

No. \_\_\_\_\_

**21-6198**

IN THE  
SUPREME COURT OF THE UNITED STATES

Billy DEAN Smith — PETITIONER

(Your Name)

~~ORIGINAL~~

vs.

MARIANNA MIRANDA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

FILED  
AUG 16 2021  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

9th Circuit Court of Appeals Case # 20-36059

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

PETITION FOR WRIT OF CERTIORARI

Billy DEAN Smith

(Your Name)

SPRING CREEK CORRECTIONAL CENTER (SCCC)

3600 BETTE CATO AVENUE

(Address)

SEWARD, ALASKA 99664

(City, State, Zip Code)

PRISON PHONE NUMBER  
907-224-8200

(Phone Number)

QUESTIONS PRESENTED  
(TWO (2) PART QUESTION)

#1. Q: CAN the U.S. SUPREME Court Find that  
"WHEN litigating A STATE-CRIMINAL-CONVICTION,  
by WAY OF A FEDERAL HABEAS CORPUS,  
the Indigent- State- Prisoner, no matter  
what race, color, or creed, who has a  
STATE-PRISON-SENTENCE which is longer in  
YEARS (to serve) than an actual- HUMAN- LIFE-  
SPAN, is a party of (1): A Poverty-  
Indigent 'Disadvantaged Group' (of state  
Prisoners), ... AND, (2): Who is ENTITLED,  
HUMANELY, &/OR Constitutionally, or NOT- Constitutionally, or  
Civily, or NOT- Civily, to A FEDERAL COURT  
Appointed LAWYER, or A FEDERAL Public  
DEFENDER BEING Appointed, similar to,  
But NOT EXACTLY THE SAME AS: A DEATH SENTENCE,  
FOR 'A MANDATED DEATH PENALTY DEFENSE LAWYER',  
BECAUSE that STATE- PRISONER is going to die  
IN A STATE PRISON, AS THE SENTENCE IS LONGER  
THAN AN ACTUAL HUMAN LIFE SPAN?

## 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

I do not know what this means.  
What is a "Related Case"?

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**: *Alaska Department of Corrections seized and destroyed my Court PAPERS.*  The opinion of the United States court of appeals 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 is unpublished.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 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**: *Alaska Department of Corrections seized & Destroyed my ~~my~~ PERSONAL Court PAPERS.* 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 ALASKA DEPARTMENT OF CORRECTIONS DESTROYED ALL OF MY PERSONAL COURT PAPERS NEEDED.*

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. DISCRIMINATION BECAUSE I HAVE NO MONEY TO  
HIRE A LAWYER who can properly litigate for me.  
SEE: ORIGINAL FILING ATTACHED HERE TO, ABOVE.

④ It shows that this U.S. Supreme Court "Received" it (and/or stamped it) on 8-24-2021.

2. THE U.S. SUPREME COURT HOLDS THAT:  
STATE DEATH PENALTY CASES "MANDATE" COURT  
APPOINTED LAWYERS UNTIL DEATH OCCURES", ...  
OR "UNTIL THE PRISONER IS NO LONGER FACING  
DEATH IN A PRISON." ~~DEATH~~

SEE: "QUESTIONS (?) PRESENTED" ABOVE;

**STATEMENT OF THE CASE**

SEE: Original Filing, ABOVE,  
Stamp By this U.S. Supreme  
Court on 8-24-2021

010  
CT. ORIGINAL

BILLY DEAN SMITH #384030, IN PRO SE,  
SPRING CREEK CORRECTIONAL CENTER (SCCC),  
3600 BETHE CATO AVE., Seward, Alaska 99664

IN THE SUPREME COURT IN THE UNITED STATES

BILLY DEAN SMITH, Petitioner-,  
Appellant, -VS-

MARIANNA MIRANDA, Acting  
Superintendent, Respondent-  
Appellee.

U.S. S. Ct.

No.

