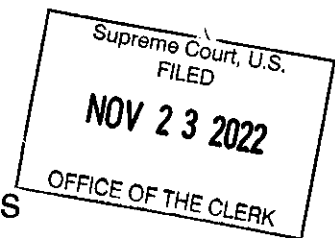


22-6172
No. _____

ORIGINAL



IN THE
SUPREME COURT OF THE UNITED STATES

Terry Benson-Bey

— PETITIONER

(Your Name)

vs.

UNITED STATES OF AMERICA

U.S. ATTORNEY OFFICE — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Terry Benson-Bey

(Your Name)

4001 Leopard Drive Texarkana, Texas 75505

(Address)

Texarkana, Texas 75505

(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

1. Appeal from originating case from the : UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE case No. 2:19-cr-20065-lmsn Appealed to the UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT case No. 21-6064 Affirming Aggravated Identity theft as on record with the clerk's office in originating case.?
2. That petitioner rights has been violated per Title 42 section 1983 on court clerk record filed with the Tennessee Department of Commerce and Insurance.?
3. Petitioner right per file on record of Writ of Mandamus for jury of his own peers.?
4. That said lower courts have ignored Rule 60(b) lack of having personal Jurisdiction?
5. Courts have not answered INTERROGATORIES as per FRCP?
6. That said courts opinion are based on all heresay evidence?
7. That the United States Attorney Office have frauded the Court as explained on record in petioners Affidavit Of Truth and Repudiation filed with the clerk of Court Office?

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:

UNITED STATES ATTORNEY OFFICE

U.S. Attorney Michael D. Dunavant-Now resigned from Office

U.S. Attorney Damon Keith Griffin

U.S. Attorney JoAnn Lauren Delery

U.S. Attorney Eileen Kuo

RELATED CASES

USA v. TERRY BENSON

Case No. 21-6064

Originating case No. 2:19-cr-20056-lmsn

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TABLE OF AUTHORITIES CITED

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STATUTES AND RULES

Rule 60(b) Lack of personal jurisdiction

FRCP INTERROGATORIES

FRCP Right to be present of the Grand Jury Original Indictment hearing..

FRCP Hearsay Evidence

Title 42 Section 1983 Rights Violation

Title 28 Agrivated Identity Theft

Fraud upon the Court

Writ of Mandamus rights violation

Miranda Rights Viollation Kidnaped at gun point

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 _____ 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 October 6, 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

Writ of Mandamus provided by Article I Section III of the Constitution
also Violation of rights section 241 thru 243 and Title 42 section 1983
Filed waiver; being under duress; statute of frauds; corpus delecti
no actual injured party to the case; contributory negligence
denial of religious rights and liberty
Violation of Treaty; Treaty of Morocco 1771-1777; Indian Treaty 1843
Choctaw Treaty with Ancestors 1877;

STATEMENT OF THE CASE

1. Respondent(s) have not responded to INTERROGATORIES on record with the court clerk filed March 8th 2019.
2. The lower courts are in violation of Rule 60(b) lack of personal jurisdiction.
3. Violation of Rights Title 42 section 1983 as per Affidavit of Criminal Complaint also filed to the Department of Commerce and Insurance on record with the court clerk.
4. Denial of rights of Writ of Mandamus which Judge Mark S. Norris stated he could not rule on before trial.
5. Jury trial was recorded as a Mis-Trial due to the facts that all witnesses never identified said petitioner being the one seen doing said offense making all testimonies hearsay evidence.
6. Said case is a Corpus Delicti no record of an injured party.
7. FRCP rules for the petitioner to be present for the Grand Jury trial for original Indictment.
8. Violation of Miranda Rights kidnapped at gunpoint.

REASONS FOR GRANTING THE PETITION

Rule 60(b) grounds for relief

1. mistake, inadvertance, surprise, or excusable neglect;
2. Fraud (whether previously called intrinsic or extrinsic),
misrepresentation, or misconduct by the opposing party.
3. The judgment is void in coram nobis.
4. (d) Other Powers to Grant Relief. This rule does not limit a
court's power to:
 1. entertain an independent action to relieve a party from a
judgment, order or proceeding;
 2. Grant relief under 28 USC section 1655 to a defendant who was
not notified of the action; or
 3. set aside a judgment for fraud on the court; which is
on record with the court in the clerk's office of the
Western District of Tennessee.

See Moore and Rogers, Federal Relief from Civil Judgments, 1946,
55 Yale L.J. 623. See also 3 Moore's Federal Practice, 1938, 3254
et seq.; Commentary, Effect of Rule 60b on other Methods of
Relief From Judgment, 1941, 4 Fed.rules Serv. 942,945;
Wallace v. United States, C.C.A.2d, 1944, 142 F.2d 240
certiorari denied 65 S. Ct. 37, 323 U.S. 712, 89 L.Ed. 573.

In conclusion for the Federal question of diversity of citizenship
Terry Lawrence Benson-Bey; DBA TERRY LAWRENCE BENSON, Estate
Secured Party/Creditor of the Capitis Domni name is not nor has
ever been a United States Citizen but is in fact an American citizen
and is a Native American Yamasee-Choctaw of the Creek Nation 208/1999
and the UNITED STATES OF AMERICA Corporation has violated all treaty
rights.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

By: Terry-Lawrence-Benson-Bey:

Date: 11-13-2022