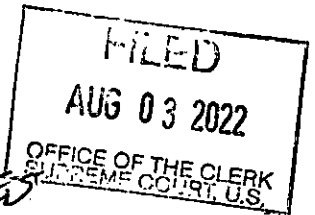


CASE NO. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



IN RE MR. CHARLES EDWARD JONES, Sr. - PETITIONER,

ON PETITION FOR WRIT OF HABEAS CORPUS
FROM THE UNITED STATES DISTRICT
COURT FOR THE EASTERN DISTRICT
OF ARKANSAS TO
THE UNITED STATES SUPREME COURT

PETITION FOR WRIT OF HABEAS CORPUS

MR. CHARLES EDWARD JONES, Sr.

DELTA REGIONAL UNIT

880 EAST GAINES STREET

DERMOTT, ARKANSAS 71639

(1)

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 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 E to the petition and is

☒ reported at JONES V. DOES, 2:22-W-00051-BSM; 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☐ is unpublished.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☐ is unpublished.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 _____ 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☐ is unpublished.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☐ is unpublished.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 _____.

☒ 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).

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CONSTITUTIONAL AND STATUTORY PROVISION INVOLVED

AMENDMENT (ONE)

CONGRESS SHALL MAKE NO LAW RESPECTING AN ESTABLISHMENT OF RELIGION, OR PROHIBITING THE FREE EXERCISE THEREOF; OR ABRIDGING THE FREEDOM OF SPEECH, OR OF THE PRESS; OR THE RIGHT OF THE PEOPLE PEACEABLY TO ASSEMBLE, AND TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES.

AMENDMENT (FOURTEEN)

ALL PERSONS BORN OR NATURALIZED IN THE UNITED STATES, AND SUBJECT TO THE JURISDICTION THEREOF, ARE CITIZENS OF THE UNITED STATES AND OF THE WHEREIN THEY RESIDE. 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.

TABLE OF AUTHORITIES CITED

HIGGINS V. CARPENTER, 258 F.3d 797 (8th Cir. 2001)	.12
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IN RE APPLE, INC., 602 F.3d 909, 911 (8th Cir. 2010)	.13
REYNOLD V. DOMIRE, 636 F.3d 976, 979 (8th Cir. 2011)	.13
ASHCROFT V. Iqbal, 556 U.S. 662, 678 (2009)	.13
PERRY V. CHIEF OF CITY OF MATAMORA, Ark. 660 F. Supp. 546 (1987)	.14
WHITE V. KAUTZKY, 494 F.3d 677, 680 (8th Cir. 2007)	.14
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BOUNDS V. SMITH, 430 U.S. 817, 821 (1977)	.14
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JONES V. DOG'S, 2:22-cv-00051-BSM	.15
Gen. Motors Corp. v. Harry Brown's Inc., 563 F.3d 312, 316 (8th Cir. 2009)	.15
HAIDER V. GONZALES, 483 F.3d 902 (8th Cir. 2006)	.15
JONES V. HOBBS, 5:12-cv-00019-BSM	.16
SHIRO V. SUMMERLIN, 542 U.S. 348, 356 (2004)	.16
Harvey V. Arkansas R.O.C. 1974-505 F.2d 194 O.S. replead 410 F. Supp.	.16
IN RE, MURKISON, 349 U.S. 133-36, 75 S.Ct. 623-99 L.Ed. 942 (1955)	.16
MARSHALL V. Service, Inc., 446 U.S. 238, 242, 100 S.Ct. 1610, 64 L.Ed. 182 (1980)	.16

Vacco v. Quill, 521 U.S. 793, 799 (1997)	.17
Buck v. Davis. 2017-137 S.Ct. 1.Ed.2d. 1.85 16SW 4037	.17
FED. RULE. CIV. PRO. RULE. 15(a)	.15
FED. RULE. CIV. PRO. RULE. 60(b)(6)	.17
TITLE 28 U.S.C. SECTION 1915 (a)	.12

