No: 21-7850 ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

NAWAZ AHMED – PETITIONER

Vs.

TIM SHOOP, WARDEN, RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI TO

COURT OF APPEALS FOR THE SIXTH CIRCUIT

PETITION FOR WRIT OF CERTIORARI

NAWAZ AHMED,

A404511,

Prisoner, Pro Se, Petitioner,

Chillicothe Correctional Institute,

P.O.Box 5500

Chillicothe, OHIO 45601.

(CAPITAL HABEAS. CASE) **QUESTIONS PRESENTED FOR** REVIEW

QUESTION (a)

What is the remedy available, if district judge never ruled upon the prejudgment (Ecf.107,110,132-1) **18 U.S.C.S. § 3599(e)** pro se Motions to substitute habeas counsel (college, law school, family friend of judge) and post-judgment (Ecf.158,162, 169, 170, 177) **18 U.S.C.S. § 3599(e)** pro se Motions to substitute counsels and Objections to illegal magistrate judge striking notations and prematurely dismissing the capital habeas case 2:07-cv-658, (Ecf.156,194) without adjudicating all **exhausted** claims in record and all pending motions (Ecf.196, filed on 06/03/21 per FRAP 3(d)(2)& FRAP 4(c)(1)).

QUESTION (b)

Court of Appeals **erroneously decline jurisdiction to review** the district court judicial decision to avoid explicit rulings on pre-judgment 18 U.S.C.S. § 3599(e) pro se Motions (Ecf.107,110, 132-1), and post-judgment 18 U.S.C.S. § 3599(e) pro se Motions (Ecf.158, 162, 169, 170,177). When appellate jurisdiction existed per 28 U.S.C. § 1291 *that* (**the *determination of a motion need not always be expressed but may be implied by an entry of an order inconsistent with granting the relief sought".*** *Or* entry of final judgment constitutes an **implicit denial** of pending motions".

QUESTION (c)

Court caused "**Denial of Appeal Counsel**". The Court of appeals failed to appoint conflict-free appeal counsels, per(18 USCS 3006A(d)(7)) 18 U.S.C.S. § 3599(e) and 6th Cir. Rule 45(a)(5), and [28 U.S.C. A. § 2254(h), as **none filed an appearance,** and Letters to Clerk and

pro se motions for appointment of appeal counsels marked RECEIVED, were never ruled upon. (in appeal cases 20-4187, 21-3095, 20-4302, 22-3039 and 20-4153 the First jurisdictionally valid Appeal case.). Petitioner had no recourse under (18 USCS 3006A(d)(7)) to file timely petitions due to his ADA disability, emergency hospitalization and quarantines and un-operated cataract limited eye-sight and retaliations-obstructions by CCI mail Staff for filing grievance.

QUESTION (d)

NO ERROR OF CLERK CAN AFFECT REVIEW , by petition for writ of certiorari:

The omission of the clerk of court of appeals [or of Supreme Court] could not devest the party of the enjoyment of his legal right to appeal [or review by Cert Petition]. Cf. (**Hudgins v. Kemp, 59 U.S. 530(1856) (-- no error of clerk can affect right of appeal. --)**.

ERRORS OF newly hired, untrained, unsupervised deputy Clerk Susan Frimpong not knowing the filing of procedural Orders filed on March 20,20 and April 15,20 and July 19,21 and not knowing the workings of Rule 29.1 and 29.5 and her not forwarding the "timely, good faith Submission" to the Circuit Justice per Rule 22.1,and Rule 22.3 "extension of time by sixty days per 28 U.S.C. § 2101(c)" have rendered the petitioner's right to discretionary review by Certiorari as permanently denied, in sixth Cir. Appeal cases 20-4187 and 21-3095 and **for her** not applying the correct rules based analysis and **her failure to issue Rule 14.5, "Letter "**.

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:

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IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner pro se deathrow inmate, Respectfully prays that a Writ of Certiorari issue to review the Orders of Court of Appeals for the sixth Circuit, filed in appeal case 20-4302, (a) Ahmed v. Shoop, 2021 U.S. App. LEXIS 36083 (6th Cir., Dec. 7, 2021) and (b) Ahmed v. Shoop, 2021 U.S. App. LEXIS 22755 (6th Cir., July 30, 2021), ["**erroneously sua sponte declining Appellate Jurisdiction**"] by ignoring Fed. R. App. P. 4(a)(2) and not applying the Supreme Court precedence, and its own caselaw and not reviewing the "**implicit denial" of all outstanding Motions,** for finality, when the District Court (Ecf.196) prematurely dismissed the case 2:07-cv-658, (Ecf.156,194) without ruling on all available claims exhausted in state courts and all outstanding Motions, Objections. See, "Amended Notice of Appeal" (Ecf. 196 filed on 6/3/21 in case 20-4302, ignored by the 6th Cir., before July 30, 21 decion on Appeal of 6/15/21 doc.)

Amended Notice of Appeal in case 20-4302

See, Appendix "B-1" Case dockets.

1. Erroneously sua sponte declining Appellate Jurisdiction

Petitioner filed a premature Notice of appeal under Fed. R. App. P. 4(a)(2). But despite the premature dismissal (Ecf.196) of 28 U.S.C. § 2254 case 2:07-cv-658, the court of appeals for 6th Cir.without appointing conflict-free appeal counsel, *Sua sponte* ***erroneously*** *declined appellate Jurisdiction to review all pending motions not ruled upon by the district court. See, FirsTier Mortgage Co.* v. *Investors Mortgage Ins. Co.*, 498 U. S. 269, 276, n.6(1991). *Torres* v. *Oakland Scavenger Co.*, 487 U.S. 312, 316, 101 L. Ed. 2d 285, 108 S. Ct. 2405 (1988); see *Foman* v. *Davis*, 371 U.S. 178, 9 L. Ed. 2d 222, 83 S. Ct. 227 (1962). See, Gillespie v. United States Steel Corp., 379 U.S. 148, 152-154, ,n.2(1964)(Finality does not necessarily mean that *an order to be appealable must be the last possible one to be made in a case).. Cohen* v. *Beneficial Industrial Loan Corp.*, 337 U.S. 541, followed. P. 152);

And Panetti v. Quarterman, 551 U.S. 930, at 940-941,n.10(2007)(Finally, although it might have been better for the state court to rule explicitly on outstanding motions, it ***implicitly denied*** *them).*

