

21-6990

No. 5:19-cr-00177-DAP-1

20-4272 "6th Circuit" appeals court
case #

IN THE

SUPREME COURT OF THE UNITED STATES

FILED

JAN 08 2022

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Roger D. Roberts — PETITIONER
(Your Name)

ORIGINAL

vs.

United States
of America — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of
Appeals # 20-4272 6th cir.

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

PETITION FOR WRIT OF CERTIORARI

Roger D. Roberts
(Your Name)

P.O. Box 1000
(Address)

Cumberland, MD. 21501-1000
(City, State, Zip Code)

NA
(Phone Number)

QUESTION(S) PRESENTED

- ① How did the prosecutor use evidence of a drug sell allegedly by Mr. Roberts using an informant where there was no audio or video to definitively prove that the drugs were purchased from Mr. Robert's residence?
"Controlled buy"
- ② Why wasn't the credibility of the Confidential Informant more thoroughly investigated?
- ③ Why was the Akron, OH Police Dept Detectives allowed to use Boiler Plate language or tactics to obtain a warrant to search Mr. Roberts Property?
- ④ Why did Akron Police say that C.I initially purchased a large quantity of drugs when in actuality, they only purchased \$20 worth of Cocaine

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:

OFFICE of U.S. ATTORNEYS

- ① Damon Delaviz - ~~Northern~~ Northern District of Ohio
208 Federal Bldg
- ② James L. Morford Northern District of Ohio
801 Superior Avenue W
Cleveland, Ohio

RELATED CASES

- ① Aguilar V. Texas, 378 U.S. 108 (1964)
- ② Illinois V. Gates, 462 U.S. 213 (1983)
- ③ McCray V. Illinois, 386 U.S. 300 (1967)
- ④ U.S. V. Allen, 211 F.3d 970 (6th cir 2000)
- ⑤ U.S. V. Brown, 732 F.3d 381 (6th cir. 2013)
- ⑥ U.S. V. McCraven, 401 F.3d 693 (6th cir. 2005)

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STATUTES AND RULES

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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 _____ 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 11/05/21.

☒ 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

illegal search and seizure

violation of 4th and 5th
amendment rights

STATEMENT OF THE CASE

Mr. Robert was convicted of
Intent to sell cocaine (base) fentanyl,
Heroin 924(c) 922(G)

REASONS FOR GRANTING THE PETITION

① There was no real probable cause to obtain a search warrant according to the "4 corners of probable cause"

The C.I. was unreliable and had no real credibility

There was no good faith that supported obtaining a warrant from the Judge

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Roger D. Roberts

Date: January 3rd 2002