

ORIGINAL

21-5165
No. _____

Supreme Court, U.S.
FILED

MAY 11 2021

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

Robert Allen Custard — PETITIONER
(Your Name)

vs.

Scott Crow — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Tenth Circuit United States Court of Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Robert Allen Custard
(Your Name)

6888 East 133rd Road
(Address)

Holdenville, OK. 74848
(City, State, Zip Code)

NA
(Phone Number)

THE UNITED STATES OF AMERICA
DO hereby certify that
[Name] is a citizen of the United States of America.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the United States of America at [City], [State], this [Day] day of [Month], 19[Year].

JOHN D. [Name], Secretary of the Interior.

THE UNITED STATES OF AMERICA
DO hereby certify that
[Name] is a citizen of the United States of America.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the United States of America at [City], [State], this [Day] day of [Month], 19[Year].
JOHN D. [Name], Secretary of the Interior.

THE UNITED STATES OF AMERICA
DO hereby certify that
[Name] is a citizen of the United States of America.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the United States of America at [City], [State], this [Day] day of [Month], 19[Year].

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JOHN D. [Name], Secretary of the Interior.

THE UNITED STATES OF AMERICA
DO hereby certify that
[Name] is a citizen of the United States of America.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the United States of America at [City], [State], this [Day] day of [Month], 19[Year].

JOHN D. [Name], Secretary of the Interior.

QUESTION(S) PRESENTED

Because -as admitted by both lower Courts appealed from (WDOK and 10th Cir.) i.e., Please see both Federal [and Oklahoma state] Orders @ APPENDIX A-D, and as set forth w/ Authority @ WDOC Doc.10:

"Because the fourteen [14] Year difference -where as it stands now [and Still does] Petitioner was incarcerated but serving no sentence----- is significant..." WDOK #CIV. 19.540.J @ Doc. 10

-and-

Because:

"In state Court, the trial Judge believed that FLOYD, 540 P.2d 1195 (Okla. Crim. App. 1975) did not apply because Petitioner's vacated sentence was of federal origin. THIS COURT DOES NOT NECESSARILY READ FLOYD SO NARROWLY. Custard, Custard, id. also @ doc.10.

1) Question Presented: In light above- as factually verified by B-O-T-H Lower Federal Courts Appealed from -[and state Courts]- Is it possible - in the 'United States of America' Today- that in spite of the Article VI Authority to keep 'United' the United States of America'-a person who is a United States Citizen can "spend fourteen (14) Years in an American Prison "while as it stands now 'Serving No Sentence'?"

2) Question Presented: id., ref Cruel and Unusual Punishments?

3) Question Presented? id., ref Multiple Punishments?

4) Question Presented: id., ref Double Jeopardies?

In Russia?...Perhaps. In China?...Of Course. -But in the 'United States of America? An American Citizen CAN? serve 14 Years in an American Prison " 'while Serving NO Sentence'?"... That IS the only Question before this Court.

SECRET

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-09-2001 BY SP-6 BJS/BJS

SECRET

[illegible]

1. The first step in the process of the investigation is the identification of the problem. This is done by the investigator who is responsible for the study. The investigator must first identify the problem and then determine the scope of the study. The next step is to design the study. This involves determining the research objectives, the research questions, and the research methods. The third step is to collect data. This is done by the investigator who is responsible for the study. The data is then analyzed and the results are reported. The final step is to draw conclusions from the data. This is done by the investigator who is responsible for the study.

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

Journal of Management Education 30(6)

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

[x] 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:

i.e., The state of Oklahoma is a party by and thru Respondent Scott Crow (the Director of the Oklahoma Dept. of Corrections).

It is noted that the United States of America is 'at issue' also in this case and matter -as an implicit, if not formal Party.

RELATED CASES

FLOYD V. STATE, 540 P.2d 1195 (Okla. Crim. App. 1975)

Foster V. Booher, 296 F.3d 947 (10th Cir. 2002)

McGirt v. Oklahoma, 140 S.Ct. 2452 (i.e., In that this case is merely 'one more' attempted sovereignty Power-grab' by the State of Oklahomas' Century-long U.S.S.Ct. Proven longline of attempted Oklahoma state sovereignty, Power-grabs.)

