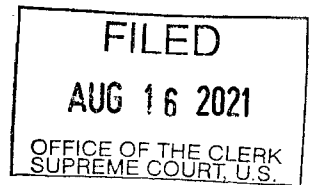


No. 21-6837



IN THE
SUPREME COURT OF THE UNITED STATES

John Ragin — PETITIONER
(Your Name)

vs.

Douglas Robelen and Melissa — RESPONDENT(S)
LAYMAN

ON PETITION FOR A WRIT OF CERTIORARI TO

The Supreme Court of Virginia
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

John Ragin # 1355505 B-2-205B
(Your Name)
Green Mountain Correctional Center
P.O. Box 560
(Address)

Oak Wood VA 24161
(City, State, Zip Code)

N/A
(Phone Number)

(13)

(13)

QUESTION(S) PRESENTED

- (1). Does The United States Constitution's Article Six (6) Section Two (2) duty automatically compel public officials to enforce and protect constitutional rights with their decisions in cases and controversy?
- (2). Does Douglas Robelen and Melissa Hayman have constitutional authority in civil cases to administer their decisions in the place of The Constitution, Acts of Congress or treaties made under the United State's Authority violating 28 U.S.C.S 1652?
- (3). Does the public interests require decisions and actions to enforce laws for the protection of the public against unlawful state acts as cited inside of Schuer vs. Rhodes 40 L.Ed 2d 90 (1974).
- (4). Does Douglas Robelen and Melissa Hayman have the constitutional authority to administer their decisions in the place of The Supreme Court of The United States decisions that the issue is whether the claimant is entitled to offer evidence pursuant to 28 U.S.C.S 2243, to support his claims as determined in Schuer vs. Rhodes 40 L.Ed 2d 90 (1974), citing Appeal and Error 1251 - sufficiency of the complaint?

(14)

Page Two: Questions Presented

- (5). Does Douglas Robelen and Melissa Layman have the constitutional authority to administer their decision in the place of The Supreme Court of The United States decision that a public official violates The United States Constitution's Fourteenth (14th) Amendment when they withhold statutory interests in the course of decisions as decided in Ex parte Commonwealth of Virginia 100 U.S. 339 (1880).
- (6). Does Douglas Robelen and Melissa Layman have the constitutional authority to administer their decision in the place of The Supreme Court of The United States decisions that all governmental acts contrary to The United States Constitution are nullity and void as decided in Marbury vs. Madison 5 U.S. 137 (1803).
- (7). Does Douglas Robelen and Melissa Layman have the Constitutional authority to administer their decision in the place of The United States Supreme Court decisions that all public officials are creatures of the law and are bound to obey the laws as decided in United States vs. Lee 106 U.S. 196 (1882).
- (8). Does Douglas Robelen and Melissa Layman have the Constitutional authority to administer their decision in the place of The Supreme Court of The United States decision there's no authority and The Fourteenth (14th) Amendment prohibits the deprivation of life, liberty or property without due process as decided in Ex Parte Edward Young 52 L. Ed. 714 (1908).

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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

3

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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 _____ 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 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 Petition For Rehearing, Supreme court 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.



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 January 25, 2021.
A copy of that decision appears at Appendix A.

☒ A timely petition for rehearing was thereafter denied on the following date: March 25, 2021, and a copy of the order denying rehearing appears at Appendix B.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including US Supreme (date) on Court Order (date) in Application No. ____ A ____ for Covid Extensions...

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

(6)

Constitutional And Statutory Provisions Involved

- (1) The United States Constitution's Article One (1), Section Nine (9)
- (2) The United States Constitution's Article Three (3)
- (3) The United States Constitution's Article Six (6), Section Two (2)
- (4) The United States Constitution's Amendment One (1)
- (5) The United States Constitution's Amendment Six (6)
- (6) The United States Constitution's Amendment Fourteen (14)
- (7) Statutory Provisions: 28 U.S.C.S 144, 28 U.S.C.S 453,
- (8) 28 U.S.C.S 455 (a)(1), 28 U.S.C.S 455 (b)(3), 28 U.S.C.S 1651,
- (9) 28 U.S.C.S 1652, 28 U.S.C.S 1654, 28 U.S.C.S 2202,
- (10) 28 U.S.C.S 2283, 28 U.S.C.S 2243, 28 U.S.C.S 2254(a),
- (11) 28 U.S.C.S 2254(d)(1), 28 U.S.C.S (d)(2), 28 U.S.C.S 1257(a)
- (12) Universal Declaration of Human Rights: Article One (1)
- (13) Universal Declaration of Human Rights: Article Two (2)
- (14) Universal Declaration of Human Rights: Article Three (3)
- (15) Universal Declaration of Human Rights: Article Seven (7)
- (16) Universal Declaration of Human Rights: Article Eight (8)
- (17) Universal Declaration of Human Rights: Article Ten (10)
- (18) Universal Declaration of Human Rights: Article Eleven (11)

