

SEP 28 2021

OFFICE OF THE CLERK

No. 21-7261

IN THE
SUPREME COURT OF THE UNITED STATES

Gregory Ifesinachi Ezeani — PETITIONER
(Your Name)

vs.

Warden of the Essex County Corr. Facil. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Third Circuit Appeal Court
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Gregory Ifesinachi Ezeani
(Your Name)

80 Van Nes Terrace
(Address)

Maplewood, New Jersey 07040
(City, State, Zip Code)

862 452 9390
(Phone Number)

ORIGINAL

QUESTION(S) PRESENTED

1. Inconsistency in Interpretation of Immigration law
2. Due Process Violation on unlawful arrest on a pending 1-360 application.
3. Unlawful breaking into a house of a petitioner with a gun who is a VAWA applicant.
4. DHS/ICE fabrication of Immigration document claiming that the petitioner does not have pending application with Board of Immigration or USCIS which is not true.
5. District Court Judge of New Jersey refuse to review the legality of the charges because DHS/ICE quickly release the petitioner when the Court schedule for final judgement and, for that the Judge refuse to review the habeas application. The petitioner is release on GPS monitoring device for over 18 months for a wrongful charges.
6. Third Circuit affirmed the decision of the district Court Judge because the petitioner and this decision violates the doctrine of mootness as stipulated in Supreme Court previous determination.
7. Refusal for a rehearing for inconsistency with the Supreme Court previous decision on ~~same~~ mootness doctrine requirement.

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:

GREGORY HESINACH EZEANI
WARDEN OF THE ESSEX COUNTY CORR. FACILITY
DHS / ICE

RELATED CASES

Sibron v. New York, 392 U.S. 40, 55 (1968)
Roe v. Wade, 410 U.S. 113, 125 (1973)
Lujan v. Defenders of Wildlife 504 U.S. 555, 560-61 (1992)
Palk v. Connecticut, 302 U.S. 319, 325 - 326
Mathew v. Eldridge, 424 U.S. 319, 335
Benton v. Maryland, 395 U.S.
Friends of the earth Inc. v Laidlaw Env'tl. Servs Inc
528 U.S. 167, 189 (2000).

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	
STATEMENT OF THE CASE	
REASONS FOR GRANTING THE WRIT	
CONCLUSION.....	

INDEX TO APPENDICES

APPENDIX A	New jersey Jersey district Court judgement
APPENDIX B	Third Circuit Court of Appeal decision
APPENDIX C	Third Circuit petition for Rehearing denial
APPENDIX D	petition appeal brief against district Court decision
APPENDIX E	DHS/ICE Counsel appeal brief for Appellee
APPENDIX F	petitioner petitioners for panel Rehearing En Banc

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

District Court Cases: Rodney V. Mukasey (3rd Cir. 2009) Page 3
Nunes V. Decker (3rd Cir. 2012) Page 3

Third Circuit Cases: Riley V. INS 310 (10th Cir., 2002) Page 2
Blanciak V. Allegheny.... (3rd Cir., 1996) Page 2

STATUTES AND RULES

1. Inconsistency towards Interpretation of the doctrine of mootness as determined by the Supreme Court.
2. Inconsistency towards application of due process law.
~~Consist~~ ~~Consist~~
3. Unlawful protection of DHS/ICE towards abuse of fundamental Constitutional right of the petitioner.
4. DHS/ICE engagement into legal manipulation to stop district Court from investigation of unlawful arrest and detention by releasing the petitioner with a parole document and GPS to stop the Court from making decision.

OTHER

The petitioner is still under GPS monitoring device which continue to violate petitioner 4th amendment right, and it also shows the intention of DHS/ICE to abuse the petitioner right to freedom so why can the Court verify whether the petitioner violates the immigration law since the petitioner is a VAWA applicant protected by law.

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 B to the petition and is

☐ reported at D.N.J. CIV NO: 2819-CV-19287; 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 A to the petition and is

☐ reported at Civil Action No: 19-19287(CCC); 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 June 25, 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: 09-08-2021, 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

1. Inconsistency towards interpretation of the Doctrine of mootness.
2. Supremacy of Supreme Court determination on Mootness doctrine against Third Circuit determination.
3. Due Process Conflict of law determination on application of federal Civil procedure of the Constitutional law of United States of America.
4. Unwarranted search that violate fundamental right by use of GPS monitoring system without determining if the petitioner violates the law for more than 18 months.
5. Protection of DHS/ICE over abuse of fundamental human right using malicious false statement as a vehicle of abuse, detention and intimidation.
6. DHS/ICE engagement into unlawful legal manipulation to deny judgement on a properly petition habeas application for unlawful arrest and forceful detention.
7. DHS/ICE in Control of Court decision by manipulation of release on a parol with a GPS monitoring device that shows that the petitioner is still in jail which the Court refuse to set up investigation on the legality of the arrest since the petitioner is a VAWA applicant that is protected by law while he waits for decision on his I-360 application to Board of Immigration Appeal.

STATEMENT OF THE CASE

The petitioner seek for justice on an issue that DHS/ICE broke into Petitioner house without a Warrant then point gun on the petitioner demanded and Confiscated all his International passport and current USCIS work permit which is current at the time of arrest.

The petitioner was locked in Essex County Correction jail for 10 months on the grounds that he does not have a pending application with DHS/ICE in an attempt to deport the petitioner unlawfully.

However, the petitioner filed habeas in district Court challenging the legality of his arrest and detention. Immediately, the New Jersey district Court Schedule for final decision, DHS/ICE quickly release the petitioner on a parole agreement with GPS Monitoring device to stop the district Court from determining the legality of the arrest and detention.

furthermore, the district Court judge denied the application on the basis that the petitioner have been release without investigating the legality of charge or DHS/ICE use of GPS on the petitioner because it violates petitioner 4th amendment right.

petitioner appealed the case to third circuit then it was denied then the petitioner petition for rehearing by refering to Supreme Court decision on similar issue for a correction but it was denied for rehearing. Therefore, the petitioner decide to appeal this case to Supreme Court for correction because it does not conform to Supreme Court decision.

REASONS FOR GRANTING THE PETITION

1. Correction on Inconsistency on application of doctrine of mootness.
2. Supremacy of Supreme Court decision on doctrine of mootness overrides third Circuit Court decision
3. Continuous Violation of 4th amendment right by DHS/ICE through the use of GPS monitoring device for more than 18 months because the Court refuse to question the legality of the unlawful arrest, detention and unwarranted Surveillance by DHS/ICE use of GPS.
4. The action of DHS/ICE violates fundamental human right by using false information in Court that the petitioner have no pending case ~~that~~ with board of Immigration to suppress petitioner to unlawful deportation by Vehicle of dishonesty
5. The petitioner sustained irreparable injury because petitioner lost doctorate degree tuition because of 10 months in detention, the petitioner was infected with diabetics while in jail and DHS/ICE Contracted Essex County refuse to treat the petitioner.
6. The petitioner pray that the Court will accept this petition for justice so that the petitioner will continue working on his Doctorate degree in business administration and

another doctorate degree in System Engineering at Old Dominion University located in at Virginia.

The petitioner look forward to receive the outcome of justice to remand this case to Court so that the legality of this charge will be determine in Court. This is abuse of fundamental human right just because he is a black man.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Gregory Ifesinachi Ezeani

Date: 09-20-2021