

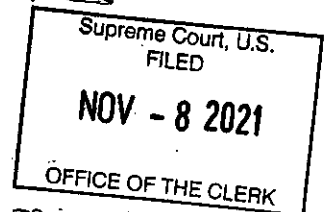
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Petitioner pro se

No. **21-7945 ORIGINAL**

IN THE SUPREME COURT OF THE UNITED STATES

NATHAN BYERLY, PETITIONER

VS.



UNITED STATES; STATE OF IDAHO; ADA COUNTY; DINELLI PRICE;
JOHN DOE. SAMUEL HOAGLAND; LCS TELECOM; CITY OF BOISE;
CENTURLINK; INMATE TELEPHONE SERVICE; GLOBAL TEL*LINK
CORPORATION; J-PAY SYSTEMS; CORRLINK; IDAHO BANKING;
KEEFE GROUP; LCS WEB SERVICE; et al. (SHORT-TITLE)

RESPONDENTS

ON PETITION FOR A WRIT OF CERTIORARI TO

US NINTH CIRCUIT COURT OF APPEALS AT CALIFORNIA
AND US THIRD CIRCUIT COURT OF APPEALS AT NEW JERSEY

PETITION FOR^A WRIT OF CERTIORARI,
CORRECTED

NATHAN BYERLY

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et seq.

PETITION FOR A WRIT OF CERTIORARI, CORRECTED - 1

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QUESTIONS PRESENTED

May the Supreme Court Consider the Questions Presented and or take up any Question hereof, as it may decide.

- 1) Shall Supreme Court allow holding to count as "strikes" against a person while a Case is still open or pending review before a Court?
- 2) Will Supreme Court allow inferior tribunals to continue practices issuing Dispositive Orders while motions are before the courts?
 - a) Orders without naming Judge/Judge(s) making the orders?
 - b) Orders issued without any findings of facts nor conclusions of laws?
- 3) Shall the Courts be allowed to deny in person attendance at Courts?
- 4) Shall a person Resident/Citizen/Subject of UNITED STATES be denied access to courts proceedings because of indigency resulting in inability to pay court fees in advance?
 - a) Where a Court has already ordered fees to be paid incrementally?
- 5) Shall Supreme Court allow holding finding that UNITED STATES is not bound by the Signed Treaty Declaration with UNITED NATIONS of Universal Declaration of HUMAN RIGHTS, where those Rights are inclusive in US Constitution Laws and or Treaty of the US?
- 6) Shall Supreme Court allow custom and or practice of "Remotely Held" proceedings of Courts, without in-person appearance and without the express prior consent of Party(s) thereto?
- 7) Shall Supreme Court continue Third Party Contract Vendor or STATE operated Communications practices that result in "dropped" calls, use of unlawful Surveillance Practices, Fraudulent and or excessive fees and or interstate transaction transfer and or exchange and storage?
- 8) Shall Supreme Court allow holding of "Civility" to STATES/Districts after evidence provided such STATE or Agency interfered with a person Access to Courts while detained in such custody and being placed in Danger by Custodians?
- 9) Are Communication Rights a Fundamental Guaranteed Civil Right?

PETITION FOR A WRIT OF HABEAS CORPUS, CORRECTED - 3

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PETITION FOR A WRIT OF CERTIORARI, CORRECTED - 2

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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:

At this time Petitioner (Plaintiff-Appellant) is unable to list the individual parties because no access is made available to the legal records of prisoner Petitioner.

At various stages of the filings from STATE OF IDAHO and then STATE OF IDAHO courts and into the District of IDAHO of United States (and various Districts) the Parties Listings has changed, and at times been altered by Respondents and various Court Officers.

A search and research would be required to effectively list parties to include all the underlying and consolidation motion cases and appeals files parties participants of the Cases and Files.

PETITION FOR A WRIT OF CERTIORARI, ~~GRANTED~~ - 37

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PETITION FOR A WRIT OF CERTIORARI, CORRECTED - 38

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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 A to the petition and is

☒ reported at Ninth US Circuit Court of Appeals; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished. (CALIFORNIA)

The opinion of the United States district court appears at Appendix A to the petition and is

☒ reported at District of Idaho District Court; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☒ Unable to include THIRD US CIRCA FILE 22-1078 opinion
(NEW JERSEY) [CORRECTED]
4/4
NO
Appendix
E

☐ 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.

