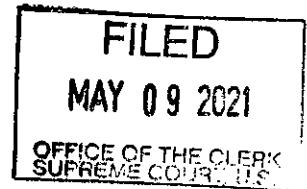


No. 21-7278

ORIGINAL



IN THE

SUPREME COURT OF THE UNITED STATES

CALVIN JAMES — PETITIONER
(Your Name)

vs.

JOHN WILCKER — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

CALVIN JAMES
(Your Name)

COLEMAN USP-1 P.O. BOX 1033
(Address)

COLEMAN, FLORIDA 33521
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

- 2.) PLAINTIFF ENTERED DEFAULT JUDGEMENT AND COURT ENTERED ORDER AS IMPLIED ON SUMMONS. COURT STILL RULED IN DEFENDANTS FAVOR, HOW?
- 2.) U.S. CONSTITUTION PROHIBITS "DOUBLE JEOPARDY" HOW ARE STATE AND FEDS PROSECUTING FOR THE SAME OFFENSE AT THE SAME TIME?, (I.E. STATE AND FEDS ARE NOT DIFFERENT JURISDICTIONS AS BOTH REPRESENT UNITED STATES GOVERNMENT)
- 3.) IF CONSTITUTION IS TO BE DEEMED SUPREME LAW OF THE LAND, WHEN ISSUE IS RAISED IN VIOLATION THEREOF WHY ISN'T CASE DISMISSED OR CHARGES DROPPED INSTANTANEOUSLY?

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

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URATO RICO V. SANCHEZ VALLE 136 S. CT 2016

STATUTES AND RULES

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OTHER

THE CIVIL PRACTICE ACT

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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☐ is unpublished.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☐ is unpublished.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 6 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 LOWER STATE court 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.

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 04/19/2021.
A copy of that decision appears at Appendix B .

☐ 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.) 5th AMEND. OF U.S. CONSTITUTION; IN ANY AND ALL HEARINGS RIGHT TO "DUE PROCESS" OF LAW. (FEDERAL OR STATE, CIVIL OR CRIMINAL)
- 2.) 8th AMEND. U.S. CONSTITUTION; PROHIBITION AGAINST CRUEL PUNISHMENT.
- 3.) 14th AMEND. U.S. CONSTITUTION; GUARANTEE EQUAL PROTECTION FROM LAW FOR ALL CITIZENS.
- 4.) 4th AMEND. U.S. CONSTITUTION; PROHIBITION AGAINST ILLEGAL SEARCH AND SEIZURE. NO WARRANTS EXCEPT UPON PROBABLE CAUSE.

STATEMENT OF THE CASE

ON 6/1/2020 I FILED A PETITION FOR HABEAS CORPUS PER O.C.G.A. §28:25 IN THE STATE COURT OF CHATHAM COUNTY GEORGIA. THE GROUNDS WERE THAT COURTS VIOLATE MY FOURTH, FIFTH, EIGHTH, AND FOURTEENTH AMENDMENTS OF THE U.S. CONSTITUTION ON MY ARREST IN CHATHAM COUNTY GEORGIA ON CASE #CR18-01852. ON MAY 8, 2018, COURTS WERE TO HAVE A HEARING PER O.C.G.A. §9.14-47. THERE WAS NO HEARING AS THIS HEARING WAS MANDATORY. ON 7/29/2020 AN MOTION FOR DEFAULT WAS FILED BY ME "THE PLAINTIFF" AS DEFENDANT WAS SUMMONED ON 6/9/2020 TO A RESPONSE WITHIN 30 DAYS ((6/9/2020-7/9/2020)) OR COMPLAINT WOULD BE GRANTED IN DEMAND OF THE PLAINTIFFS REQUEST. DEFENDANT FAILED TO MAKE A TIMELY RESPONSE. ORDER FOR DEFAULT WAS ENTERED PER FED. R. CIV. P. 55. ON 12/10/2021 DEFENDANT FILED A MOTION TO DISMISS 4 MONTHS AFTER DEFAULT ORDER WAS ENTERED. COURTS NEVER SENT COPY OF RULING OR DEFENDANT. MOTION TO DISMISS GROUND LEAVING PLAINTIFF NO ROOM TO MAKE TIMELY OBJECTIONS. THIS VIOLATES MY 5TH AMEND. "DUE PROCESS", 8TH AMEND. PROHIBITION AGAINST CRUEL PUNISHMENT, AND 14TH AMEND. EQUAL PROTECTION CLAUSES. COURTS DID NOT SEND ANY OBJECTIONS ON THE MERITS OF THE PETITION. WHICH DOES NOT ASSERT WHETHER THE COURT RULED ON GROUNDS ASSERTED IN THE PETITION OR NOT. WHICH DOES NOT GIVE ME (PETITIONER) SUFFICIENT TIME TO ADDRESS ISSUES BEFORE THE COURT OR AMEND THE PETITION PER THE CIVIL PRACTICE ACT OR O.C.G.A. §9-144. THIS BEHAVIOUR APPLIED A MISCARRIAGE OF JUSTICE. APPEAL WAS FILED ON 3/17/2021 IN GEORGIA SUPREME COURT AND 2ND SUPREME COURT FAILED TO PROVIDE DOCUMENTS TO START BRIEF OR SEND ANY LETTER INDICATING OF ANY FILING DEFICIENCIES AND NEGLECTED MY APPEAL #S21AD843 FOR FRIVOLOUS REASONS AND APPLIED PREJUDICE AND MALICIOUS CONDUCT IN VIOLATION OF MY 5TH AMEND. "DUE PROCESS", 8TH AMEND. PROHIBITION AGAINST CRUEL PUNISHMENT, AND 14TH AMEND. GUARANTEE EQUAL PROTECTION FROM LAW.

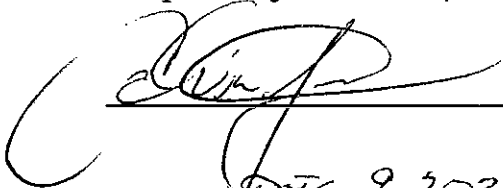
REASONS FOR GRANTING THE PETITION

- 1.) COURTS APPLIED A MISCARriage OF JUSTICE.
- 2.) Courts MADE A SUBSTANTIAL DENIAL OF CONSTITUTIONAL RIGHTS.
- 3.) LOWER COURTS HAVE SHOWN CONSPIRACY TO OPPRESS OF RIGHTS.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: DEC 9, 2021