IN REGARDS TO THE  
9th CIR. CT. OF  
APPEALS, NO. 20-36059  
AND U. S. DIST. COURT  
NO. 3:20-cv-00033-JKS  
FOR HABEAS CORPUS CASE/STATE

DECLARATION AND NOTICE OF CERTIORARI BY SMITH

APPEAL POINT, #1: THE LOWER COURT'S "DENIALS" OF MY PRISONER PRO SE MOTION(S) FOR COURT APPOINTED LAWYER IS (a) DISCRIMINATION FOUND, AS "INDIGENT-PRISONERS" FALLS UNDER THE "DISADVANTAGED-~~DISADVANTAGED~~ GROUPS" DOCTRINE OF CIVIL LAW; AND, THE "DENIALS" IS (b) "PREFJUDICE"; ACCORDING TO THE 7TH CIR. CT. OF APPEALS IN 2014; SEE: LEXIS OVERVIEW, ON A PRISONER CIVIL SUIT, AT 760 F.3d 654, STATING THAT:

"A U.S.D.C. ABUSED DISCRETION WHEN DENYING A PRISONER'S MOTION'S TO RECRUIT A LAWYER UNDER 28 USCS SECTION 1915(e)(1) AS THE DENIAL OF THOSE MOTION'S RESULTED IN PREFJUDICE TO THE PRISONER." DEWITT V. CORIZON, INC.

RECEIVED  
AUG 24 2021  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

I HAVE BEEN IN CUSTODY FOR 24 YEARS AS  
I WAS ARRESTED ON 8-23-1997, AND 4-23-1998<sup>⊕</sup>  
IN THE CASE OF DEWITT A LAWYER IS FINALLY  
APPOINTED IN THAT "PRISONER-LAWSUIT-CASE-VERSES-  
IN BILLY DEAN SMITH'S CASE (IN-HAND) I, SMITH,  
AM ACCUSED OF 2 MURDERS OF 2 PEOPLE  
WHO ARE REPORTED AS "MISSING PERSONS";  
AND, I, (SMITH) WAS-NOT CONVICTED AT TRIAL  
# ONE, AND NOT CONVICTED AT TRIAL # 2,

But I (Smith) WAS CONVICTED AT ~~THE~~ STATE  
Ct. TRIAL #3 ON THE STATE OF ALASKA'S 2 (two)

<sup>⊕</sup> 1994 MURDER CHARGES. I AM NOW SERVING  
A "Living DEATH SENTENCE" OF 129 YEARS  
AS I WILL BE 102<sup>⊕</sup> YEARS OLD ON MY  
"FIRM RELEASE DATE OF 4-22-2064," AS  
I WILL BE 60 YEARS OLD IN Sept. OF 2021.

Today is August 13th of 2021. This  
DOCUMENT IS FILED BY PRISON MAILING RULES  
ON: 8-13-2021, AND FALLS UNDER THE 90  
DAY COURT RULE TO FILE IT W/in "90-DAYS."

DECLARATION BY BILLY SMITH, ALL CLAIMS  
ABOVE AND BELOW ARE TRUE, AND THE ONE  
DOCUMENT ATTACHED IS CORRECT. BILLY SMITH  
A COPY WAS MAILED TO ALL PARTIES (SIGNATURE)  
ON: 8-13-2021, BY ME: B.D.S.  
(Smith) (Page 2 of 2)

#### REASONS FOR GRANTING THE PETITION

REASON: BECAUSE of the 2-PART QUESTION PRESENTED ABOVE.  
And I NEED A LAWYER BEFORE I Die in PRISON  
in 2064, By WAY of SERVING A 129 year  
PRISON SENTENCE, which I get "MANDATORY -  
RELEASE-PAROLE" WHEN I AM 102 years-old;

~~REASON:~~ I'M 60 years old AS OF Now  
ON: 9-11-2021, which is my Birth Day, in 1961.

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Billy Dean Smith Billy Dean Smith

Date: 10-28-2021