Ayestas v. Davis, 138 S. Ct. 1080(2018)(held at (a) 28 U. S. C. §§1291, 2253, and 1254 confer jurisdiction to review decisions [implicitly or explicitly] made by a district court in a *judicial* capacity'). And
Manrique v. United States, 137 S. Ct. 1266(2017)(The court of appeals may, in its discretion, overlook defects in a notice of appeal *other* than the failure to timely file a notice").
Noel v. Guerrero, 479 Fed. Appx. 666,669(6th Cir.,2012)*Id at* 669(The district court's order of dismissal [of case] constituted an implicit denial of Noel's pending motion for the appointment of counsel.). See also *Wimberly v. Clark Controller Co.*, 364 F.2d 225, 227 (6th Cir. 1966); This *failure to rule* on all pending motions, constituted an *implicit denial* of the motions, Objections .See United States v. Dubrule, 822 F.3d 866, 884(6th Cir. 2016). See Prince v. Ethapian Airline, 646 Fed. Appx. 45, 47 (2nd Cir. 2016) (" while subsequent entry of final Judgment may cure the premature Notice of Appeal, if the Judgment is entered "before" the Appeal is heard; see e.g. Zeno, 702 F. 3d 655, 663, n.6 (2nd Cir. 2012).

OPINIONS BELOW

[√] **For cases from federal courts:**

1. The Opinion Order of the United States court of appeals appear at Appendix **"A"** to the Petition and is: **published:**

[√] **reported at** Ahmed v. Shoop, 2021 U.S. App. LEXIS 36083 (6th Cir., Dec. 7, 2021)

2. The Opinion Order of the United States court of appeals appear at Appendix **"B"** to the Petition and is **published:**

[√] reported at Ahmed v. Shoop, Case No: 20-4302, 2021 U.S. App. LEXIS 22755 (6th Cir., July 30, 2021)

[√] For **associated cases** from Sixth Cir. Court of Appeals, due to the errors of newly employed, untrained, unsupervised employee of the Clerk, Hon. Susan Frimpong failed to forward the timely submission to circuit Justice twice, violating 28 U.S.C. § 2101(c), Rule 14.5, Rule 22, Rule 30, Rule 29.2, Rule 39.1 "**timeliness of two submissions** and service upon opposing counsel and date of inmate filing" and failed to know and apply the three procedural orders filed on March 19,20; April 15,20 and July 19,21 and the Rule 14.5 failed to follow but

erroneously **not allowed Rule 14.5 extension by errors of employee of the Clerk of Supreme Court:** see Appendix "B-1" case dockets 20-4302 and 20-4153.

3. The Opinion Order of the United States court of appeals in appeal case 31-3095 appear at Appendix **"C"** to the Petition and is :**published**,

[√] reported at Ahmed v. Shoop, 2021 U.S. App. LEXIS 14887 (6th Cir., May 18, 2021), Case No. 21-3095.

4. The Opinion Order of the United States court of appeals in appeal case 31-3095 appear at Appendix **"D"** to the Petition and is :**published**,

[√] reported at Ahmed v. Shoop, 2021 U.S. App. LEXIS 7020(6th Cir., March 10,2021), Case No. 21-3095.

5. The Opinion Order of the United States court of appeals in appeal case 20-4187 appear at Appendix **"E"** to the Petition and is **published**,

[√] reported at Ahmed v. Shoop, 2021 U.S. App. LEXIS 9304(6th Cir.,March 30,2021), Case No. 20-4187.

6. The Opinion Order of the United States court of appeals in appeal case 20-4187 appear at Appendix **"F"** to the Petition and is **published,**

[√] reported at Ahmed v. Shoop, 2021 U.S. App. LEXIS 4560(6th Cir. Feb 17,2021),

7. The **letters** of Hon. Susan Frimpong to Petitioner, appear at Appendix **"G"**, Appendix"H", Appendix "I", to the Petition and are unpublished,

8. August 16,21, Proof of service and (18 USCS 3006A(d)(7)) IFP Motion with 28 U. S. C. § 1746 Declaration showing compliance with Rule 22.2, and 29.2 "timely submissions", Hon. Susan Frimpong, appear at Appendix **"K" and "L"**..

JURISDICTION

[√] For cases from federal Courts:

Jurisdiction of the Curt on certiorari is invoked under 28 U.S.C. § 1254(1).

The date on which the United States Court of Appeals decided my appeal case 20-4302 was of (Dec. 7, 2021).

[√] The timely Petition for rehearing filed in this appeal case 20-4302 was denied by the United States Court of Appeals for the Sixth Circuit on the following date of (Dec. 7, 2021), and a paper copy of the Order denying rehearing appears at APPENDIX "A" and is also published at Ahmed v. Shoop, 2021 U.S. App. LEXIS 36083 (6th Cir., Dec. 7, 2021).

[√] ASSOCIATED APPEAL CASES:

(a) The date on which the United States Court of Appeals, Sixth Cir decided my **associated** appeal case 21-3095 was (May 18, 2021) and is published at Ahmed v. Shoop, 2021 U.S. App. LEXIS 14887 (6th Cir., May 18, 2021) and Ahmed v. Shoop, 2021 U.S. App. LEXIS 7020 (6th Cir., Mar. 10, 2021). These both Orders on paper are attached at APPENDIX "C" and "D" in the Joint Appendix.

(b) The date on which the United States Court of Appeals, Sixth Cir decided my associated appeal case 20-4187 was (March 30,2021) as is reported at Ahmed v. Shoop, 2021 U.S. App. LEXIS 9304(6th Cir.,March 30,2021) and Ahmed v. Shoop, 2021 U.S. App. LEXIS 4560, 2021 WL 1884833 (6th Cir. Ohio, Feb. 17, 2021). These both Orders on paper are attached at APPENDIX "E" and "F" in the Joint Appendix.

