

21-7041 **ORIGINAL**

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED
NOV - 8 2021
OFFICE OF THE CLERK

Anthony Andrews — PETITIONER
(Your Name)

vs.

Bryce K. Dobbs, Ward RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

Anthony Andrews
(Your Name)

FCC Coleman-Cow, P.O. Box 1031
(Address)

Coleman, Florida 33521
(City, State, Zip Code)

(Phone Number)

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SUPREME COURT, U.S.

QUESTION(S) PRESENTED

Is Time-Served on Supervised Release
After U.S. v. Haymond, 139 S.Ct 2369 (2019)
"Official detention" and thus creditable
Under 18 USC 3585(b)(2)?, Upon revocation
Under 18 USC 3583(e)(3)?
=====

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

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
U. S. v. Haymond 139 SCT 2369 (2019)	4, 5

STATUTES AND RULES

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APPENDIX G - - - - -	U.S. v. Anthony Andrews, U.S. Dist. Ct. (E.D.N.C) 7:16-cr-30-D3, 11/15/2018, 132 Months NEW Criminal conduct. - conspiracy
Appendix H - - - - -	Sentence Computation, Anthony Andrews 8/18/2021, Aggregate Sentence Procedure. 7:16-cr-30-D3, 132 Month, 7:01-cr-27-180 S/R, 8/9/19
Appendix I --- Adm. Rem. N° 998349-A1 - denied	7/17/2020

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 848 Fed. Appx 568; 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[] is unpublished.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 B to the petition and is

reported at 840 Fed. Appx 764; 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[] is unpublished.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 May 26th 2021

[] 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: August 9th 2021, 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

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<u>18 USC 3585 (b)(2)</u>	4,5
<u>18 USC 3583 (e)(3)</u>	4,5
<u>18 USC 3584</u>	4.

STATEMENT OF THE CASE

Petitioner under 2241 challenges that After U.S. v. Haymond, 139 S.Ct 2369 (2019), that time-served on Supervised Release from his 2001 conviction in 7:01-cv-27-180 imposed on Nov. 5th, 2001 can be credited to his 144 Month Aggregate Sentence under 18 USC 3585(b)(2) due to the Supreme Ct in Haymond found that Andrews was still in a criminal prosecution due to each day of Supervised Release if he was at risk of reimprisonment. He was released from custody and the term of Supervised Release on June 6th 2012 and revoked for new criminal conduct on May 5th, 2016 in Case No 7:16-cv-30-23 (E.D.La.) (Appx. 46 months). He was sentenced to 132 months on Nov. 15th, 2018. He was then on August 9th, 2019 after Haymond to 12 months for the Supervised Release Revocation. He is now serving an Aggregate Sentence under 18 USC 3584, (one sentence)

He was only serving a 12 Month Sentence for the Supervised Release violation. This is clear error.

I respectfully request under 2241 that my time-served on Supervised Release be credited under 18 USC 3585(b)(2) to my Aggregate 144 month Sentence as it has not, (the 46 months) been credited to any other sentence. This is official detention
18 USC 3583(e)(3)

REASONS FOR GRANTING THE PETITION

This 2241 petition affects nearly every federal inmate placed on Supervised Release due to at anytime it may be revoked. Under Haymond from the first day until it is either Sustained or revoked we are in a "Criminal prosecution" And thus the time-Served upon Supervised Release is "creditable" under 18 USC 3585(b)(2) As it has not been applied to any other sentence.

Under Supervised Release, we cannot go or do what we want. Every aspect of our lives, an existence, is up to the Court's probation officer "It is Arbitrary"!! Upon Supervised Release Revocations the time-Served due to "conditional liberty" After Haymond and bring in a Criminal Prosecution every Violator's sentence should be credited with this time. Damocles sword of which we live under on Supervised Release requires it. I respectfully request the writ be granted.

 #15965-026
11/8/21

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

QQA #15465-056

Date: 11/8/21

Resubmitted 11/22/21

Resubmitted 1/18/22