. 2191 (2009)  
Clark, under Title 18  
U.S.C. 2433(d) - 9226911.

① petitioner states that he is  
actually innocent of his  
section 922(g)(1) claim, based  
on United States v. Reh, 7,  
139 F.3d 2190 (2019), a cold case  
U.S. Supreme Court No. 19-8709.

② According to Title 18 U.S.C.  
Section 922(g)(1), it is unlawful  
for a convicted felon to possess  
a firearm or ammunition, but  
that's only subsection (g). The  
18 U.S.C. section has no mens  
rea requirement but derives  
the mens rea requirement from  
18 U.S.C. section 924(a)(2), which

applies the term "knowingly" in  
In 18 U.S.C. Sections 922(g) and  
924(a)(2), there are four groups  
which are as follows.

(1) States Element

(2) possession Element

(3) Jurisdiction Element

(4) firearm Element

(3) In the past, the Government,  
in its instructions, was  
only regarded as it stated, to  
meet the possession element  
to convict a defendant of  
violations of subsection 922

(g) and 924 (a)(2). The Supreme  
Court though held in Reharts,  
that to convict petitioners  
of violations of section 922(g)  
and 924 (a)(2), the Government  
needed to prove all Four (4)  
elements listed in the statute.  
The term "knowingly" is used  
and must be applied to all  
subsequent listed elements

of the crime. Therefore, he  
case the four (4) elements  
were not proven nor were  
presented to a jury at the  
petitioner's first trial, there  
gards for the requirements of  
Reheit / Greer, petitioner is  
seeking a consideration and  
exoneration. A conviction Reh  
is a violation of his  
Fifth Amendment right  
to due process to have all  
four (4) elements read to the  
jury, and the jury told that  
petitioner must be convicted  
on all four (4) elements,  
in order to be found guilty  
of his section 922(g)(1),  
offense. petitioner's Sixth  
Amendment rights are also  
being violated because the  
Four (4) mandatory required  
elements were never  
presented to a jury. There-



After a few days, I had time to go to the beach. I went to the beach with my dad. We went to the beach because we wanted to go swimming. We had a great time at the beach. We swam in the ocean and played in the sand. It was a beautiful day at the beach.

and was defective during his trial and conviction. Thereby, making performance a harsh innocent of his conviction, structural fault in specifications, and a defective indictment, in violation of Richter's guarantees of the fair elements and requirements when proceeding for trial. Moreover, petitioner is A clear innocent of his conviction.

Schles --> cr. 513 cas. 295 (1985); Hill --> cas. 275 Sholes, 368 cas. 424-428 (1962); Davis --> cas. 5405, 447 cas. 333-347 (1978); and House --> Bell, 547 cas. 517-522 (2006). See also, Richter/Green/Graf.

(6) petitioner Hope and he prays that he will be granted

Access to basic services is often limited in rural areas, particularly in remote and less developed regions. This lack of access can lead to significant health problems, especially for women and children. In many rural areas, there are no medical facilities, and people must travel long distances to receive care. This can be particularly problematic in areas where there is a lack of public transportation or where roads are poor. In addition, rural areas often have a shortage of medical staff, which can further limit access to care. This can lead to a range of health problems, including maternal mortality, child mortality, and preventable diseases. In some cases, the lack of access to basic services can lead to a cycle of poverty and poor health, as people are unable to work or care for their families due to health issues. To address this issue, there are several approaches that can be taken. One approach is to improve infrastructure, such as roads and transportation systems, to make it easier for people to travel to medical facilities. Another approach is to train local medical staff and provide them with the necessary equipment and supplies. This can help to ensure that basic services are available even in remote areas. In addition, there are organizations that work to provide medical services to rural areas, often through mobile clinics or partnerships with local communities. These organizations can help to ensure that basic services are available to everyone, regardless of where they live.

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Terence R. Smith

Date: 5/20/2021