STATEMENT OF CASE

ON ABOUT AUGUST 15th 2021 PETITIONER WROTE THE CLERK OF THE WESTERN DISTRICT OF ARKANSAS IN FAYETTEVILLE, ARKANSAS COMPLAINING TO THE CLERK THAT PETITIONER WAS SCARED TO FILE HIS BIVENS COMPLAINT AGAINST FEDERAL EMPLOYEES IN THE EASTERN DISTRICT OF ARKANSAS WERE DENYING HIM ACCESS TO THE COURT TO MENTORIOUS CLAIM BECAUSE HIS SEX CHARGE AND "WOULD NOT GET A FAVORABLE RULING" APP. (A) PK. 1 AND RECEIVED A LETTER FROM THE PRO-SE LAW CLERK "SHERRY M. GILBERTSON" AND SHE PROVIDED ME WITH A FEDERAL STATUTE THAT WOULD ALLOW ME TO PROCEED WITH MY ACTION IN THE WESTERN DISTRICT.

I MAIL IN MY COMPLAINT WITH THE EXHIBITS THAT WAS RECEIVED ON ABOUT "MARCH 28th 2022 APP. (A) PK. 2 - SHOWING AND STATING THE FACTS.

IN AN ORDER ON ABOUT MARCH 30th 2022 THE WESTERN DISTRICT, BEFORE GRANTING PETITIONER FILING FEE IT WAS TRANSFERRED TO THE EASTERN DISTRICT OF ARKANSAS APP. (A) PK. 3-7 CASE NO. 5:22-cv-05056-TLB-MEF. AFTER BEING TRANSFERRED AND GIVEN A NEW CASE NO. 2:22-cv-00051-BSP I WROTE A LETTER TO BE CONSIDERED AS A MOTION TO AMEND

THE DISTRICT COURT OF NOTICE OF CHAIRING HIS
BUREAU ACTION AGAINST FEDERAL EMPLOYEES TO A 1983
AGAINST STATE ACTIONS IN THE STATE COURT IN
THEIR INDIVIDUAL CAPACITY, SENDING APP. (C) ~~PK-1-28~~
HIS NEW ACTION AGAINST STATE ACTIONS FILED BEFORE ⁽⁷⁾
HIS FILING FEE WAS PAID ON MAY 19th 2012. ON
MAY 18th 2012 PETITIONER ADMITTED INTO EVIDENCE OF
MORE MISCONDUCT OF FURTHER DEGRADATION APP. (D) ~~PK-1-28~~
SHOWING THE STATE COURT CLERK DENYING FILING HIS
NOTICE OF APPEAL AND LOGGING THE RECORDS FOR APPEAL
PROCESS, MOTION FOR RULE ON CLERK IN THE STATE
SUPREME COURT.

ON ABOUT JUNE 30th 2012 THE DISTRICT COURT FILED
AN ORDER APP. (E) ~~PK-1-28~~ DENYING MENTIONED MOTION
9, 14, 15, 17, 18, 19 BUT NOT DOCUMENT NUMBER (E) WHICH
SHOULD BEEN CONSIDERED AS A MOTION CONCERNING
SUPPLEMENTING AND AMENDING HIS COMPLAINT APP. (B)
PK-2. FINALLY PETITIONER PLEADED ONE LAST ATTEMPT
TO SHOW THE DISTRICT COURT EVIDENCE OF COG-
NIZABLE CLAIM OF A DEPRIVATION OF A FUNDA-
MENTAL RIGHT APP. (F) (PK) PK-10. THE DISTRICT
COURT DENIED THE MOTION SHOWING FACT OF
ABUSE OF DISCRETION BASE ON AN ERROR IN
LAW OF ACCESS TO THE COURT.