9)

1

(Statement of The Case)

]]

The petitioner was initially arrested and indicted in May of 2012 by the states use of False evidence in violation of The United States Fourteenth (14th) Amendment. The same improper witnesses were used during trial to obtain the conviction in violation of Virginia Code (18.2-484). It constituted a violation of The Fourteenth Amendment prohibition as determined by The Supreme Court of The United States in Miller vs Gae 386 U.S.1 (1967), cited in Gardner vs Ballard 112 F.Supp.3d 925 (2016).

Petitioner made a motion to proceed pro se pursuant to 28 U.S.C. 1654 as a constitutional guarantee because it was determined by Taxetta vs California 422 U.S. 906 (1975) to be a due process entitlement. The invocation was denied and counsel overruled the objectives of the accused to testify and advocate his Innocence pursuant to Virginia Code (19.2-268). It constituted a structural error as decided with McCoy vs Louisiana 200 L.Ed.2d 821 (2018). The order to deprive liberty was created on June 26, 2014 subsequent to apparent due process errors on the record, including petitioner's oral objection citing The judgments of The Supreme Court of The United States. There was no authority and it's prohibited to deprive liberty without due process of law as determined by The Supreme Court of The United States. (28 U.S.C. 2254 (b)(1))

(1)

(Statement of The Case)

The exceptions were noted but appellante Counsel refused to raise the structural errors as requested by the petitioner. The direct appeals were denied because counsel raised errors that were insubstantial and he did not establish Fundamental errors with the record supplied by Appellante Counsel. Demonstrating by the record the petitioner was not proven guilty according to the laws, nor did he have the guarantee of effective assistance of counsel as declared by The Universal Declaration of Human Rights Article Eleven (11).

The Chief Justice J. Stewart that delivered the opinion of the court stipulated that the Sixth (6th) and Fourteenth (14th) Amendments guaranteed the right to counsel before a person can be validly convicted and punished by imprisonment, inside of Trotter vs. California 422 U.S 806 (1975).

The petitioner Filed a Habeas Corpus in October of 2017 and it was adjudicated by the trial judge (Timothy Fisher) contrary to the Fourteenth (14th) Amendment as decided with Turney vs. Ohio 293 U.S 510 (1923).

The adjudicator acted contrary to 28 U.S.C.S 144, 28 U.S.C.S 455 (b) (1) and 28 U.S.C.S 455 (b) (3), by reviewing claims in which he expressed his opinions on the merits of the petition throughout the course of trial.

(10)

(Statement of The Case)

(3)

He violated The Universal Declaration of Human Rights Article Ten (10) declaration to a public hearing by an impartial tribunal established with 28 U.S.C.S 2243 and did not keep his duty pursuant to 28 U.S.C.S 453 to discharge his duties constitutionally. Bochin vs California 96 L Ed 183 (1952) clarifies due process requires a detached consideration of conflicting claims inside an Article Three (3) case or controversy. Timothy Fisher created another order in August 9, 2019 subsequent to due process violations on the record that demonstrates the petitioner is being deprived liberty without due process of law as determined by The United States Constitution, Acts of Congress and the treaty considered: The Universal Declaration of Human Rights Article Eight (8), to an effective remedy for the deprivation of individual rights. 28 U.S.C.S 2254(a) establishes a writ shall be entertained when it can be demonstrated the accused is in custody in violation of The Constitution, Acts of Congress and treaties made under the authority of The United States.