[✓] EXTRA-ORDINARY CIRCUMSTANCE: Application For Extension of Time to File Petition was "obstructed" by CCI mail staff as Retaliation For Filing Grievance on MAIL

As an inmate incarcerated at CCI deathrow, I timely "filed" on 02/18/22, on Friday, a request for extension of time to file the petition for a writ of certiorari (but it turned out CCI Mailroom do not process any out-going mail on Fridays and is closed with out notification to inmates] by handing over the sealed envelope with preauthorized certified mail papers to the newly detailed CCI Mail CO, but he forgot to sign the DRC Form and also failed keep the Certified mail papers attached. So DRC Form was wrongly returned by another newly hired civilian mail Clerk. She wrongly after Six days on 02/23/22 returned them. My kites to mailroom Supervisor and a kite to DR Manager are not answered as they pretend to have seven days to answer such urgent mail matters. Despite my kites to DR manager, he did not show up to pick the papers to carry them to mailroom. So I handed over the same papers again to same new mail CCI mail Co on 02/24/22 Thursday but he did not submit them to mailroom in-time. Again CCI mail-room was closed on last Friday as they close on every Friday. So mail handed over to mail CO on Thursdays or Fridays cannot be mailed out at USPS Chillicothe Post-Office till next Tuesday or Wednesday. The mail-room staff never do or complete the mail processing actions (a) sending out-going mail item to cashier--an unnecessary procedure only enforced at CCI and (b) receiving back the out-going mail item back from the cashier and (c) actual mailing out at the USPS Chillicothe Post Office, actions in <u>one or two working days</u>, like every other DRC Mailroom staff used to do at every other Correctional Institutions[MANCI, OSP] the deathrow has been housed in the past.

So my legal mail to the Clerk of the Supreme Court has been wrongly held up at CCI mailroom without any good reason and without processing since 02/18/22 to 03-01-22. So unfortunately, despite my best efforts, I could not <u>make the CCI mail staff since 02/18/22 to</u>

mail to the Clerk my Application for extension for time, for filing the Petition for a Writ of Certiorari. This is a clear retaliation against this inmate Petitioner because he filed a grievance against the mail-staff and for the first time Chief Inspector want to know the facts before ruling on the grievance appeal.

[✓] MORE EXTRA ORDINARY CIRCUMSTANCES:.

1. In addition to mail processing delays from 02/18/22 to 03/01/22 at CCI detailed above. This is a clear retaliation by the CCI Mail-staff **against this inmate Petitioner** because he filed a grievance against the mail-staff for their failures to process the out-going legal mail in a timely manner and for the first time Chief Inspector want to know the facts before ruling on the grievance appeal.

(a) Petitioner is in jail since 1999 arrest on Ohio Deathrow and

(b) Petitioner is currently under ADA recognized medical and physical disability and

(c) Recently the CCI-DR-1 block has been under collective quarantine, cancelling all activities and programs due to few inmates tested positive under changed DRC quarantine policy, likely may happen again,

(d) Petitioner's eye-sight has considerably reduced due to un-operated cataract due to limits imposed by medical costs control measures and due to diabetic complications, possible diabetic retinopathy, above 8.6 A!C complicated by cuts in nurses staff to timely administer insulin,

(e) Petitioner is without appointed counsel to prepare and file a timely petition for certiorari in this case because Circuit Clerk failed to appoint appeal counsel in appeal case 20-4302,

(f) Petitioner is also required to file a pro se brief in sixth circuit appeal case 22-3039 without any appointed appeal counsel, in which motion for appointment is pending,

(g) **Sufficient time does not remains for timely filing a [rule 12.4] Single Petition for Certiorari** involving wrongful denial of Rule 14.5 Letter by the new, untrained deputy Clerk, **due to her own mistakes,** to add the final orders filed in cases 20-4187 and case 21-3095 in the same single Petition as a separate order from a circuit judge or from the court is sought under Rule 22, and rule 14 for that purpose ;

(h) Petitioner also request that Hon. Circuit Justice and or the court to review the wrongful denial of Motion to Clerk for issuing a Rule **14.5 letter** to file a single cert Petition [per Rule 12.4; two or more judgments having identical common question of **erroneous denial of appellate jurisdiction** by Sixth Cir. in cases 21-3095 and case 20-4187].

(i) Petitioner is under legal disability recognized by ADA and under treatment for medical conditions of including unexpected complications of fainting, **dizziness, shortness of breath and sharp chest pain** and emergency transfer to two hospitals and upon return quarantine under DRC procedure, with untreated **pleural effusion** (fluid in lungs) after balloon machine attachment and removal procedure and hypertension, Cardiac, diabetics, and **"diabetic** Retinopathy". Petitioner had fainted, was fatally ill and in emergency medical conditions, was transferred to two area hospitals when 6th Cir. sua sponte reviewed the questions of lack of appellate jurisdiction, without any prior information to petitioner, in case 20-4187 and case 21-3095. Upon return from hospitals, Petitioner was placed under mandatory quarantine per DRC procedures. Petitioner continued his treatment and check ups, after emergency hospitalization.

(j) **Additional Extra Ordinary Circumstance**: Despite the statutory right per **18 U.S.C.S. § 3006A and 18 U.S.C. § 3599(a)(2),(e)** No Appointed counsel to prepare-file a Petition for Certiorari as been appointed by the Circuit Clerk under CJA and by the Court of Appeals..

The Supreme Court has Five times required the Circuit Courts to appoint counsels for filing Petition for Certiorari. The sixth Circuit Clerk and Court refuse to follow the Supreme Court.

See *Schreiner v. United States*, 404 U.S. 67, 68, 92 S. Ct. 326, 30 L. Ed. 2d 222 1971), and Doherty v. United States, 404 U.S. 28, 28-29, 92 S. Ct. 175, 30 L. Ed. 2d 149 (1971); Gordon v. United States, 429 U.S. 1085(1977). *Wilkins v. United States*, 441 U.S. 468, 99 S. Ct. 1829, 60 L. Ed. 2d 365 (1979) (per curiam); *Sotelo v. United States*, 474 U.S. 806, 106 S. Ct. 42, 88 L. Ed. 2d 35 (1985).
Self v. United States, 574 F.2d 363, 366 (6th Cir. 1978); *United States v. Howell*, 37 F.3d 1207, 1209 (7th Cir. 1994); *United States v. Sotelo*, 778 F.2d 1125, 1126 (5th Cir. 1985).

(k) Thus during the emergency hospitalization and quarantines, the Petitioner lacked access to all legal mail and lacked access to legal records and lacked access to law library and lacked access to law computer. The 6th Cir. Orders were returned to clerk due to transfer of Petitioner to hospitals. See, En Banc Petition filed in case 21-3095. Petitioner had no means to know that the supreme court had automatically extended the time to file Petitions for certiorari review by 60 additional days allowed by Rule 13.5. The very important relevant Order, 2020 U.S. LEXIS 1643 (U.S., Mar. 19, 2020) and Order List: 594 United States, 210 L. Ed. 2d 999(July 19,2021) were never served upon Petitioner by the purported appeal counsel Mr. Keith A. Yeazel who was notified of the petitioner's ailments and admissions in two hospitals and quarantine by the CCI and also neither served nor cited by the Deputy Clerk Susan Primpong in her letters dated 09/02/21 and 10/20/21 to Petitioner Ahmed..

