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SUPREME COURT, U.S.

Gary Eye,

Petitioner,

v.

The United States of America,

Case: NO. 22-6096

Date: 12-19-22

Supplemental brief

In light of Supreme Court rulings in (Concepcion v. United States U.S. 2022 U.S. Lexis 3070 (2022) June 27th, 2022). Also; Supreme Court ruling in (Wooden v. U.S. 945 F.3d 498, 2019 U.S. App. Lexis 37708, 2019 WL 690 7410 (6th Cir. Ten. Dec. 19 2019), (March 7th, 2022) 142 S. CT 1063 (March 7th, 2022).

It comes now, Petitioner, Gary Eye, wishes to file a supplemental brief in regards to a writ of Certiorari that was placed on the docket on November 18th, 2022 as NO. 22-6096.

Ground (1) one:

In light of Supreme Court ruling in (Concepcion v. United States U.S. 2022 U.S. Lexis 3070 (2022) June 27th, 2022). Petitioner is entitled for relief in the instant case. The District Court should apply a concepcion claim to the facts of this case and its clear the facts in Petitioner's compassionate release request for a reduction of sentence under 18 U.S.C. 3582 should be applied under a concepcion claim.

The District Court should apply the extraordinary and compelling reasons clause set forth for all claims raised in Petitioner's 18 U.S.C. 3582 compassionate release request due to illegal stacking of 924(c) gun charges in Court's 2-4-6 of Criminal indictment and 18 U.S.C. 245(B); 1512(A) counts 1-3-5 of indictment and counts 7-8 obstruction of Justice, and risk of fire to commit a felony, consecutive to counts 7, 18 U.S.C. 844(h)(1). Please note that aiding and abetting was charged with every count of the Criminal indictment. Furthermore the District Court should at took in account and applied Petitioner's 891052

documents presented to the court than exhibits that were included with original compassionate release request, 18 U.S.C. 3582. This was Petitioner's accomplishments while in prison as for programs completed while in prison and the hundreds of hours completed. This was to show Petitioner was no longer a danger to community.

Ground(2)(two). In light of Supreme Court ruling in Wooden v. United States 943 F.3d 498, 2019 U.S. App. Lexis 37708, 2019 WL 6907410 (6th Cir. Ten. Dec. 19, 2019 (March 7th, 2022). 142 S. Ct 1063 (March 7th, 2022).

Considering the law change Petitioner is entitled to relief once the facts of this case is applied. In Wooden this Court ruled that there should not be multiple charges or enhancements used against a Defendant in one single criminal episode which applies with the facts of this case its clear Petitioner is entitled to relief. Please see (Criminal indictment) counts(1) thru (8). Every count of indictment is related to one incident that Allegedly took place on 9th and Spruce and 9th and Brighton that was a course of action that took place in one minute and 48 seconds in 711 yds. Please see (Trial transcripts). This is according to the Government's case. At no time was there multiple events. Applying a wooden claim Petitioner is entitled to relief for illegally stacked and multiple stacked indictments of one course action.

Conclusion

Petitioner prays this Court grants request to proceed in forma pauperis and certiorari in this case and grants any other relief this Court deems appropriate as in dismissal, re-sentencing, retrial, or remand.

Respectfully Submitted,

Pursuant to (Henson v. Luck) this legal document (supplemental brief) was placed in the prison mailbox on Dec. 19, 2022 which deems this legal document filed. By Eye 12-19-22.

Gary Eye

By Eye

I certify that a copy of the motion for leave and supplemental brief was sent to the Solicitor General's Office in Washington, D.C. on Dec. 19, 2022 and this is a true statement under the penalty of perjury. By Eye 12-19-22. First class postage paid.

Supreme Court of the United States

Gary Eye,

Petitioner,

v.

The United States of America,

Case: NO. 22-6096

Date: 12-19-22

Motion for leave to file a supplemental brief in light of recent Supreme Court rulings in (Conception v. United States, U.S. —, 2022 U.S. Lexis 3070 (2022) (June 27th, 2022)). Also, Supreme Court ruling in (Wooden v. U.S., 945 F.3d 498, 2019 U.S. App. Lexis 37708, 2019 WL 6907410 (6th Cir. Ten. Dec. 19, 2019), (March 7th, 2022) 142 S. Ct 1063 (March 7th, 2022)).

It comes now Petitioner Gary Eye wishes this Court grant him leave to file a Supplemental brief in light of recent rulings in this Supreme Court in (Conception v. U.S.); (Wooden v. U.S.) These recent rulings in the Supreme Court support Petitioner's claims for relief in the above mentioned case. Please incorporate in full detail the Supplemental brief that is attached to this motion for leave to file said supplemental brief.

Conclusion:

Petitioner prays this Court grant's motion for leave to file Supplemental brief and puts supplemental brief on file and joined to original request for certiorari and request to proceed in forma pauperis.

Pursuant to (Honaker v. Back) this legal document (motion for leave Respectfully Submitted, to file a supplemental brief) was placed in prison mailbox on (Dec. 19, 2022) Gary Eye which deems this legal document filed. Gary Eye 12-19-22

Gary Eye

I certify that a copy of the motion for leave and supplemental brief was sent to the Solicitor General's office in Washington, D.C. on Dec. 19, 2022, and this is a true statement under the penalty of perjury. Gary Eye 12-19-22 - First class postage paid