A writ of mandamus was filed in August of 2020, to compel Timothy Fisher to stop depriving liberty without due process of laws. Invoking Timothy Fisher's duty to act according to the Supremacy Clause. He is not authorized to withhold Federal Constitution or Federal Statutory entitlements. It is a deprivation

(1)

(Statement of The Case)

(4)

of Equal protection as decided in Ex Parte Commonwealth of Virginia 100 US 339 (1880). The Fourteenth (14th) Amendment prohibits all branches of The government from depriving the right to life, liberty or property without due process of law. He could be compelled to performing his duty or held liable for his decisions that conflict with the Supreme Authority of The Constitution as decided with Ex Parte Edward Young 52 LE 714 (1908). All his enactments that are contrary to the constitution are a nullity and void as the Fourteenth (14th) Amendment strips them from being legally enforced as decided in Marbury vs Madison 5 US 131 (1803).

Proper enforcement of The Fourteenth (14th) Amendment according to the records errors, demonstrates the entitlement to relief as determined by The Supreme Court of The United States. The petitioner has a right to liberty set up under the Universal Declaration of Human Rights Article Three (3) as determined by The Court in Meyer vs Nebraska 262 US 390 (1923). The court violates this right to liberty and The right to Equal protection of laws by ordering the deprivation of liberty by state code violations. Those violations constitute deprivations of Fundamental due process as established by The United States Supreme Court.

The Supreme Court of Virginia's decision not to order relief, are contrary to, and an unreasonable

(12)

(Statement of The Case)

(5)

application of clearly established Federal laws as determined by The Supreme Court of The United States contrary to 28 U.S.C.S 2254(d). It is an unreasonable application of the facts in violation of 2254(d)(2) to determine the writ of mandamus was a substitute for an appeal. The writ clearly was authorized with 28 U.S.C.S 1651 and it was distinguished (the cause of actions) were violations of The Fourteenth (14th) Amendment, Act of Congress 455 (b)(1), 455 (b)(3) and The Universal Declaration of Human Rights Articles Eight (8) and Ten (10). Timothy Fisher violated clearly established Federal Rights by adjudicating a claim against his prior decisions during trial. This fundamental error is beyond fair minded disagreement and the state forum is the proper place to vindicate Federal Rights as the rule of law decided and enforced in Burse vs. Gibson 181 L.Ed 2d 348 (2013).

Schuer vs. Rhodes 40 L.ed 2d 90 (1974), citing Appeal and Error 1251. sufficiency of The complaint, determined a public official is liable for unconstitutional acts and the public has an interest in the proper protection or enforcement of laws that protects the public or causes the petitioner imminent and irreparable harm. The petitioner is evoking the equal protection of laws for an injunction to stop enforcement of unconstitutional orders to continue deprivation of liberty.

(15)

(1)

REASONS FOR GRANTING THE PETITION

The Congress have authorized aid to obtain jurisdiction and ~~effectuate~~ the judgements of The Supreme Court of The United States with 28 U.S.C.S 1651, 28 U.S.C.S 2202, and 28 U.S.C.S 2253. State Courts are acting beyond the scope of their authority and refusing to apply Constitutional rules of laws as decided and determined by The Supreme Court of The United States in cases and controversies. Those orders on August 8, 2014 and June 26, 2014 are contrary to clearly established Federal laws (28 U.S.C.S 2254(a)). Judges are required by clearly established Federal laws to entertain the writs when it's demonstrated The petitioner is in custody unlawfully as decided in Townsend vs Sain 372 U.S 293 (1963), cited inside of Harris vs Nelson 22 L.Ed 2d 281 (1969). State judges are acting unlawfully by refusing to follow the directives of 28 U.S.C.S 2243 and dispose of the matter as law and justice requires during Habeas proceedings. There is a denial of The Human Rights Article Eight (8) to an effective remedy, Correct application of The Universal Declaration of Human Rights Article Seven (7) and The United States Constitution's Fourteenth Amendment creates the entitlement of The Equal protection of laws.