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

USCS Const. Amend. 14, § 1
No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

18 U.S.C.S. § 3599(e).
(e) Unless replaced by similarly qualified counsel upon the attorney's own motion or upon motion of the defendant, each attorney so appointed **shall represent the defendant throughout every subsequent stage of** available judicial proceedings, ...appeals, **applications for writ of certiorari to the Supreme Court of the United States**, and **all available post-conviction process**, together with applications for stays of execution and other appropriate motions and procedures, and shall also represent the defendant in such competency proceedings and proceedings for executive or other clemency as may be available to the defendant.

28 USCS § 1291, Final decisions of district courts
The courts of appeals shall have jurisdiction of appeals from all final decisions of the district courts of the United States, ...

28 U.S.C.S. § 1651(a) Writs
(a) The Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law.

STATEMENT OF THE CASE

1. This case stem from the Originating case 2:07-cv-658 from SD Ohio and Court of Appeals Case 20-4302. Petition for certiorari seeking review of "**erroneous denial of appellate jurisdiction**" because Court of appeals failed to apply the known fact mentioned in its (6th Cir., July 30, 2021) Order that district court case was dismissed, and thus Court of appeal had appellate jurisdiction to review the legal decision of the district court, never ruling on pending motions and objections before prematurely dismissing the capital habeas corpus case 2:07-cv-658 without riling upon all claims (Ecf.156,194). The facts in Sixth Circuit published Orders are not accurate and full relevant facts exist in district court records and in court of appeal **record,** case dockets. See, 6/15/21 Doc. "Amended Notice of Appeal," docketed in case 20-4302.

2. Un-ruled upon motions included pre-judgment 18 U.S.C.S. § 3599(e) pro se Motions (Ecf.107,110,132-1) and post-judgment (Ecf.158,162, 169, 170, 177) 18 U.S.C.S. § 3599(e) to substitute habeas counsels

3. District judge also avoided ruling on FRCP 15(B) Motion to adjudicate 60 available exhausted claims not in Petition but in the record as Warden's counsel had not objected (Ecf.177) last para showing jurisdiction.

4. District judge also failed to rule upon Fed. R. App. P. 4(a)(4)(A)(v) post-judgment Motion for New Trial (Ecf.162).

REASONS FOR GRANTING WRIT:

6th Cir. ignored the timely "Amended Notice of Appeal;" filed 6/3/21 (ECF-196), docketed in case 20-4302 on 6/15/21 before the July 30, 21 order erroneous finding sue sponte Lack of Jurisdiction.

(Hudgins v. Kemp, 59 U.S. 530(1856) (-- no error of clerk can affect right of appeal. [or review by cert petition]--).

Even if the Court does not have jurisdiction to review a case, it may exercise its supervisory appellate powers to dispose of a case as justice requires. N.Y. State Rifle & Pistol Ass'n v. City of New York, 590 U.S. —, 140 S. Ct. 1525, 206 L. Ed. 2d 798, 798–799 (2020) (per curiam) There is no procedure for seeking relief for the mistakes, errors of the newly employed, untrained, unsupervised staff of the Clerk. Who **failed to forward the timely submitted papers to Circuit Justice** as required by Rule 22.1 and **28 U.S.C. § 2101(c)**.. Perhaps Rule 22 is the only vehicle available now to this legally and physically disabled (ADA) petitioner to **request that (a)** His timely submissions to Clerk in case 20-4187 and case 21-3095 **on 08/16/21 be "treated as Petition for certiorari"** just like it has been done in over 2000 other cases already. Petitioner can resubmit the papers to Clerk or file a single combined Petitioner with case 20-2304. ALL 6th Cir. Orders are published and attached at Appendix ("B","C","D","E,") for Cases 21-3095 and case 20-4187.

See Appendix "B-1" case dockets 20-4302 and 20-4153 "Amended Notice of Appeal" not mentioned and ignored by 6th Cir. July 30, 21 order.

ARGUMENTS FOR QUESTION (a) and (b)

8. **COURT OF APPEAS HAS APPELLATE JURISDICTION:**

Petitioner pro se deathrow inmate, Respectfully prays that a Writ of Certiorari issue to review the Orders of Court of Appeals for the sixth Circuit, filed in appeal case 20-4302, (a) Ahmed v. Shoop, 2021 U.S. App. LEXIS 36083 (6th Cir., Dec. 7, 2021) and (b) Ahmed v. Shoop, 2021 U.S. App. LEXIS 22755 (6th Cir., July 30, 2021), ["**erroneously sua sponte declining**

Appellate Jurisdiction"] by ignoring Fed. R. App. P. 4(a)(2) and not applying the Supreme Court precedence, and its own caselaw and not reviewing the "**implicit denial" of all outstanding Motions,** for finality, when the District Court (Ecf.196) prematurely dismissed the case 2:07-cv-658, (Ecf.156,194) without ruling on all available claims exhausted in state courts and all outstanding Motions, Objections.

8.1. Erroneously sua sponte declining Appellate Jurisdiction

See, case dockets 20-4302, 20-4152, " Amended Notice of Appeal. Appendix "B-1".

Petitioner filed a premature Notice of appeal under Fed. R. App. P. 4(a)(2). But despite the premature dismissal (Ecf.196) of 28 U.S.C. § 2254 case 2:07-cv-658, the court of appeals for 6th Cir.without appointing conflict-free appeal counsel, *Sua sponte* ***erroneously*** *declined appellate Jurisdiction to review all pending motions not ruled upon by the district court. See,* FirsTier Mortgage Co. v. *Investors Mortgage Ins. Co.*, 498 U. S. 269, 276, n.6(1991). *Torres* v. *Oakland Scavenger Co.*, 487 U.S. 312, 316, 101 L. Ed. 2d 285, 108 S. Ct. 2405 (1988); see *Foman* v. *Davis*, 371 U.S. 178, 9 L. Ed. 2d 222, 83 S. Ct. 227 (1962). See, Gillespie v. United States Steel Corp., 379 U.S. 148, 152-154, ,n.2(1964)(Finality does not necessarily mean that *an order to be appealable must be the last possible one to be made in a case).. Cohen* v. *Beneficial Industrial Loan Corp.*, 337 U.S. 541, followed. P. 152);

And Panetti v. Quarterman, 551 U.S. 930, at 940-941,n.10(2007)(Finally, although it might have been better for the state court to rule explicitly on outstanding motions, it ***implicitly denied*** *them).*

Ayestas v. Davis, 138 S. Ct. 1080(2018)(held at (a) 28 U. S. C. §§1291, 2253, and 1254 confer jurisdiction to review decisions [implicitly or explicitly] made by a district court in a *judicial* capacity'). And

Manrique v. United States, 137 S. Ct. 1266(2017)(The court of appeals may, in its discretion, overlook defects in a notice of appeal *other* than the failure to timely file a notice").

