

21-5321

No.

ORIGINAL

FILED

AUG 02 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

Jerome Kieffer

— PETITIONER

(Your Name)

VS.

United States of America

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Fifth Circuit

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Jerome Kieffer Reg NO: 37176-034

(Your Name)

USP Pollock P.O. BOX 2099

(Address)

Pollock Louisiana 71467

(City, State, Zip Code)

N/A

(Phone Number)

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QUESTIONS PRESENTED

- (1) Does the "Unconstitutionally Vague" language, Struck down by the Court in 18 USC 16(b). Apply to 18 USC 922(g)(1) ?
- (2) May a "Stipulation" Suffice to convey Federal Jurisdiction When the government fails to Provide the Certificate, to Prove the federally insured status. As required by 18 USC 2113(a) and (d) ?
- (3) Does the Sixth Amendment and the Fourteenth Amendment guarantee Petitioner the right to avoid imprisonment under Unconstitutional Procedures ?
- (4) May the government, consistent with the Fourth Amendment, utilize information illegally seized from a Private cell Phone, Without a Court order ?

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

United States v. Davis, 139 S.Ct. 2319 {2019}
Sessions v. Dimaya, 138 S.Ct. 1204 {2018}
Johnson v. United States, 135 S.Ct. 2551 {2015}
KoKkonen v. Guardian Life Insur. 511 U.S. 375 {1994}
Finley v. United States, 490 U.S. 545 (1989)
Strickland v. Washington, 406 U.S. 686 {1986}
Jackson v. Virginia, 443 U.S. 307 (1979)
In re Winship, 397 U.S. 358 (1970)
Carpenter v. United States, 138 S.Ct. 2206 {2018}
Riley v. California, 134 S.Ct. 2473 {2014}
Olmstead v. United States, 277 U.S. 438 (1928)

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OTHER

Fourth, Fifth, Sixth, and Constitutional Rights.
18 USC 924(c)(3), 18 USC 922(a)(1)
28 USC 1254, 1291

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 _____; 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 _____.

☒ 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

Fourth, Fifth, Sixth, and Fourteenth Amendment.

18 USC 924(c)(3)(B), 18 USC 922(g)(1) 18 USC 2113(a) and (d),
18 USC 1111,

STATEMENT OF THE CASE

Petitioner was convicted for a violation of 18 USC 2113 (a). Despite the fact, the government acknowledged. It only had a component of the Federal Deposit Insurance Corporation Certificate. Required to establish the lower court's jurisdiction. Petitioner repeatedly requested his attorney to produce the exhibit, see exhibit = A-A =

A further acknowledged, that petitioner had no actual involvement in the alleged robbery. This case also involves the government's use of information illegally obtained from petitioner's cell phone. In violation of this Court's Precedence.

Likewise, this case addresses the right guaranteed by the Due Process clause, as well as the Sixth Amendment. To effective assistance of counsel. And not to be deprived of his liberty except upon proof of every element of the offense charged.

And whether a conviction may be sustained under a general verdict. Without proof of the element of "Knowledge". As required by 18 USC 922(a)(1). And since 922(a)(1) is not a crime of violence, under the elements clause. Was petitioner convicted in violation of the now unconstitutionally Vague Residual Clause?

REASONS FOR GRANTING THE PETITION

Petitioner asserts, that this Honorable Court should take up this Petition. To Protect the rights of Petitioner and others like him. And to reaffirm the Court's Precedence[®]. That a Party asserting Jurisdiction, is required to establish that Jurisdiction actual exists. And that the government is required to Prove this Jurisdictional requirement.

Likewise, Petitioner respectfully ask the Court to resolve, whether or not. May Congress permanently bar all ex-felons from Possessing a Firearm in the home, for Protection, i.e., 'self defense' Consistent with the Second Amendment to the United States Constitution. And this Honorable Court's holding in *District of Columbia v. Heller* (Supra)

Which affects both non-violent and violent individuals convicted of Crimes across the country. Finally, does the United States Constitution, give the federal government the authority. To Punish an alleged murder wholly within the sovereignty of a state?

These reasons affect Society at large, and require this Honorable Court to consider them. Respectfully.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

BY: Jerome Kieffer *

Date: 8-1-21 @ 8:00AM