(16)

(Reasons For Granting The Petition)

(2)

The Supreme Court of The United States has determined we have a right to be free and pursue happiness as an element of liberty determined in Meyer vs Nebraska 262 US 390 (1923). The Supreme Court of The United States has determined we have a right not to be deprived liberty without due process of law as explained in the judgements of Ex Parte Commonwealth of Virginia 100 US 339 (1880) because it is a denial of equal protection to withhold Constitutional and statutory interests. The Supreme Court of The United States has determined we have a right, when the governments orders enactments to deprive individual rights contrary to due process of law. All of those enactments are a nullity and void with proper application of The Fourteenth (14th) Amendment as decided in Marbury vs Madison 5 US 137 (1803). The petitioner has been deprived his right to liberty as a statutory interests declared by The Universal Declaration of Human Rights Articles One (1), Article Two (2) and Article Three (3). The United States Constitution Fifth (5th) and Fourteenth (14th) Amendments prohibits the deprivation of Fundamental rights, without due process of laws being properly administered. The Act of Congress mandates the matter to be disposed of as justice and laws requires in 28 U.S.C. 2243 with judgements of The Supreme Court of The United States.

(11)

Reasons For Granting The Petition

The Supreme Court of The United States has already determined an injunction that prevents the unlawful act is the proper remedy to redress illegal deprivation of rights in Mitchum vs. Foster 32 LEd 2d 905 (1972).

Douglas Robelen and Melissa Layman is not authorized to administer their decision in the place of The Supreme Court of The United States decision a statute establishes an interests, the deprivation of the interests is an injury in fact as decided in Worth vs. Seldin 422 U.S 490 (1975).

The petitioner has demonstrated he has a right to liberty. There is a statutory interests of The United States Constitution's Fourteenth (14th) Amendment that stops liberty from being deprived without due process of law.

Based on the judgments of The Supreme Court of The United States a person's liberty should not be subjected to a court that has a personal or direct interests in the outcome of the controversy as decided in Turney vs. Ohio 273 U.S 510 (1927).

(18)

Conclusion

The United States Constitution's First (1st) Amendment creates the entitlement to petition the government for grievances. The court is authorized with jurisdiction to review the claim and apply the principles of law with 28 U.S.C.S 1651

The Universal Declaration of Human Rights establishes the right to an effective remedy with Article Eight (8), when individuals are deprived our rights under color of state laws unconstitutionally.

The petitioner has a human right to liberty declared by Article Three (3). The petitioner was born free as indicated in Article One (1). The Supreme Court has already determined the element of liberty and the right to pursue happiness as decided with Meyer vs. Nebraska 262 U.S 390 (1923).

The United States Supreme Court has already determined the requirements to grant relief and dispose of the matter as law and justice requires administering 28 U.S.C.S 2243 as decided with Townsend vs. Sain 393 U.S 293 (1963).

(19)

Conclusion

The petitioner respectfully wishes proper administration of The United States Constitution's Article Six(6), Section Two(2).

The state officials are creatures of the law and are bound to obey the laws of due process as determined by The Supreme Court of The United States, in U.S. vs. Lee 106 U.S. 196 (1882).

It is a denial of equal protection of laws to withhold Federal Constitutional and Statutory Entitlements while violating state laws as decided with Ex Parte Commonwealth of Virginia 100 U.S. 339 (1860).

The petition for the writ should be granted because the public has an interests and concern with the proper enforcement of laws. All facts and laws are accurate to the best of my knowledge. The petitioner is capable of proving several sets of facts with the record of transcript, affidavits and witnesses outside the record to prove the entitlement to relief as determined by The Supreme Court of The United States 28 U.S.C. 2254(d)(1), 28 U.S.C. 2254(d)(2).

(20)

(Conclusion)

I do hereby swear this 13th day of August 2021 as the individual who has been deprived liberty, without due process and equal protection of the laws. I, (R), is entitled to the relief requested for an injunction to stop the enforcement of Timothy Fisher's order on August 8, 2019. I'm further swearing as (R), the judgments of The Supreme Court of The United States has already determined the order of June 26, 2014 is also a nullity and void.

Swearing this 13th day of August 2021

Respectfully Submitted: (R)
Date: 8-13-21

Notary Public: Zachary Scott Yates
Sworn before me this 13 day of August 2021 to be accurate and true to establish entitlements to relief.

My Commission Expires: November 30, 2024

COUNTY OF Bechancan
STATE OF VIRGINIA
SUBSCRIBED AND SWORN TO BEFORE ME
THIS 13 DAY OF August 2021
Zachary Scott Yates
NOTARY PUBLIC
MY COMMISSION EXPIRES 11/30/2024

ZACHARY SCOTT YATES
NOTARY PUBLIC
Commonwealth of Virginia
Registration No. 789564
My Commission Expires November 30, 2024

The above Notary Public is not party to this action.

CS
Offender Initials