Noel v. Guerrero, 479 Fed. Appx. 666,669(6th Cir.,2012)*Id at* 669(The district court's order of dismissal [of case] constituted an implicit denial of Noel's pending motion for the appointment of counsel.). See also *Wimberly v. Clark Controller Co.*, 364 F.2d 225, 227 (6th Cir. 1966); This *failure to rule* on all pending motions, constituted an *implicit denial* of the motions, Objections .See United States v. Dubrule, 822 F.3d 866, 884(6th Cir. 2016).

See, Prince v. Ethiopian AirLines, 646 Fed. Appx. 45, 47 (2nd Cir. 2016) id at 47. citing Zeno, 702 F.3d 655, 663, n. 6 (2nd Cir. 2012).

United States v. Dubrule, 822 F.3d 866,884(2016)(28 U.S.C. § 1291 grants appellate jurisdiction over claims *implicitly denied* by an otherwise final decision. [other circuits agree that} entry of final judgment constitutes an *implicit denial* of pending motions.].

See Keeton v. Morningstar, Inc., 667 F.3d 877, 882 (7th Cir. 2012) ("Final judgment necessarily denies [**40] [***23] pending motions." (internal brackets and quotation marks omitted)); *United States v. Jasso*, 634 F.3d 305, 307 n.2 (5th Cir. 2011) (holding that "the denial of a pending motion may be implied by the entry of final judgment"); *Toronto-Dominion Bank v. Cent. Nat. Bank & Trust Co.*, 753 F.2d 66, 68 (8th Cir. 1985) ("Denial of a pending motion may be implied from the entry of final judgment or any order inconsistent with the granting of the motion."); *Addington v. Farmer's Elevator Mut. Ins. Co.*, 650 F.2d 663, 666 (5th Cir. 1981) ("The denial of a motion by the district court, although not formally expressed, may be implied by the entry of final judgment."); *Pinson v. Berkebile*, 576 F. App'x 710, 711 (10th Cir. 2014) ("[By entering final judgment, the court implicitly denied the pending motions."); *Gorrell v. Hastings*, 541 F. App'x 943, 946-47 (11th Cir. 2013) ("When [*885] a district court does not expressly rule on a party's pending motion, the entry of a final judgment against the party, as a general matter, implicitly denies that motion.").

Banister v. Davis, 140 S. Ct. 1698,1702(2020)

The filing of a Rule 59(e) motion within the 28-day period "suspends the finality of the original judgment" for purposes of an appeal. *FCC* v. *League of Women Voters of Cal.*, 468 U.S. 364, 373, n. 10, 104 S. Ct. 3106, 82 L. Ed. 2d 278 (1984) (internal quotation [**66] marks and alterations omitted). Without such a motion, a litigant must take an appeal no later than 30 days from the district court's entry of judgment. See Fed. Rule App. Proc.4(a)(1)(A). But if he timely submits a Rule 59(e) motion, **there is no longer a final judgment to appeal from.** See *Osterneck* v. *Ernst & Whinney*, 489 U.S. 169, 174, 109 S. Ct. 987, 103 L. Ed. 2d 146 (1989). **Only the disposition of that motion "restores the finality" of the original judgment,** thus starting the 30-day appeal clock. *League of Women Voters*, 468 U.S., at 373, n. 10 (1984); see FRAP 4(a)(4)(A)(iv) (A party's "time to file an appeal runs" **from "the entry of the order** disposing of the [Rule 59(e)] motion"). And if an appeal follows, the ruling on the Rule 59(e) motion merges with the prior determination, so that the reviewing court takes up only one judgment. See 11 Wright & Miller § 2818, at 246; *Foman* v. *Davis*, 371 U.S. 178, 181, 83 S. Ct. 227, 9 L. Ed. 2d 222 (1962). The court thus addresses any attack on the Rule 59(e) ruling as part of its review of the underlying decision. Fed. Rule App. Proc. 4(a)(4)(B)(ii).

FirsTier Mortgage Co. v. Investors Mortgage Ins. Co., 498 U.S. 269,275-76(1991)(*Held:* Rule 4(a)(2) permits a notice of appeal filed [****2] **from a nonfinal decision to** serve as an effective notice of appeal from a subsequently entered final judgment when a district court announces a decision that would be appealable if immediately followed by the entry of judgment. In such an

instance, it would be reasonable for a litigant to believe that the decision is final, and permitting a notice of appeal to become effective when judgment is entered would not catch the appellee by surprise) , Fed. R. App. P. 4(a)(2) permits a notice of appeal filed from certain nonfinal decisions to serve as an effective notice from a subsequently entered final judgment. Under the rule, a **premature notice of appeal** relates forward to the date of entry of a final "judgment" only when the ruling designated in the notice is a "decision" for purposes of the rule. Under Rule 4(a)(2), a **premature notice of appeal** does not ripen until judgment is entered. **Once judgment is entered, the rule treats the premature notice of appeal as filed after such entry. Rule 4(a)(2) would not render that ruling appealable in contravention of § 1291**. Rather, it permits a **premature notice of appeal** from that bench ruling to **relate forward to judgment and serve as an effective notice of appeal *from the final judgment***. *Ruby* v. *Secretary of Navy*, 365 F.2d 385 (CA9 1966)(the court ruled that the notice of appeal from the nonfinal ruling could serve as a notice of appeal from the subsequently filed final order dismissing the action. *Id.*, at 387-389.). The Court of Appeals noted that the ruling dismissing the complaint might not have been appealable but nonetheless [*276] held that the notice of appeal could be regarded as a notice from the subsequent final judgment dismissing the case. See 345 F.2d at 270-271. *Ruby, Firchau*, and the other cases cited by [***753] the Advisory Committee [5] suggest that Rule 4(a)(2) was intended to protect the unskilled litigant who files a notice of appeal from a decision that he reasonably but mistakenly believes to be a final judgment, while failing to file a [**653] notice of appeal from the actual final judgment.

