

JUL 11 2022

OFFICE OF THE CLERK

No. _____

22-5614

IN THE
SUPREME COURT OF THE UNITED STATES

Michael Lee Gordon PETITIONER
(Your Name)

vs.

United States of America RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

The Sixth Circuit Court of Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Michael Lee Gordon
(Your Name)

Iowa State Penitentiary / PO Box 316
(Address)

Fort Madison, Iowa 52627
(City, State, Zip Code)

NA
(Phone Number)

ORIGINAL

QUESTION(S) PRESENTED

I.) Whether or not the enactment of the First Step Act of 2018 is an unconstitutional Act by Congress by not making the "clarification" of criminal statute 18 USC 924 (c) retroactive on collateral review?

II.) Whether or not the lower court erred in failing to address this properly raised issue on appeal?

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

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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 _____ 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☐ is unpublished.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☐ is unpublished.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 _____ 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☐ is unpublished.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☐ is unpublished.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 2-15-2022.

☒ 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).

STATEMENT OF THE CASE

Congress enacted "The first Step Act of 2018" therein "clarifying" criminal statute 18 USC 924 (c) second or successive subsection thereby removing the power of the criminal law making authority to prescribe

Congress' enactment of the first step Act of 2018 without applying it retroactive is an unconstitutional act by congress; because it is a miscarriage of justice to charge, convict, sentence and incarcerate petitioner for crimes of which he can no longer be charged, indicted, convicted, sentenced and incarcerated for and not applying this "clarification" retroactive.

Petitioner was indicted, convicted, sentenced and incarcerated to crimes that there is nor was any legal justification, no legal authority, nor is there any legal criminal statute punishable that allows Petitioner to stand charged, indicted, convicted, sentenced and incarcerated for six (6) 18 USC 924 (c) offenses resulting in 120-years of Petitioners sentence,

REASONS FOR GRANTING THE PETITION

The United States Supreme Court should except this Petition to decide whether or not the enactment of the first Step Act of 2018 and "clarifying" criminal statute 18 USC 924 (c) was an unconstitutional act by congress by not making this "clarification" retroactive on collateral review?

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,
Michael Lee Gordon
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Date: 5-10-2022