PETITION FOR A WRIT OF CERTIORARI, CORRECTED 39

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OPINIONS BELOW

(Continued from pgs 39)

- 1) No. 20-35034, US Ninth Circuit Court of Appeals (CALIFORNIA),
(D.C. IDAHO DISTRICT No. 1:19cv00228), REFERRAL NOTICE
DATED Filed February 12, 2020; 2 pages
- 2) Case No. 1:19cv00228, US IDAHO DISTRICT Court; ORDER (20-35034)
DATED Filed February 20, 2020; (Document 32) 2 pages
- 3) Case No. 1:19cv00230, US IDAHO DISTRICT Court; ORDER
DATED Filed February 20, 2020; (Document 32) 2 pages
- 4) Case No. 1:19cv00130, US IDAHO DISTRICT Court; ORDER (20-35046)
(Consolidated Cases) LEAD CASE; ORDER (Document 36)
i) 1:19cv00182;
ii) 1:19cv00243;
iii) 1:19cv00264;
DATED Filed February 20, 2020 3 pages

[PETITION FOR WRIT OF HABEAS CORPUS, filing Case No. 1:21cv00048,
February 2021, 191 pages; Attachment C: 20-35258, Case No. 1:20cv223
and 1:17cv454; Attachment D: "(1)-(4)" listed Above herein OPINIONS;
Attachment H: (1:19cv00130) Consolidated (Amended) Petition for Writ of Habeas Corpus,
1:19cv229 (20-35046) Appellants Informal Brief] see Court Record ***

- 5) Case No. 1:21cv00048 (includes Consolidation Cases), US IDAHO
DISTRICT Court; INITIAL REVIEW ORDER,
DATED Filed March 18, 2021; 4 pages

[NOTICE OF APPEAL - INITIAL REVIEW ORDER, Case No. 1:21cv00048,
April 2021 (St. Georges), 277 pages; Amended Action From Petition To
Civil Action in Accordance with Initial Review Order; Prisoner Civil
Complaint And Petition] see Court Record ***

PETITION FOR A WRIT OF CERTIORARI, CORRECTED - 40

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OPINIONS BELOW
(continued) from pg. 40)

6) No. 21-35328, US Ninth Circuit Court of Appeals (CALIFORNIA),
(21-35399), (D.C. IDAHO District No. 1:21-cv-00048)*
[includes Consolidation Cases]* ORDER
DATED Filed September 07, 2021; 1 page
(HAWKINS, WATKINS, LEE, Circuit Judges)

7) No. 21-35328, US Ninth Circuit Court of Appeals (CALIFORNIA),
(21-35399); (D.C. IDAHO District No. 1:21-cv-00048)*
[includes Consolidation Cases]* ORDER
DATED Filed October 20, 2021; 1 page

8) 1:21-cv-00048, District of IDAHO District Court,
(21-35328); includes Consolidation Cases;
Documents 13 and 14;
i) Order of Dismissal For Failure To Exhaust 6 pages
ii) JUDGEMENT 1 page
DATED Filed April 26, 2021

(Notice of Appeal Filed 05/25/2021
EFile to US IDAHO District Court clerk
1011AM Tuesday May 25, 2021
20210525101433166.pdf)

PETITION FOR A WRIT OF CERTIORARI, ~~CORRECTED~~ - 41

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JURISDICTION

☒ For cases from federal courts: ~~xxx~~ ~~xxx~~

The date on which the United States Court of Appeals decided my case was 3/9/21 or 10/20/21 (~~Sept 14/2021~~)

☒ No petition for rehearing was timely filed in my case. ~~(Unable to file denied to time by Prisoner)~~
(21-35399) et seq.

☒ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: 10/14/2021, and a copy of the order denying rehearing appears at Appendix A. (21-35399/21-35378) et seq.

☐ 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.

~~Original and or Appellate Jurisdiction by U.S. Constitution at~~
The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1). ~~Judicial Power~~

~~Prisoner Petitioner~~ was placed arrested in detention and modified conditions of confinement and unable to access courts in time to file a timely rehearing petition in 21-35399 and refers to it in 21-35378, et seq. (see pg. 35 at 1 herein)

☐ 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).

[~~xxx~~ UNITED STATES CONSTITUTION JUDICIAL POWER placed Original Jurisdiction in this case at SUPREME COURT. ~~xxx~~ Jurisdiction involves INTERNATIONAL components.]
PETITION FOR A WRIT OF CERTIORARI, CORRECTED - 42

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CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

~~33034~~
Petitioner prose AND COMMUNICATIONS RIGHTS

- (Accused) (CIVIL)
- 1) US Constitution Right of Trial by Jury of Peers
 - 2) US Constitution Due Process And Procedure
 - 3) US Constitution Equal Protection of Laws

Any Statutory provisions supporting the Right
Privileges and/or Immunities Due to US

Citizens (Residents/ Persons, (i.e. DMCA 1998, ITUSA 2001-2002,
UCC, ECPA 1986, UCP,
Stored Communications Act,
Amendments, etc)

