

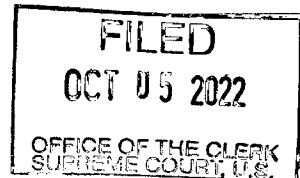
22-5884 ORIGINAL

No. _____

OCTOBER TERM 2022

IN THE

SUPREME COURT OF THE UNITED STATES



Rolando Cifuentes Lopez PETITIONER
(Your Name)

vs.

United States of America — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. Court of Appeal for the TENTH CIRCUIT
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Rolando Cifuentes Lopez #32973-064
(Your Name)

FCI OAKDALE II

(Address) P.O. Box 5010

Oakdale, Louisiana 71463

(City, State, Zip Code)

N/A

(Phone Number)



QUESTION(S) PRESENTED

WHETHER THE DISTRICT COURT ERRED IN APPLYING

PLACES CERTAIN SENTENCING ENTHALGENMENTS

WHETHER THE DISTRICT COURT ERRED IN APPLYING IN APPLICABILITY CERTAIN SENTENCING ELEMENTS IN APPLICABILITY CERTAIN SENTENCING ELEMENTS PURSUANT TO THE UNITED STATES SENTENCING GUIDELINES WHETHER THE DISTRICT COURT ERRED UNDER 46 U.S.C. § 3014, IN PERMISSIBLE DOUBLE COUNTING.

LIST OF PARTIES

[V] 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

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Petitioner is pro se with no access to the law library because of the Covid-19 pandemic and remain in lockdown, and do not possess a copy of the opening brief to perfect his petition for Certiorari

STATUTES AND RULES

Fed R. App P.

18 U.S.C. 2421-29

18 U.S.C. 1591(A)(1)(B)(2)(C)

18 U.S.C. 1594 (A)

18 U.S.C. 1852

OTHER

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APPENDIX A *COPY of the U.S.C.A, 10th Cir. Judgment Order of
Affirmed on Direct Appeal No. 21-6053 Dated
July 26, 2022*

APPENDIX C

APPENDIX D

APPENDIX E

APPENDIX F

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 _____; 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[] is unpublished.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 July, 26, 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). 2

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

FIFTH AMENDMENT UNITED STATES CONSTITUTION

SIXTH AMENDMENT UNITED STATES CONSTITUTION

STATEMENT OF THE CASE

Petitioner was charged by Indictment with Child sex, Violations of 18 U.S.C. 2421-29, 18 U.S.C. § 1591 (A) (1), (B) (2) & (C), 18 U.S.C. § 1594 (A) & 18 § 2.

On 04-16-2021, Petitioner was sentenced to a 292 months term of Imprisonment.

REASONS FOR GRANTING THE PETITION

Petitioner seeking review of his unreasonable sentence, where the District Court committed a clear error in the application of certain sentencing enhancements pursuant to the U.S Sentencing Guidelines. And the impermissible double counting. The 10th Circuit Court of Appeals, abused its discretion when it affirmed Petitioner's direct appeal, where the record will clearly demonstrate that the District Court committed a clear error in his increased of punishment pursuant the the U.S.S.G. enhancements as they related to Double Counting.

Petitioner prays that the Court grant review and remand his case back to the 10th Circuit Court of Appeals and order that his sentence be vacated and correct the erroneous application of his sentencing enhancements under the United States Sentencing Guidelines.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Ronald C. Fuentes Lopez # 32973 - 064

Date: October 5th 2022