9. The court of appeals also failed to apply 28 U.S.C. § 636(b)(3) to post-judgment motions and failed to cite any authority of Rule and statute, cited in (Ecf.172) by the district judge for post-judgment assignment of magistrate judge as magistrate judge is limited," to submit a report containing proposed recommendations for disposition by the district court". There is no R&R filed by magistrate and no authority from statute and rule is given in (Ecf.172,173). The magistrate judge lacked legality and lacked jurisdiction and power/authority because he was never given any specific post-judgment assignment/ referral per 28 U.S.C. § 636(b)(3) by the district judge, to file any Orders by ruling upon any post-judgment motions or strike post-judgment motions or file an R&R per "(FRCP 72(b)(1) "**when assigned**," to hear a pretrial matter dispositive of a claim" and 28 U.S.C. § 636(b)(1)(A) "pretrial matter ") and 28 U.S.C. § 636(b)(1)(B)"any motion excepted in subparagraph (A), of **applications for post-trial relief** in criminal cases "; 28 U.S.C.S. § 636(b)(1)(B). See, R&R (Ecf. 205) stated, (" post-

judgment motion ***deemed referred*** to a Magistrate Judge under 28 U.S.C. § 636(b)(3)"**be assigned"**). Post-judgment Motions/ Applications for ***post-trial*** relief, because there is no trial in habeas corpus cases, thus *no post-trial relief*, without a specific assignment per 28 U.S.C. § 636(b)(3) and 28 U.S.C. § 636(a), (b)(1)(A),(B)(C)"; 28 U.S.C.S. §§ 631-639, is explicit that in applications for post-trial relief, the magistrate's sole function is to conduct a preliminary review, not to pass upon the merits of the applications. The disposition of the merits must be made independently by the Article III Judge himself. See, (FRCP 72(b)(1) "**when assigned**," to hear a *pretrial matter* dispositive of a claim, must enter a R&R. When

Gomez v. United States, 490 U.S. 858,869(1989)("the Act's additional duties clause (28 USCS 636(b)(3)), which provides that a magistrate may **be *assigned*** such "additional duties" *does not embrace the function* [without a ***specific assignment***] of every post-judgment matter.);

The statements in the orders of court of appeals failed to state the truth in the record of district court proceedings and the record of the court of appeals, because court jumped to "sua sponte lack of jurisdiction";

10. FAILING TO CONSOLIDATE APPEAL CASES 20-4187, 21-3095 and 20-4302

Consolidation of cases under right circumstances is allowed in all federal courts, including on appeals. See Stone v. INS, 514 U.S. 386, 402-03(1995) " consolidated appeals are allowed". See " FED. R. CIV. P. 1. Rule 42(a),and Supreme Court Rule12.4(consolidate actions that "involve a common question of law or fact" consolidated cases, "to avoid unnecessary cost or delay"). Ill. Brick Co. v. Ill., 431 U.S. 720(1977)(the consolidation of cases, is one means of averting duplicitous [judgements].); United States v. Coffman, 625 Fed. Appx. 285(6th Cir.2015)(Consolidation of cases "is permitted as a matter of convenience and economy in administration"

Johnson v. Manhattan Ry. Co., 289 U.S. 479, 496-97, 53 S. Ct. 721(1933)); Howmedica Osteonics Corp. v. Zimmer, Inc., 822 F.3d 1312, n.4(Fed.Cir.2016)(This appeal is a consolidation of appeal nos. 2015-1232, 2015-1234, and 2015-1239).

ARGUMENTS IN SUPPORT OF QUESTION (c)

11. Court of Appeal caused the "DENIAL OF Appeal Counsel" thus caused,"Ineffective Appeal Counsel"; The panel failed to cite any authority permitting the Clerk or Court or a judge to appoint counsel in a civil case without the consent and availability of that counsel"; A catchall provision for mechanisms that are otherwise reasonably designed to ensure the availability for appointment of counsel satisfying the competency standards and availability of that counsel and his consent to his appointment.Cf. Habeas Corpus Res. Ctr., 816 F.3d at 1245-46 (citations and internal quotation marks omitted).

Clerk via her senior case manager never asked attorney Keith A. Yeazel if he would be willing to represent Petitioner Ahmed in any of the appeal case before issuing a nominal letter. Consent to appoint is must for any representation in any case.
Clerk appointed Attorney Keith A. Yeazel without obtaining his consent to appointment as appeal counsel. Wherefore *he refused to file his appearance* in any of the appeal cases.,20-4187, 21-3095, 20-4302, 22-3039 and 20-4153 the First jurisdictionally valid Appeal case.).Clerk failed to substitute him or appoint another counsels as requested by this Petitioner by many letters to Clerk and pro se Motions in these cases. No Motions has been ruled upon by the court. So abandoned petitioner and created a "Conflict of interest" without any information to appellant-Petitioner. See, *Maples* v. *Thomas*, 565 U.S. 266, 286, n. 8, 132 S. Ct. 912, 925, 181 L. Ed. 2d 807, 824 (2012).

Christeson v. Roper, 574 U.S. 373(2015).(*Martel* v. *Clair*, 565 U.S., at 652, 132 S. Ct. 1276, 1281, 182 L. Ed. 2d 135, 141 makes clear that a *conflict of this sort is grounds for substitution.* Even the narrower standard we rejected in that case would have allowed for substitution where an attorney has a "'**disabling conflict of interest**.'" 565 U.S., at 658, 132 S. Ct. 1276, 1285, 182 L. Ed. 2d 135, 147. And that standard, we concluded, would "gut" the specific substitution-of-counsel clause **contained in §3599(e), which must contemplate the granting of such motions in circumstances beyond those where a petitioner effectively "has no counsel at all"—as is the case when counsel is conflicted. *Id.*, at 661, 132 S. Ct. 1276, 1286, 182 L. Ed. 2d 135, 147.** Indeed, we went so far as to say that given a capital defendant's "statutory right to counsel," even "in the absence" of §3599(e) a district court would be compelled [****10] "to appoint new counsel if the first lawyer developed a conflict." *Ibid.*

Indeed, we went so far as to say that given a capital defendant's "statutory right to counsel," even "in the absence" of §3599(e) a district court would be compelled "to appoint new counsel if the first lawyer developed a conflict." *Ibid.).*