- 4) US Constitution Rights of Accused (Copyright Acts)
- 5) US Constitution Unreasonable Search & Seizure
- 6) US Constitution Equal And or Unusual Punishments
- 7) US Constitution Right of Copyright And Intellectual
Property Protection
- 8) US Constitution Rights Privileges And Immunities
of US Citizens, And or Residents under US
Jurisdictions
- 9) US upholding of Treaty And Conventions of the (i.e. NAFTA
UNITED STATES and or Signed by UNITED STATES TRIPPS
GATT
&c)
- 10) JUDICIAL POWERS - Original Jurisdiction / Appellate
(See Court Records for actual citings to some
other applicable statutes and provisions) (NAFTA IC,
etc: Continued. UNIVERSAL Declaration of Human Rights)

PETITION FOR A WRIT OF CERTIORARI, CORRECTED - 43

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CONSTITUTIONAL AND STATUTORY PROVISIONS
INVOLVED AND COMMUNICATIONS RIGHTS

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© Geneva Conventions

(NAFTA)TM: © North American FREE Trade Agreement © 1994

- United States, CANADA, Mexico
- a) minimum standards of intellectual-property protections afforded to other Member CITIZENS
- b) Same negotiations as GATT and TRIPS
- c) Similar protections of TRIPS as:
 - i) Protecting computer software and
 - ii) Databases
- d) Incorporated by reference the Berne Convention standards of intellectual property Rights (U.S.) does not recognize the assigned Moral Rights of Berne.
- 8 Treaties etc.

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URGENT KYOTO DATA

US Constitution Protects Guarantee of Intellectual Property And Copyright.
(Copyright Act 1909, 1976) Digital Millennium Copyright Act 1998 (DMCA)
e) Internet Service Providers
f) Software OWNERS
g) Computer Programs, Movies, Audio Visual Work Worldwide;
i) forbids devices used to evade Digital Anti-piracy;
ii) forbids production and/or Distribution of falsified information
(17 USC 101-1332 ch 34; 67.3.) etc.

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UNITED NATIONS © 1999 (WIPO) © Digital AgendaTM; 10 Propositions Designed to protect intellectual property Rights on the INTERNET, while promoting e-commerce. etc.

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European Commission: (VCP): UNIFORM Copyright ProtectionsTM
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j) © 1992 © Directive on Rental, Lending And Certain Neighboring Rights
k) © 1993 © Cable And Satellite Directive
l) © 1991 © Directive on Legal Protection of Computer Programs
m) © 1996 © Directive on the Legal Protection of DATABASES
n) Information Society Directive, implements WIPO Copyright Treaty etc.

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PETITION FOR A WRIT OF HABEAS CORPUS, CORRECTED
NOTICE OF CLAIMS - NOC-US, 2135328, 2020, VEE - 107

44

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TABLE OF AUTHORITIES CITED

Petitioner prose

CASES

PAGE NUMBER

- (To The Best of my recollection on numbers)
- a) 117ca454 - BLW underlying District of IDAHO, US
i) 21-26528(?) US Ninth Circuit Court of Appeals
 - b) 1120ca - 00004 underlying District of IDAHO, US
i) 20-35328(?) US Ninth Circuit Court of Appeals

Appellant moved for Consolidation of Cases
into these two Cases, including all the District of IDAHO
Cases 2017-2024 and US Ninth Circuit Appeals Cases
20-35328 and 2024 Files, (Do Not know the corresponding
9th Circuit File Numbers)

STATUTES AND RULES

See The Question: The US Constitution Guides The
Basis. 1909, 1976 Copyright Acts, Digital Millennium Act,
Uniform Commercial Code

28 USC. Sec 8210(c), Rule 13.1, Supreme Court Rules
Guides the Petition For writ of Certiorari
etc.

Rasool V. BUSH (2004) US Supreme Court etc.

HAMDAN V. RUMSFELD (2006) US Supreme Court etc.

OTHER See Cases cited in included Court Records herewith.

As may be identified hereafter, and etc.

Art. 3 Geneva Convention

UN HUMAN RIGHTS Declaration

etc.

TRIPPS-GATT

PETITION FOR A WRIT OF CERTIORARI, CORRECTED - 43

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STATEMENT OF THE CASE

Petitioner understands that UNITED STATES is want to involve itself in enforcement measures in or among the several states and or local governmental agency areas without there being some form of significant PUBLIC INTEREST to warrant such involvement.
(see Court Holdings herein)

In this Petition the Petitioner calls on The US Supreme Court to particularly address its own Judiciary, as the US Constitution grants the Supreme JUDICIAL AUTHORITY vested in the US Supreme Court over the "inferior tribunals" under US JURISDICTION and Original Jurisdiction in this matter or direct Appellate Authority.

