

No. 21-7883

FILED

MAY 13 2022

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE  
SUPREME COURT OF THE UNITED STATES

**ORIGINAL**

Graham Schiff — PETITIONER  
(Your Name)

James Bonifant, In His official capacity of Administrative Judge for Montgomery County vs. Respondent(s)  
ON PETITION FOR A WRIT OF MANDAMUS and/or extraordinary relief

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

PETITION FOR WRIT OF MANDAMUS

Graham Schiff

(Your Name)

7814 Aberdeen Road

(Address)

Bethesda, MD 20814

(City, State, Zip Code)

301-656-4262

(Phone Number)

**QUESTION(S) PRESENTED**

~~Was petitioner denied his constitutional right to habeas corpus?~~

Was petitioner denied his constitutional right to habeas corpus?

## **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**

DLB-21-2448; U.S. District Court for District of Maryland

22-6147; U.S. Court of Appeals for the Fourth Circuit

#725 September Term 2021; Maryland Court of Special Appeals

#36380C; Circuit Court for Montgomery County, Maryland

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OTHER

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[ ] is unpublished.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[ ] is unpublished.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 A 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[ ] is unpublished.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 of Special Appeals court appears at Appendix B 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 \_\_\_\_\_.  
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).

*This is an extraordinary writ and is not subject to timeliness.*

**CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

U.S. Federal Constitution Article I Section 9 (Habeas Corpus)

## Statement of the Case

This petition for writ of mandamus and other extraordinary relief, stems from a Maryland state court case where the petitioner was denied his constitutional right to habeas corpus. In May of 2021, the petitioner was convicted of stalking and harassment in Montgomery County Circuit Court. His case was recently affirmed on direct appeal, but is also being challenged federally under 28 USC 2254. However, this case concerns issues with habeas petitions filed in Maryland court.

→ (#136380c in Circuit Court for Montgomery (cont))

In January of 2021, the Administrative Judge for Montgomery County (the respondent in this petition is his successor) recused himself from any action related to the petitioner. As an act of retribution against the petitioner for criticizing him, he also shut down all the administrative functions of the court, which includes referring habeas petitions to judges other than the trial court judge. For those of you from Montgomery County, that being John and Brett, I am in fact referring to the Yiddish Dictator of Montgomery County, Robert Al Greenberg. Please know: The Yiddish Dictator has no need for habeas corpus or other goyim law. The Yiddish Dictator doles out justice as he sees fit.

As I was saying, I was denied my right to habeas corpus, due to Robert's recusal. The petitioner filed a habeas petition on February 17<sup>th</sup>, 2021, at that time his trial date was set for March 31<sup>st</sup>, 2021, but was ultimately pushed to May. The petition was never ruled on before trial, and remains open to this very day. There is still jurisdiction to entertain it, because by being on probation, the petitioner is restrained in his liberty, and thus has a right to habeas under Maryland law. On May 27<sup>th</sup>, 2021 between conviction and sentencing, the petitioner filed another habeas petition, which also remains open to this very day.

The petitioner has tried and failed to remedy this with the state court system. He first filed a writ of mandamus with Maryland's Court of Appeals (The state Supreme Court), which was denied. He then attempted to file an appeal with Maryland's Court of Special Appeals (the lower appellate court) which was dismissed due to the petition not being ruled on. As such, the petitioner seeks this court's original jurisdiction in remedying this problem.

While the petitioner's first request is a writ of mandamus ordering James Bonifant to act on the open petitions in accordance with federal law that really does not go far enough. This court should take the unprecedented step of dismissing the petitioner's convictions as being in violation of his right to habeas corpus, in the interest of justice, and in aid of this court's appellate jurisdiction. The petitioner had an absolute right under federal law to have his 2/17/21 petition ruled on, prior to trial. The failure to do so should carry a very severe remedy, that being dismissal.

Habeas Corpus is a sacred right in American law. Yet judges at every level of Maryland's court system willfully denied the petitioner of that right, by organizing a habeas corpus boycott. This disrespect of federal law, must be remedied.

**REASONS FOR GRANTING THE PETITION**

The petition should be granted because the petitioner has no other remedy to have his constitutional right to habeas corpus vindicated.

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Hey John,

IF you read this, my mom used to be your son's music teacher at "Bach 2 Rock".

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Graham Schiff  
Date: 5/6/2022