REASON FOR GRANTING THE WRIT

ISSUE ONE

PETITIONER HAS NO OTHER ADEQUATE
MEANS TO ATTAIN THE
RELIEF HE DESIRES

FOR ARGUING PETITIONER STATES THAT THE U.S. COURT OF
APPEALS FOR THE EIGHTH CIRCUIT HAS EXPLICITLY UPHOLD THE
CONSTITUTIONALITY OF THE THREE-STRIKE PROVISION. SEE "HIGGINS
V. CARPENTER, 258 F.3d 797 (8th Cir. 2001)". THE RECORD IN THE
OFFICE OF THE CLERK OF COURT FOR THE EASTERN DISTRICT OF
ARKANSAS REVEALS THAT PETITIONER HAS STRIKES IN THE FOLLOWING
CASES:

JONES V. GAUN, ET AL., 4:11-CV-00701-JLH, JONES V. ARKANSAS,
4:11-00868-JLH, JONES V. GLOVER, 5:14-CV-00453-JM, AND JONES V.
GIBSON, 5:15-CV-00125-JM. AS A THREE-STRIKER PETITIONER MUST
SHOW THAT HE WAS IN IMMINENT DANGER OR PHYSICAL SERIOUS
INJURY AT THE TIME HE FILED HIS COMPLAINT. 28 U.S.C. SECTION
1915(G); "ASHLEY V. DILLWORTH, 147 F.3d 705, 717 (8th Cir. 1998)."

THE EIGHTH CIRCUIT HAS CLARIFIED THAT THE
IMMINENT DANGER EXCEPTION APPLIES ONLY WHEN THERE IS
A GENUINE RISK OF AN Ongoing, SERIOUS PHYSICAL INJURY.
SEE "MARTIN V. SHELTON, 319 F.3d 1048, 1050 (8th Cir. 2003)"

THERE TO STATING THE STANDARD FOR "MANDAMUS MAY
ONLY LIE IN EXCEPTION CIRCUMSTANCES AMOUNTING TO A

JUDICIAL USURPATION OF POWER, OR A CLEAR ABUSE OF DISCRETION AND THE RULING ON APP(E) PK-1-8 AND APP (P) PK-1-10 WAS A CLEAR ERROR OF LAW AS WELL AS CLEAR ERROR OF JUDGMENT LEADING TO A PATENTLY ERRONEOUS RESULT DISTORTING PETITIONER CLAIM OF ACCESS TO THE COURT. SEE "IN RE APPLE, INC., 602 F.3d 909, 911 (8th Cir. 2010)"

ISSUE TWO

PETITIONER MAKES A PRIMA FACIE SHOWING OF A CLEAR ERROR OF LAW IN HIS COLOCABLE COGNIZABLE CLAIM OF THE STATE COURT CLERK DENYING HIM ACCESS TO THE COURT CLAIM THAT THE DISTRICT COURT SHOULDN'T HAVE DENIED HIS RELIEF!

PETITIONER URGES AND STRESSES WHEN REVIEWING HIS MANDAMUS INASMUCH AND MAKING ITS DETERMINATION IT IS WELL-SETTLE LAW THE U.S. SUPREME COURT MUST ACCEPT AS TRUTH OF ALL FACTUAL ALLEGATIONS CONTAINED AND MAY CONSIDER THE DOCUMENTS ATTACHED. CITING... SEE "REYNOLDS V. DOWDIE, 136 F.3d 976, 979 (8th Cir. 2011) QUOTING... "AFTERPEL. 19thel. 556 U.S. 662, 678 (2009)" APP (C) PK-1-3, APP (D) PK-1-25 APP (E) PK-1-10

THUS HE REQUEST THE U.S. SUPREME COURT TO TAKE
JUDICIAL NOTICE AT AN ERROR IN LAW WHERE HE SHOWS
THE "CLOCK" OF HIS CLAIM BEING DENIED BY THE
DISTRICT COURT, WHERE THE STATE COURT CLERK HAD
A LEGAL MINISTERIAL DUTY TO PREPARE THE RECORDS
FOR APPEAL FOR PETITIONER OR TO LODGE THEM IN THE
STATE SUPREME COURT WITHIN NINETY (90) DAYS FROM THE
FILING OF A TIMELY NOTICE OF APPEAL. SEE "PERRY V. CHIEF
OF CITY OF MARION, ARK. 660 F. SUPP. 546 (E.D. ARK. 1987),"
(SEE APP. (F) PX 1-10)