Article VI of the United States Constitution.

1. 1911

2. 1912

3. 1913

4. 1914

5. 1915

6. 1916

7. 1917

8. 1918

9. 1919

10. 1920

11. 1921

12. 1922

13. 1923

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APPENDIX A : Order Appealed from/10th Circuit Case # 20.6092.

APPENDIX B : Order Appealed from/USDC-WDOK Case#CIV.19.540.J.

APPENDIX C : Order Appealed from/Okla.Crim.App.#CJ.2019. 0271.

APPENDIX D : Order Appealed from/Payne County,OK #CJ.2018.458.

APPENDIX E : Petitioners Exhibits 01 - 10.

APPENDIX F : N/A

U. S. DEPARTMENT OF COMMERCE

OFFICE OF THE SECRETARY OF COMMERCE

WASHINGTON, D. C. 20540
JANUARY 1, 1967

MEMORANDUM FOR THE SECRETARY OF COMMERCE

SUBJECT: [Illegible]

1. [Illegible]

2. [Illegible]

Very truly yours,

36

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Floyd v. State, 540 P. 2d 1195 (Okla.Crim.App. 1975)..3,5,8,9,10.
Please see also at APPENDIX.

Foster v. Booher, 296 F.3d 947 (10th Cir. 2002).....3,5,8,9,10.
Please see also at APPENDIX.

McGirt v. State, 140 S.Ct. 2458.....9.

STATUTES AND RULES

Oklahoma Title 22 §976.....01-10 & APPENDIX E.
(Please see Specifically below Court pleadings consistently.)

ARTICLE VI OF THE UNITED STATES CONSTITUTION....01-10 & Appendix.

OTHER

1st , 5th & 8th Amendments of the United States Constitution 01-10.

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 10TH CIR., U.S. Court of Appeals Case #20-6092
[] has been designated for publication but is not yet reported; or,
☒ is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

☒ reported at USDC-WDOK CASE # CIV.19-540-J; or,
[] has been designated for publication but is not yet reported; or,
☒ is unpublished.

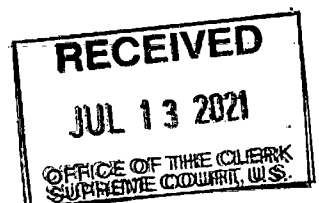
☒ For cases from state courts:

The opinion of the highest state court to review the merits appears at Appendix C to the petition and is

☒ reported at Okla. Cy. of Criminal Appeals # (20-271)
[] has been designated for publication but is not yet reported; or,
☒ is unpublished.

The opinion of the Payne County, Okla. Dist. Ct. # CJ18-458 Court appears at Appendix D to the petition and is

☒ reported at id.; or,
[] has been designated for publication but is not yet reported; or,
☒ is unpublished.



THE UNITED STATES OF AMERICA
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D. C. 20250

TO: [illegible]
FROM: [illegible]
SUBJECT: [illegible]
DATE: [illegible]

1. [illegible]
2. [illegible]
3. [illegible]
4. [illegible]
5. [illegible]
6. [illegible]
7. [illegible]
8. [illegible]
9. [illegible]
10. [illegible]

11. [illegible]
12. [illegible]
13. [illegible]
14. [illegible]
15. [illegible]

16. [illegible]
17. [illegible]
18. [illegible]

JURISDICTION

[] For cases from federal courts:

The date on which the United States Court of Appeals decided my case was March 01, 2021.

[] No petition for rehearing was timely filed in my case.

[x] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: On/About April 15, 21, and a copy of the order denying rehearing appears at Appendix Please. Please See USSC Clerk Communications of 5/13/21 and ~~ON/ABOUT~~ May 25, 2021 Stating #60 Day From thks, Date

[x] An extension of time to file the petition for a writ of certiorari was granted to and including July 24, 2021 (date) on About 5/25/21 (date) in Application No. A. Please See USSCt Clerk Letter To Petitioner stating "refile w/i 60 Days of this date." (7/24/21)

The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).

Please see also the Article VI of the U.S. Constitution.