- i) Particular concern is given to the COVID Pandemic alteration of the established Rights of Accused custom and practices of in court and in-person hearings and proceedings for attendance by Parties and Accused. The USE of Remote Communications and or Audio/Visual Technology is altering the JUDICIAL PROCESS with electronic interference and Third Party Contracting. The lower courts completely failed to address this issue and questions, with the Rules be changed or new legislation enacted because Petitioner has been injured and harmed and damaged as a result of the alterations reaching to a Constitutional Statutory Treaty and Humanitarian level at UNITED STATES, Multidistrict Litigations resulting therefrom.

(See Consolidation And Transfer Pending to US District of NEW JERSEY, Case No. 2:20-cv-10632; Demand to file with JUDICIAL PANEL) (13-4999) CLASS Third US Circuit 22-1078) etc.)

The Multidistrict Panel Clerk J.W. NICHOLS falsified PUBLIC RECORD stating that the 21-35328 Appeal did not exist at US Ninth Circuit Court of Appeals at CALIFORNIA, and stated erroneously;

"there is no evidence that you have an action pending in another district court." # (See July 01, 2021 Clerk of the Panel)

While Prime Facie (PACER) Electronic Records Report CALIFORNIA at San Diego 3:21-cv-00864 and Idaho 11:21-cv-00048 exists additionally to other New Jersey and Ninth Circuit Filings.
PETITION FOR A WRIT OF CERTIORARI, CORRECTED-47

NO. 842814
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STATEMENT OF THE CASE

1) (continued)

The Petitioner suffered telecommunications fraud and interference, electronic and Audio Visual technology fraud and interference, and substantial harm injury and or damages result, and from denying in person at court for hearings and proceedings, including interference with service and Judicial Due Process and Procedure that violated Statutes Treaty and Constitution of the UNITED STATES.

As the lower courts has not address the issues of how the technology changes being implement during COVID Pandemic under UNITED STATES Jurisdiction the Petitioner pray that US Supreme Court will consider the matter and issue clear guidance for UNITED STATES Judicial Branch operation Process And Procedure as well as for the proper Legislative And Executive Consideration needed this matters.

The CIVAN Society and G-PACT shall provide technical research and statistical and DATA information about the use of technology effects (©2018-2021 © #Project Digital ©; © 21st Century Digital Agenda ©) And Counsellors shall argue Petitioner's Case under these issues, etc. Electronic and Network DATA and Information Access And Controls as well as Communications Security plays a major role in the PUBLIC and Quasi Public-Private interaction in the matters. Many stakeholders or Respondents in the underlying litigations and an Consortium shall be established in conjunction with the Consolidations, around the Multi-District Panel, because Petitioner has moved commercially and under Admiralty And Maritime including with Attachments and Liens and Claims heretofore.

PETITION FOR A WRIT OF CERTIORARI, CORRECTED - 48

NIBERUP
30518 INSA Matthew 13:3-9.
13400 Pleasant Valley Rd,
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REASONS FOR GRANTING THE WRIT

IDAHO and UNITED STATES has deny Fair Trial & Process and given No Relief.
Ideally the US Supreme Court would Grant The Writ so that the harmful prejudicial errors of the lower courts could be reversed and Petitioner could be restored to due Rights under US Constitution Law and Treaty; and Remedy and Just Compensations Ordered, etc. including Restoration of Liberty.

Practically, the US Supreme Court is able to accept about 1% of [Cases submitted to it] and. Petitioner Reasons the only Issues that the Court is likely to Consider meritorious of Granting The Writ is the solitary Issues of COVID Pandemic era alteration to Rules of Court and Customs and Practices, instituting Remote Communications and or electronic Process and or Audio Visual Technology Usage including non-governmental Third-Party Contractors, effecting substantive Rights. These Issues more than personal or class or International in Scope.

CONCLUSION

- 1) Roman SocietyTM and the Hoops Law ClubTM and the Just ReMattersTM Organization[®] may read the Books and engage the Dialogues around No. 3 statement and bring awareness to Project JUSTICE USA, etc.
- 2) G-PACT^{GM} shall prepare the Case and Argument around No. 2 statement, etc.
- 3) The Primary Reason for Granting The Writ, and No. 1 statement of the Case, is in conclusion a reason sufficient for A Writ of Certiorari, for opening Civil Discourse in the Public Theatre on the Issues, etc.
- 4) Petitioner's Records stand for themselves as the testament to effort look at these matters on a human level and attempt to address them in a civil manner using the US legal Process.
© @TheLine/DC. May the Supreme Court take up the Petition.

PETITION FOR A WRIT OF CERTIORARI, CORRECTED-52