10.. The court of appeals for the sixth Cir. and its Clerk represented by senior case manager PJE, failed to appoint conflict-free appeal counsels in this appeal case 20-4302 and other associated appeal cases ~~appeal cases~~ 20-4187 and case 21-3095 and case 20-4153 and appeal case 22-3039, despite many letters to the Clerk and many pro se Motions, per statutory right under 18 U.S.C. § 3006A(d)(7) and 18 U.S.C. § 3599(a)(2),(e) and 6th Cir. Rule 45(a)(5),(c) : Duties of Clerks—Procedural Orders. The requests for appointment of appeal counsels also included in the Notice of appeals (Ecf.164) and others, were also not heed to by the panels before sua sponte proceeding to determine its appellate jurisdiction. None of the motions has ruled upon by any court panel in any of the appeal cases involving this Petitioner. See (Orders appear at Appendix "A", "B", "C", "D", "E" ,"F") erroneously, wrongly mention Attorney Keith A. Yeazel when he never filed his formal appearance in any of these appeal cases.See Ahmed v. Shoop, 2021 U.S. App. LEXIS 36083 (6th Cir., Dec. 7, 2021);Ahmed v. Shoop, 2021 U.S. App. LEXIS 22755 (6th Cir., July 30, 2021), Ahmed v. Shoop,Case No. 21-3095, 2021 U.S. App. LEXIS 14887 (6th Cir., May 18, 2021);Ahmed v. Shoop,Case No. 21-3095, 2021 U.S. App.

LEXIS 14887 (6th Cir., May 18, 2021); Ahmed v. Shoop, Case No. 20-4187, 2021 U.S. App. LEXIS 9304(6th Cir.March 30,2021); Ahmed v. Shoop,Case No. 20-4187, 2021 U.S. App. LEXIS 4560(6th Cir. Feb. 17,2021)

12. So Clerk or PJE and court neither took any action against Mr. Yeazel, nor appointed any other appeal counsel because he could not be substituted, nor disciplined by the court, when he has not filed his formal appearance in any of these appeal cases to be subjected to the jurisdiction, authority of the court. Attorney Keith A. Yeazel when he refused to file his "formal appearance" to represent this petitioner in any appeal also did not represent this petitioner for filing a Petition for Certiorari. The case dockets and published Orders falsely include the name of Attorney Keith A. Yeazel as Appeal

13. RIGHT TO REPRESENTATION BY COUNSEL FOR SEEKING REVIEW BY CERTIORARI PETITION IS DENIED BY COURT OF APPEALS::

See 18 USCS § 3006A(c). Wilkins v. United States, 441 U.S. 468,469(1979); United States v. Sheldon, 755 F.3d 1047(9th Cir. 2014)(We find that extraordinary circumstances warrant such relief,.Doherty v. United States, 404 U.S. 28(1971): Dennett v. Hogan, 414 U.S. 12(1973)(The Solicitor General therefore suggested that this Court should treat the application as a petition for certiorari, and grant certiorari and remand the case to the Court of Appeals for determination of whether the petitioner's appeal had been improvidently dismissed.);

Schreiner v. United States, 404 U.S. 67, 68, 92 S. Ct. 326, 30 L. Ed. 2d 222 1971),

Doherty v. United States, 404 U.S. 28, 28-29, 92 S. Ct. 175, 30 L. Ed. 2d 149 (1971);

Gordon v. United States, 429 U.S. 1085(1977).

Wilkins v. United States, 441 U.S. 468, 99 S. Ct. 1829, 60 L. Ed. 2d 365 (1979) (per curiam);

Sotelo v. United States, 474 U.S. 806, 106 S. Ct. 42, 88 L. Ed. 2d 35 (1985);

14. Failure to Consolidate these appeal cases:

Appeal cases 20-4187, 21-3095 and 20-4302 must have been consolidated into one single appeal after the final judgment and dismissal of the habeas case. See, Sup.Ct.Rule 12.4 all the conditions for consolidation listed therein existed, in these appeals as well. Fed. R. App. P. 3(b)(2(,"Appeals may be joined or consolidated by the Court of Appeals). Consolidation of cases under right circumstances is allowed in all federal courts, including on appeals. See Stone v. INS, 514 U.S. 386, 402-03(1995) " **consolidated appeals are allowed**". See " FED. R. CIV. P. 1. Rule 42(a),and Supreme Court Rule12.4(consolidate actions that "involve a common question of law or fact" consolidated cases, "to avoid unnecessary cost or delay"). Ill. Brick Co. v. Ill., 431 U.S. 720(1977)(the consolidation of cases, is one means of averting duplicitous [judgements].); United States v. Coffman, 625 Fed. Appx. 285(6th Cir.2015)(Consolidation of cases "is permitted as a matter of convenience and economy in administration"); *Johnson v. Manhattan Ry. Co.*, 289 U.S. 479, 496-97, 53 S. Ct. 721(1933)); Howmedica Osteonics Corp. v. Zimmer, Inc., 822 F.3d 1312, n.4(Fed.Cir.2016)(This appeal is a consolidation of appeal nos. 2015-1232, 2015-1234, and 2015-1239). *Arizona* v. *Manypenny*, 451 U. S. 232, 244, 101 S. Ct. 1657, 68 L. Ed. 2d 58. Gelboim v. Bank of Am. Corp., 574 U.S. 405, n.4(2015). An order or lack of specific order disposing [dismissing] of one of the discrete cases [by implicit denial of all pending motions] in its entirety should qualify under §1291 as an appealable final decision.

Court of appeal failed to determine the law of Fed. Rule App. Proc. 4(a)(4) (specifying that the majority of post-judgment motions filed with the district court divest the appellate court of jurisdiction that had once existed). The total dismissal of entire case without adjudicating all

pending motions restores the finality and jurisdiction of court of appeal irrespective of any premature notice of appeal.

ARGUMENTS IN SUPPORT OF QUESTION (d)

15. **NO ERROR OF CLERK CAN AFFECT RIGHT TO APPEAL or review by Cert Petition:**

The omission of the clerk [of Supreme Court] could not devest the party of the enjoyment of his legal right to appeal [by Cert Petition]. Cf. (Hudgins v. Kemp, 59 U.S. 530(1856) (-- no error of clerk can affect right of appeal. --).

Cf. *United States* v. *Moss*, 6 How. 31(I t was cited to the proposition that a court might correct misprision of clerks.). Cf.Campbell v. Gordon, 10 U.S. 176(1810)(the neglect or error of the clerk cannot deprive him of the privileges of a citizen);. Alviso v. United States, 73 U.S. 457(1868)(having been shown the omission was the error of the clerk ... the cause was reinstated on the docket").

Hon. Court is also requested to also allow and review the Sixth Cir. Court of Appeals **"erroneous denial of appellate Jurisdiction"** in associated-related Orders cited and attached at Exhibits ["C","D","E","F"], directly related, intertwined with this case 20-4302. .