[] For cases from state courts:

The date on which the highest state court decided my case was May 06, 2019.
A copy of that decision appears at Appendix C

[] A timely petition for rehearing was thereafter denied on the following date: N/A, and a copy of the order denying rehearing appears at Appendix .

[x] An extension of time to file the petition for a writ of certiorari was granted to and including August 10, '21 (date) on May 13, 2021 (date) in Application No. A. Please See USSCt Clerk Notices of May 13, 2021.

The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).

Please see also Article VI of the U.S. Constitution.

THE UNITED STATES OF AMERICA
DO hereby certify that

JOHN F. KENNEDY
is the duly elected President of the United States

for the term of years beginning on January 20, 1961

and ending on January 20, 1965

and that

JOHN F. KENNEDY

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

A\$ Both the USDC/WDOK admitted (WDOK #Civ.19.540.J @ Doc 10) and the Tenth Cir. admitted (10th Cir. @ #20.6092):

"...Because Custard [Petitioner] spent approximately fourteen [14] Years in Prison 'Where as it stands Now' While 'Serving NO Sentence'!"

- 1) Does this, In America, amount to Cruel and Unusual Punishment?
(i.e., In Violation of the U.S. Const. 8th Amendment.)
- 2) Does this, In America, amount to Multiple Punishments on the State Crime ?
(In Violation of the U.S. Const. 5th Amendment.)
- 3) Does this, In America, amount to, essentially and as a Matter of Law, Double Jeopardy ?
(In Violation of the U.S. Const. 5th Amendment.)

[illegible]

1. The first step in the process of identifying a problem is to recognize that a problem exists. This involves gathering information about the situation and identifying the specific issue that needs to be addressed.

2. Once a problem has been identified, the next step is to define the problem clearly. This involves stating the problem in a concise and specific manner, identifying the scope of the problem, and determining the goals that need to be achieved.

3. The third step in the process is to generate potential solutions. This involves brainstorming ideas and considering different approaches to solving the problem. It is important to consider a wide range of options and to evaluate the potential benefits and drawbacks of each solution.

4. The fourth step is to select the best solution. This involves comparing the potential solutions and choosing the one that is most likely to be effective and feasible. It is important to consider the resources available and the time constraints when making this decision.

5. The final step in the process is to implement the chosen solution. This involves putting the solution into action and monitoring its progress. It is important to communicate the solution to all relevant parties and to ensure that everyone is working towards the same goal.

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

1. The first of these is the fact that the
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9. ninth of these is the fact that the
10. tenth of these is the fact that the

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY
5708 S. DICKINSON DRIVE
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WWW: WWW.CHEM.UCHICAGO.EDU

STATEMENT OF THE CASE

° March 31, 1993 Custard plead guilty to various charges in the USDC/D.Colo. Case #93.CR.0050.WYD, and was sentenced to 360 Months Imprisonment.

° October 21, 1993 Custard was convicted upon Trial on various charges in Stephens County, Oklahoma, Case #CRF.92.209, and was sentenced to yet another "360 Months" imprisonment, "...to begin 'at and from' the delivery of Custards' body to the Warden of the Lexington Assessment and Reception Center" (in Lexington, Okla.) and "to be served consecutive to 'any' federal sentence he is 'now serving'."

° Custard served the federal sentence first.

° August 10 2017 USDC/D.COLO Grants Custards' petition pursuant to Title 28 U.S.C. § 2255 and Vacates his federal sentence under Johnson v. U.S. 135 S.Ct 2551 (2015).

° October 17, 2017 Custard is resentenced in federal Court to 137 Months and the federal Court Judge States "Mr. Custard you were wrongly forced to overserve you federal sentence by fourteen Year under the most Brutal of Circumstances." i.e., At the Federal Supermax Prison at Florence, Colorado; every day in Solitary Confinement.

° Based on the resentencing CUSTARDS Fed. sentence ended May 31, '0

° October 17, 2017 Stephens County, Okla. Authorities begin transporting Custard to Oklahoma.

INTERESTINGLY Nad tellingly and as Noted Oklahoma Authorities waived any "strict interpretation" of "Custards' body to LARC" when admitting that because they layed-over in Amarillo, Texas before getting to Oklahoma on October 18, 2017 the day before Okla. Dept. of Corr. Began Custards' Okla. Sentence ---When Respondent stated in pleadings below "...if Custard is entitled to anything he is entitled to the one day prior to October 18, 2017"!!!

