

22-6140

No. _____

To Be Assigned

ORIGINAL

Supreme Court, U.S.
FILED

NOV 15 2022

OFFICE OF THE CLERK

SUPREME COURT OF THE UNITED STATES

Taylor Winston Wright — PETITIONER Pro . Se.
(Your Name)

vs.

United States — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United State Court of Appeals for Ninth Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Taylor Winston Wright

(Your Name)

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(Address)

Altadena, Ca 91001

(City, State, Zip Code)

(626)502-4345

(Phone Number)

QUESTION(S) PRESENTED

**CAN THE NINTH CIRCUIT FAIL TO ADDRESS THE MERITS OF A
CONSTITUTIONAL CLAIM BASED ON A PROCEDURAL VIOLATION THE
DISTRICT COURT ADJUDICATED WRONG?**

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

NONE!

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OTHER

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 is unpublished.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 B 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 is unpublished.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 is unpublished.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 is unpublished.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 August 19th, 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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED **Page**

Constitutional Amendment VI 6-7.

Title 28 U.S.C. sec . 1651 6

STATEMENT OF THE CASE

1). The Case before the Court is case # 8:06-CR-001,43DOC-1, However ,this original case was tried before the honorable David O. Carter. The case is presently before the Honorable Stanley Blumenfeld as

#21-CV-01068-SB in the United States District Court for the Central District of California ,Western Division. In the original case, petitioner Wright signed a plead-deal that preserved certain Constitutional right and waived other rights. Wright was then sentenced to 188 months in the custody of the Bop.

2). While confined in federal custody, Petition Wright filed a 28.U.S.C.sec 2255 Motion attacking The used of a State Warrant in Federal Court. However, the District Court dismissed the Motion as being time barred, and therefore lacked Jurisdiction to reach the merits of the claim. This was Petitioner only claim presented to the Court while confined.

3). Therefore, in July 2016, Petitioner Wright was released from Bop gates and served a year's halfway house time And was released from custody requirements and returned home on July 21st, 2017 after leaving the halfway house. Petition claims with all authority that sometime between 2018 and 2020 Petitioner Wright was informed by various sources that his councl of record, Roger Rosen, was disbarred from practicing Law.

Petitioner Wright was unaware at this point if he could file a claim using this new evidence. Petitioner Wright spoke to several attorney seeking information as to filling a possible claim. The fees charged ranged from \$15,000 up to \$21.000. Petitioner Wright was in no position to pay the fee and was very perplexed as to what had to be filed to challenge him conviction in Federal Court.

4). However, one day in early 2021, Wright was talking with a friend about Mr. Rosen's disbarment . The Friend Stated to Wright that he had a good friend who lived in Texas that was a Writer of Law. The

Friend called the Writer of law while the Petitioner was on the Phone and the Writer of Law and the Petitioner Exchanged numbers.

Petitioner then called the Writer of law and elucidated the information of the newly discovered evidence.

Petitioner then sent the Writer of law all pertinent documents and writ of error Coram Nobis was prepared and filed on June 17th, 2021.

5). On October 27,2021 the Government filed their Response. However, the District Court ordered Petitioner to file his Reply on November 17th 2021. While the Petitioner was preparing his reply, in the interim, the District Court Ruled on the Case as #21-CV-01068-SB on November 10th 2021 7 days prior to the due date of the reply.

The Honorable Stanley Blumenfeld denied the Writ of Error Coram Nobis under Appendix B, see order from the District Court.

6). The Petitioner timely filed a notice of appeal. Briefing was delayed until after from a pauperis was granted. Briefing was set and Petitioner Wright filed his Brief with the Ninth Circuit Court of Appeals on April 7Th 2022. The Government then filed their response on May 19th, 2022 The Honorable Ninth Circuit denied the appeal on August 19th, 2022 by order in Appendix A, Case# 22-55110.

7). Petitioner Wright brings this Writ of Certiorari in good faith pursuant to all evidence facts and law contained herein.

REASON FOR GRANTING THE PETITION

Petitioner Wright presents that the case before The Court and issue[s] presented are of importance beyond the facts and parties involved. For Wright, after leaving prison and the Halfway, home was informed that attorney of record, Roger Rosen, was disbarred from practicing Law pursuant to unethical behavior the was unbecoming of an attorney of law. Wright was informed that the evidence was newly discovered and that he needed a professional to evaluate it to determine if Mr. Rosen's actions had a bearing on his case.

After the evidence of Mr. Rosen's disbarment was evaluated by a professional, it was stated to Petitioner Wright that the Newly Discovered evidence clearly deduced that Mr. Rosen was "ineffective" at the time Wright's case was tried. Furthermore, it was stated that in order for him to attack Counsel Rosen's ineffectiveness, an "extraordinary" Writ of Error Coram Nobis had to be prepared under 28 U.S.C. sec 1651. In additional to Wright's surprise, his original [plea] had to be "Evaluated" to determine what rights were preserved at the time he signed the plea. Therefore, after the, plea was evaluated, Petitioner's plea preserved the right to attack the conviction under [or] Newly discovered evidence. See Appendix B @ Pg, 2 & 3; Petitioner Wright's plea explicitly stated:

under the "limited mutual waiver of appeal and collateral attack" in Wright plea agreement gave up the right to "appeal any sentence imposed by the Court but not to appeal his conviction. ECFNo.55 ¶ 20. Wright also "any right to bring a Post conviction collateral Attack on the conviction or sentence, except a post conviction collateral attack on a Claim of Ineffective Assistance of Counsel [or] a claim of newly discovered evidence." Id.

Therefore, when Petitioner was locked up in federal custody, he had [no] new evidence [or] declaration of law and fact supporting a claim of ineffective assistance of counsel against Counsel Rosen. The aforementioned presentment[s] were not discovered until after the Petitioner was released from custody and living in the free world. Thus, at this point in

Petitioner's case history, he would [now] qualify to file the "extra- ordinary" Writ of Error Coram Nobis. See United States V. Morgan 346 U.S. 502 511 75 s.ct.247 98 L. ed .248 (1954).

Furthermore, the Newly Discovered Evidence evaluation sheds light on the claim of ineffective assistance of counsel . For Petitioner Wright never filed an ineffective assistance of counsel claim against Mr. Rosen while incarcerated. Though Petitioner Wright is a Novice at Law, he sought out the best legal minds on the compound to help prepare a claim to the court. And at no time during Wright's discussions with various Jail-House Lawyers had they even "insinuated" various Sixth Amendment violation Wright Presented to the District Court in his Writ of error Coram Nobis.

Petitioner Wright respect the high Court's "Discretionary Jurisdiction" and seeks not to rehash his Sixth Amendment claim of ineffective assistance of counsel pursuant to it is clear on the State of the record in [Both] the District Court and the Appeal Court that the petitioner established that his Right to effective assistant of counsel was compromised by Counsel Rosen's actions. Petitioner stands by the Declaration[s] of Law and fact he presented to [Both] Courts and request his and her Honors to review the records from [both] court[s] to ascertain the violation.

Therefore, Petitioner Presents that the Aforementioned facts and law address compelling reasons as to why The Court should exercise its discretionary Jurisdiction and review the claim. Petitioner recognizes the "National importance" of his claim pursuant to his Constitutional rights under the Sixth Amendment and Strickland V. Washington 466 U.S. 668,693,104 S.Ct.2052, 2067, 80 L. Ed 674,697 (1984) were preserved in a plea negotiation Year[s] earlier and discovers evidence nexusing those same rights years later.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted, under penalty of perjury under 28 U.S.C. sec 1746

Taylor Wright

Date: November 15, 2022