Hon. Susan Frimpong did not know ! Order List: 594 United States, 210 L. Ed. 2d 999(July 19,2021). See her September 02.2021 Letter to petitioner at Appendix "G", did not mention any of the Rule 13.5 procedural Orders but insisted upon unwarranted corrections, citing Rule 13.5, but not following the Rule 22.1, forwarding "timely submission" to the circuit Justice, who based upon the "**timely submission**" [Appendix "C","D","E","F"] **on August 16,2021** per Rule 30, Rule 13 and rule 14.5 and Rule 29.2, Rule 39.1 and fully supported

by 28 U.S.C. § 1746 Declaration; The circuit Justice per 28 U.S.C. § 2101(c). had the authority to grant 60 additional days OR ask the court to "treat the timely submission as substitute for 'Petition for Certiorari " having very simple question of court of appeal "**erroneous denial of appellate jurisdiction"** to review all pending motions, not ruled upon by district judge before dismissing the entire case, this implicitly denied, as lack of adjudicating all available claims mad ethe Orders 9Ecf.156,194) not appealable order being non-final Orders. without adjudicating all available claims.

The **Hon. Susan Frimpong** failed to know that she could apply the Rule 14.5 to allow 60 additional days to file a proper petition for Certiorari. Also she did not know that under Rule 22.1" **transmit it promptly she was required to submit the timely submission to Circuit Justice.** Circuit Justice " and . timely single petition for certiorari from all Orders, per Rule 12.4, and wrongly denied the issue of letter under Rule 14.5 because of the serious errors of her own, not knowing that Supreme Court had issued three orders granting full 150 days to file cert petitions, but she kept insisting refiling of rule 13.5 Aplication twice because of Hon. Susan Frimpong, new to the job, unsupervised, untrained on application of supreme court.Rules 13.5, 22, 14.5 and rule 29.1, 29.2 and rule 39.

Becker v. Montgomery, 532 U.S. 757,767(2001)(this Court's **Rule 14.5** ("If the Clerk determines that a petition submitted timely and in good faith is in a form that does not comply with this Rule [governing the content of petitions for certiorari] or with Rule 33 or Rule 34 [governing document preparation], the Clerk will return it with a letter indicating the deficiency.

- Rule 14 complince is "discretionary" with court, not Jurisdictiona
Word "Petition" is Technical Label, ignored by Supreme Court decisions, "taking any Timely submitted Papers as Petition for writ of Cert.

16. Hon. SUSAN FRIMPONG LETTR DATED SEPTEMBER 02,2021 READS::

"The application for an extension of time whithin which to file for a writ of Certiorari in the above-entitled cases was postmarked August 20,2021 and received on Agust 31,2021. The application is returned for the following reason(s).

[fail to apply Rule 29.1 to note the date of inmate filing occurred on August 16,21 and inmate is not responsible for late postmark when inmate provided the DRC Form and declaration to determine timeliness. Houston v. Lack, 487 U.S. 266, 270, 1271(1988). She never said that Rule 13.5 Application was unwarranted because court had already granted 150 days to all petitioners by procedural orders. Thus failed to apply the procedural orders as part of her job.].She write:

The **lower court opinion must be appended** from the United States Court of Appeals Sixth Circuit.Rule 13.5.
[Petitioner cited published orders as per April 15, 20 Order and a matter of common sense. But paper orders were no longer needed because Rule 13.5 was already granted, thus Rule 13.5 was not applicable, due to oders filed on March 19,2020, April 15,2021, July 19,2021].
She wrote:
The **Application does not specify the amount of additional time requested**. Rule 13.5.
[Again failed to know that Rule 13.5 maximum extension was already granted by Orders filed on March 19,2020, April 15,2021, July 19,2021. So error occurred, when only 60 days are allowed].
She wrote:
The application does not set forth with specificity the reason why the granting of an extension of time is thought justified. Rule 13.5.

[Again failed to know that Rule 13.5 extension was already granted by Orders filed on March 19,2020, April 15,2021, July 19,2021. So its not a flaw in timely submission] she wrote:
It is impossible to determine the timeliness of your application for an extension of time without the lower court opinions.

. [Again failed to know that Cited Published Orders provide the exact information which paper orders would provide to determine timeliness. And that Rule 13.5 extension was already granted by Orders filed on March 19,2020, April 15,2021, July 19,2021. **So its not a flaw in *timely submission on 08/16/21]*** *Or for Circuit Justice to allow additional 60 days under Rule 30.3 and Rule 22.1, 22.3 and* [28 USCS § 2101(c)].

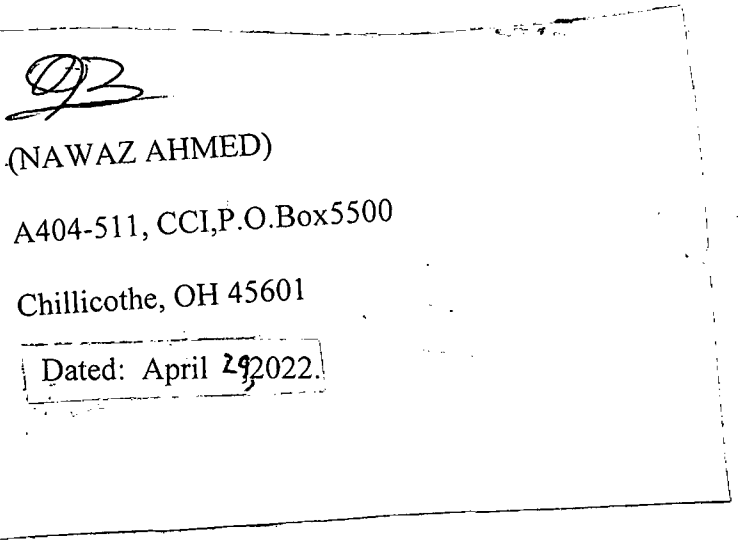
A copy of the application must be served on opposing counsel"

. [Again failed to know Rule 29.2 and read 28 U. S. C. § 1746 *DECLARATION and Certificate of Service upon Opposing Counsel, at the last page of timely submission. Her such mistakes showed that she was new to job, untrained and unsupervised, also uninformed, failed to know the procedural rules and procedural Orders filed on March 19,20;April 15,20; July 19,21]*
Sd/-- Susan Frimpong.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



(NAWAZ AHMED)

A404-511, CCI,P.O.Box5500

Chillicothe, OH 45601

Dated: April 29, 2022.