PLEASE See Respondent Response Brief (@ USDC/WDOK)

PLEASE See Also USDC/WDOK Court Order in Custard v. Crow @ D.Oc.10

REASONS FOR GRANTING THE PETITION

1) The U.S. CONSTITUTIONS' Article VI Provides for the Federal Courts to guard against, and justly remedy when necessary when the state Courts Overbearingly, Diabolically and Outrageously subject a United States Citizen to Cruel and Unusual Punishment (as is plain and clear to any honest persons' logic in this case and matter). e.g.,:

"...The Constitution, and the laws made in pursuance thereof shall be the law of the land...AND THE JUDGES IN EVERY STATE SHALL BE BOUND THEREBY, A-N-Y-T-H-I-N-G IN THE Constitutions or laws of A-N-y state N-O-T-W-I-T-H-S-T-A-N-D-I-N-G."

2) 'The Cut to the Chase' in this case IS 'plain and Clear':
'If' ..."served 14-Years in Prison..."While serving No Sentence!"
is not 'Cruel and Unusual Punishment' then that Legal Term and Doctrine- and that American Constitutional Right has no meaning.

Moreover, an 'experienced reading between the lines' of the WDOK Order (appealed from) should 'give pause' to experienced Jurists that that Judge had some notable concerns about that ruling (@ WDOK), and for good reason Petitioner respectfully avers

Neither of the lower Courts Could bring themselves to draw upon the Article VI Mandates; and that is plainly and clearly where the Truth of this case and matter resides.

Between the lines, as much as in the lines, the Courts below beseech this Court for help and guidance.

the 1990s, the number of people in the United States who are 65 years of age or older is projected to increase from 20 million to 30 million, and the number of people 75 years of age or older is projected to increase from 10 million to 15 million (U.S. Census Bureau, 1996). The number of people 85 years of age or older is projected to increase from 2 million to 4 million (U.S. Census Bureau, 1996). The number of people 90 years of age or older is projected to increase from 500,000 to 1 million (U.S. Census Bureau, 1996). The number of people 95 years of age or older is projected to increase from 100,000 to 200,000 (U.S. Census Bureau, 1996). The number of people 100 years of age or older is projected to increase from 10,000 to 20,000 (U.S. Census Bureau, 1996).

1. 1990年12月25日，在“九七”香港回归前，香港各界人士纷纷发表文章，就香港前途问题提出自己的看法。

[illegible]

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

2. Once the problem is identified, the next step is to define the objectives and goals of the project. This helps to clarify what needs to be achieved and provides a clear direction for the work.

3. The third step is to develop a plan or strategy to address the problem. This involves breaking down the problem into smaller, manageable tasks and determining the resources and timeline needed to complete them.

4. The fourth step is to implement the plan. This involves putting the strategy into action and monitoring progress regularly to ensure that the project is on track.

5. The final step is to evaluate the results of the project. This involves assessing the outcomes against the objectives and goals and identifying any lessons learned for future projects.

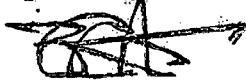
...the ...

CONCLUSION

Certiorari should be granted in this case because, inter alia, the lower Court cases relied on by Respondents were split. Additionally, the lower Courts in this case (WDOK especially) had some honest skepticism relevant to its deliberations and holdings.

The petition for a writ of certiorari should be granted. Also because Johnson, id., and like cases are continuing to surface more and more often, under like circumstances.

Respectfully submitted,



Robert Allen Custard
Petitioner, Pro Se

Date: July 08 , 2021

1. The first part of the report is a summary of the work done during the year.

2. The second part is a detailed account of the work done during the year.

3. The third part is a summary of the work done during the year.

4. The fourth part is a summary of the work done during the year.

5. The fifth part is a summary of the work done during the year.

6. The sixth part is a summary of the work done during the year.

7. The seventh part is a summary of the work done during the year.

8. The eighth part is a summary of the work done during the year.

9. The ninth part is a summary of the work done during the year.

10. The tenth part is a summary of the work done during the year.