A VALID SHOWING OF OBSTRUCTING, HINDERING,
AND IMPEDING PETITIONER ABILITY TO LITIGATING HIS
CLAIM CONCERNING TAKING HIS STIMULUS CHECK BY THE
ARKANSAS DIVISION OF CORRECTION ON APPEAL IN THE
ARKANSAS SUPREME COURT. CITING... SEE "WHITE V. KAUFZKY,
494 F.3d 677, 680 (8th Cir. 2007) (QUOTING... "LEWIS V. CASEY,
518 U.S. 343 (1996); ID., "BOWLING V. SMITH, 430 U.S.
817, 821 (1977) THE STANDARD SET FORTH FOR SHOWING
ACTUAL INJURY BY THE U.S. SUPREME COURT. SEE
APP. (F) PX 1-10

ISSUE THREE

ABUSE OF DISCRETION BASED ON
BIAS DISCRIMINATION OF PETITIONER
SEX CHARGE

INTER ALIA THE EQUAL PROTECTION CLAUSE IS ESSENTIALLY A
DIRECTION THAT ALL PERSON(S) SIMILARLY SITUATED SHOULD
BE TREATED A LIKE AND APPLY STRICT SCrutIN IF THE
AGGRIEVED PARTY IS A MEMBER OF A PROTECTED OR SUSPECT
CLASS, OR OTHERWISE SUFFERS THE UNEQUAL BURDENING
OF A FUNDAMENTAL RIGHT. CITING... "VANDO V. OYILL. 521
U.S. 793, 799 (1997)" SEE ALSO... E.G... "LEWIS V. CASEY, SOUTH.
APP. (P) PX. 1-10

(6)
FURTHERMORE RULE 60(6) CAUSE FOR EXTRAORDINARY
CIRCUMSTANCES ON THE GROUNDS OF ABUSE OF DISCRETION
AS WELL AS THE BASIS OF PETITIONER HAS A SEX CHANGE
AND THE TRIAL JUDGE SHOWING ODDIS AND DISCRIMINATION
IN ALL ~~THE~~ ASPECTS. IS ESPECIALLY VERNICIOUS IN THE
ADMINISTRATION OF JUSTICE. THE ACT INCLUDES NOT JUST
PETITIONER, BUT THE LAWS AN INSTITUTION AND IDEAS
REFLECTING IN THE JUDICIAL PROCESSES OF THE COURT SET
FORTH. (QUOTING.... SEE "BUCK V. DAVIS. 2017. 131 S. CT.
L. ED. 2D. 1. 85 (51) 4039"

Thank You!

RESPECTFULLY SUBMITTED
Mr. Charles Edward [Signature]

EXECUTED ON THIS 05th
DAY OF AUGUST 2022.

REFLECTING IN THE PROCESSES OF THE COURTS
SET FORTH IN QUOTING. -- SEE "BUCK V. DAVIS,
2017. 137 S.Ct. 759. 197 L.Ed. 2d 1. 85 USLW 4037"
THANK YOU!

Respectfully Submitted
Mr. Charles Edward Davis
PRO-SE ARD# 144549

STATE OF ARKANSAS

DELTA REGIONAL UNIT
880 EAST GAYNES STREET

COUNTY OF CHICOT Subscribed DERMOTT, ARKANSAS 71638

And sworn to before me
A. NOTARY PUBLIC this 20th Day
of July 2022.

Lisa Denise Bass
NOTARY PUBLIC

8-4-2029
MY COMMISSION EXPIRES

LISA DENISE BASS
NOTARY PUBLIC-STATE OF ARKANSAS
DESHA COUNTY
My Commission Expires 08-04-2029
Commission #12374242

CERTIFICATE OF SERVICE

I CERTIFY THAT THE FOREGOING MANUSCRIPT
IS TO BE SERVED ON DISTRICT JUDGE
BRIAN S. MILLER AT: 600 WEST CAPITOL
AVENUE SUITE A-149 LITTLE ROCK, ARKANSAS
72201 THIS 18th DAY OF JULY 2022 BY U.S. MAIL
VIA POSTAGE