

21-7558 ORIGINAL

\_\_\_\_\_  
IN THE  
SUPREME COURT OF THE UNITED STATES  
\_\_\_\_\_

FILED  
FEB 22 2022  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

VITALY KOLOSHA — PETITIONER  
(Your Name)

VS.

U.S. COURT OF APPEAL — RESPONDENT(S)  
FOR THE 10TH CIRCUIT

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. COURT OF APPEAL FOR THE 10TH CIRCUIT  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

VITALY KOLOSHA  
(Your Name)

JOSEPH HARP CORR. CENTER, P.O. BOX 548  
(Address)

LEXINGTON, OK 73051  
(City, State, Zip Code)

\_\_\_\_\_  
(Phone Number)

## QUESTION(S) PRESENTED

1. WHEN THIS COURT MAKES A NEW RULING UPHOLDING A 100 YEARS OLD TREATY, LAW, PRIOR RULING, OR ACT OF CONGRESS, IS IT AUTOMATICALLY RETROACTIVE, OR DOES IT APPLY TO ALL CASES AS IT RECONFIRMS OLD ONES?
2. WHEN A STATE OFFICER, ACTS UNDER A STATE LAW VIOLATING THE STATES STATEHOOD CHARTER, CONSTITUTION, FEDERAL LAW, AND ACT OF CONGRESS, IS IT AN ACT OF SEDITION, A STATE SECEDING FROM THE UNION OF STATE, OR DOES THAT STATE OFFICER, STRIPPED OF HIS REPRESENTATIVE POWERS, "WAR" AGAINST THE CONSTITUTION, COMMIT AN ACT OF TREASON AGAINST THE U.S., OR DOES IT BARS HIM LEGAL STANDING TO CHALLENGE Mc GIRT / MURPHY?
3. WHEN A PERSON IS DETAINED IN A STATE PRISON WITHOUT A VALID ORDER OF COMMITMENT FROM A LAWFUL COURT HAVING JURISDICTION TO DETAIN HIM, IS IT A 2241 OR 2254 MATTER?
4. WHAT IS PROPER REMEDY WHEN U.S. DISTRICT COURT REFUSES TO HEAR CASE WHERE A GRAND JURY REFUSED TO INDICT PETITIONER AND ONE YEAR LATER THE DISTRICT ATTORNEY PROSECUTED HIM ANYWAY, ON THE SAME EVIDENCE, FOR THE SAME ACT?

### 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

*THIS IS A FIRST IMPRESSION CASE*

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## TABLE OF AUTHORITIES CITED

### CASES

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### STATUTES AND RULES

28 U.S.C. § 2241	
28 U.S.C. § 16	
28 U.S.C. § 2243	
28 U.S.C. § 2244	

### OTHER

U.S. CONST., ART (6) CL (2)	
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1897 ACT OF CONGRESS	

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 N/A; 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 N/A; 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 DENIED ACCESS.

☐ 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: 12-29-21, and a copy of the order denying rehearing appears at Appendix A.

☐ 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

OKLAHOMA STATE CONSTITUTION, ART(1)  
SEC.(3) STATEHOOD

28 U.S.C. § 2241

28 U.S.C. § 1651

U.S. CONSTITUTION, ART. (6) CL. (2)

THOSE INVOLVING A STATE SECEDING FROM THE  
UNION OF STATES, BY COMMITTING ACTS OF TREASON.  
(SEE: TABLE OF CASES)

28 U.S.C. § 2242

28 U.S.C. § 2243

1897 ACT OF CONGRESS



## STATEMENT OF THE CASE

NO STATE COURT HAD JURISDICTION. STATE GRAND JURY REFUSED TO INDICT, YEAR LATER STATE COURT ORDERED DETENTION WITHOUT AUTHORITY TO DO SO.

ALL OKLAHOMA STATE COURTS "WAR" AGAINST THE U.S. CONSTITUTION, COMMIT ACTS OF TREASON, ISSUE ORDERS REVERSING U.S. SUPREME COURT DECISIONS, SUSPEND HABEAS CORPUS, ADMIT THERE IS NO VALID COURT ORDER TO DETAIN PETITIONER FROM ANY COURT HAVING JURISDICTION TO ISSUE ONE.

FEDERAL COURTS REFUSE TO HEAR A 28 U.S.C. § 2241 OR 28 U.S.C. § 1651 HABEAS, HAVE SUSPENDED HABEAS CORPUS, AND DUE PROCESS IN OKLAHOMA.

NO ONE KNOWS WHAT TO DO WHEN AS PART OF STATEHOOD OKLA. CONST. ART (1) SEC (3) BARS STATE COURTS JURISDICTION AS DOES THE 1897 ACT OF CONGRESS, MCGIRT/MURPHY SUPREME COURT DECISIONS, SO THEY DENY DUE PROCESS.

WHEN STATE OFFICERS "WAR" AGAINST THE U.S. CONST., COMMIT ACTS OF TREASON, REFUSE TO ENFORCE U.S. SUPREME COURT DECISIONS OR ACT OF CONGRESS, HAVE THEY SECEDE FROM THE UNION OF STATES, MANDATING FEDERAL COURTS HEAR HABEAS ON IT'S MERITS IN A HEARING, OR IS THAT STATE'S STATEHOOD CHARTER REVOKED, REVERTED TO A TERRITORY?

## REASONS FOR GRANTING THE PETITION

THE FUTURE OF THE POWER OF THE UNITED STATES GOVERNMENT, AND ALL STATEHOOD CHARTERS, WILL BE DESTROYED IF A STATE HAS OFFICERS REFUSING TO OBEY OR ENFORCE U.S. SUPREME COURT RULINGS, FEDERAL LAWS, CONSTITUTION, AND STATEHOOD MANDATES.

SUCH A STATE OFFICER (COURT, POLICE, STATE EMPLOYEE) IS STRIPPED OF HIS REPRESENTATIVE AUTHORITY, HAS SECEDED THE STATE FROM THE UNION OF STATES THAT REQUIRES THIS COURT'S INTERVENTION A SUPERVISION, DUE PROCESS OF A HEARING ON A 28 U.S.C. § 2241.

GRANTING THIS PETITION IS THE ONLY WAY TO STOP "ATTACKS" UPON THE U.S. GOVERNMENT BY STATE EMPLOYEES, TO RESTORE PUBLIC TRUST IN OUR SYSTEM OF LAWS AND COURTS.

GRANTING THIS PETITION IS SUPPORTED BY INTERNATIONAL LAW, U.N. TREATIES, COMMON LAW, AND COMMON SENSE.

THIS CASE IS A FIRST IMPRESSION MATERIAL FACT QUESTION OF FUNDAMENTAL CONSTITUTIONAL LAW, AND STATEHOOD MANDATES.

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Vitaly Kaloshin

Date: 3-25-22