

22-6532

No. _____

ORIGINAL

FILED

NOV 23 2022

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

Ex parte
Alfred Erik Caraffa — PETITIONER
(Your Name)

vs.
President Joe Biden et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

NONE
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Alfred Erik Caraffa ADC#350727
(Your Name)
ASPC-Tucson (Rincon unit)
PO Box 24403
(Address)

Tucson AZ 85734
(City, State, Zip Code)

In Custody
(Phone Number)

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QUESTION(S) PRESENTED

- 1) Can the writ of habeas corpus be unconstitutionally delayed as to the Due process Law and equal protection Law of the 14th Amendment of the U.S. Constitution?
- 2) Is 28 U.S.C.S. section 1691 Seal and teste of process a valid United States Constitutional Law under the fourth Amendment of the U.S. Constitution? (see exhibit ADC101)
- 3) Can the Arizona Supreme Court Lack Jurisdiction to hear a criminal case within the Jurisdiction of the State of Arizona for an Appeal to A criminal Case?
- 4) Is the provision of the Arizona Constitution A.R.S. Const. Art. 22 section 10; Seals of the Superior Court, A valid Constitutional law as of Dec. 16th 2019?

Questions Presented

5) can the federal district court of Arizona (PHX) and (TUC) under official and Individual capacity cause undue punishment as mere errors of the courts)?

6) can the writ of habeas corpus be suspended by Authorities of the State of Arizona in official Capacity?

7) Is the Arizona Rules to Criminal procedure Rule 1.7 A violation of the 14th Amendment to Due process of Law when not stamped Received by the clerk of the Superior Court??

8) Is the Rule 30.1 under Federal Rules of habeas corpus Practice and procedure A mandatory hearing in A writ of habeas Corpus?

Question(s) Presented

9) Does the U.S. Supreme Court have Original Jurisdiction in A civil action of habeas corpus when "the state shall be party"?

10) Can Authorities of the State of Arizona Deny Copies of A writ of habeas Corpus As undue delay IN A writ of habeas corpus?

11) Can the United States District Court Deny A citizen of the United States her/his Constitutional Right to A civil trial under the Seventh Amendment of the U.S. Constitution?

12) Can the Authorities of the State of Arizona Deprive Liberty under under 42 U.S.C.S. Section 2000dd (a)(b)(c)(d) and Not be held responsible for their Action(s)

Question(s) Presented

13) Does A petitioner In A habeas case have to Apply several times to the Federal courts to get A Constitutional verdict in A habeas case on the Merits?

14) Is 28 U.S.C.S. Section 1915 (g) unconstitutionally used to Dismiss civil action(s) In A writ of habeas corpus?

15) Do state employees have Immunity to unconstitutional act(s) used to Intimidate a habeas corpus petitioner as A form of Retaliation?

16) Can the State of Arizona give Immunity to criminal actions committed by state Dept. of Corrections employees as violation(s) of Constitutional Laws?

Questions Presented

20) Can the Prosecutor in A criminal prosecution use tampered with colorized evidence in trial?

21) Can the Maricopa County Crime Scene Investigators use Federal Educational Rules of (UERS) uniform Crime Reporting to change evidence dates and times in A criminal Investigation? (Document 11.1 in Phoenix Police Report and Supplemental Police Report not Allowed to be entered as Evidence by the trial Judge.)

22) If the finger-prints lifted from the crime scene of A criminal charge/ Investigation do not match the suspect charged/ Arrested/ convicted and illegally held in Custody. Is that An unlawful and unconstitutional conviction? (Also in original Phoenix Police Report) (encl case 20-8007)

Question(s) Presented

23) IS it Constitutional to use civil motions in line under Arizona Rules of Civil Procedure in a criminal prosecution and trial?

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CASES

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A.R.S.A. Title 13-701	(pg 12) 1 to 44
A.R.S.A. Title 13-703	(pg 12) 1 to 44
28 USCS section 1691	32
28 USCS section 2000-dd(a)(b)(c)(d)	1 to 44

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:

- 2) United States of America.
- 3) State of Arizona
- 4) Arizona Department of Corrections
- 5) Ex- Attorney General Mark Bronvich
- 6) Warden of Arizona State Prison complex -
TUCSON
- 7) Governor Doug Ducey

RELATED CASES

- 1) 4:22-CV-00187-(Tuc)-JGZ-(PSOT)
- 2) 4:22-CV-00142-(Tuc)-JGZ-(PSOT)
- 3) 4:22-CV-00089-(Tuc) JGZ-(PSOT)
- 4) 4:22-CV-00088-(Tuc) JGZ (PSOT)
- 5) 4:22-CV-00087(Tuc) JGZ (PSOT)
- 6) 4:22-CV-00039(Tuc) JGZ (PSOT)
- 7) 4:22-CV-00075(Tuc) JGZ (PSOT)
- 8) 2:22-CV-00813-(PHX) MTL (ESW)
- 9) 2:20-CV-00598(PHX) MTL (ESW)

List of Parties

- 8) County of Maricopa
- 9) Maricopa County Sheriff's office
- 10) unknown State of Arizona employees
- 11) unknown County of Maricopa Sheriff's
Deputies
- 12) Public Defender Jon. Martinez
- 13) Public Defender Amy E. Bain
- 14) Public Defender Amy L. Sitver
- 15) Honorable Judge Renee Karbin-Stiener
- 16) Honorable Judge Frank Moskowitz
- 17) County Deputy Prosecutor Mark White
- 18) County Deputy Prosecutor Elizabeth Lake
- 19) District Court of Arizona Judge
Michael T. Liburdi

List of Parties

- 20) Officer Metcalf of the Phoenix Police Department
 - 21) Officer Lutz of the Phoenix Police Department
 - 22) Det. Jamie Marshall of the Phoenix Police Department
 - 23) Amanda Zapps of Maricopa County Crime Scene Investigators
 - 24) unknown Members of the Phoenix Police Department
 - 25) Para-legal to Elizabeth M. Lake
Jessica Cooney
 - 26) United States District Court Judge
Jennifer G. Zipp
 - 27) Maricopa County Court Reporter
Michelle Hayes
- 23
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Related Cases

- 10) 2:20-CV-00013-PHX-MTL (ESW)
- 11) 2:20-CV-00227-PHX-MTL (ESW)
- 12) 2:20-CV-00158-PHX-MTL (ESW)
- 13) 2:20-CV-00256-PHX-MTL (ESW)
- 14) 2:20-CV-00774-PHX-MTL (ESW)
- 15) 2:20-CV-00800-PHX-MTL (ESW)
- 16) 2:21-CV-01530-PHX-MTL (ESW)
- 17) 2:19-CV-05492-PHX-MTL (ESW)
- 18) 2:20-CV-01435-PHX-MTL (ESW)
- 19) 4:22-CV-00310-TUC-JGZ (PSOT)
- 20) 4:22-CV-00317-TUC-JGZ (PSOT)
- 21) 4:22-CV-00341-TUC-JGZ (PSOT)
- 22) 4:22-CV-00342-TUC-JGZ (PSOT)
- 23) 4:22-CV-00343-TUC-JGZ (PSOT)

Related Cases)

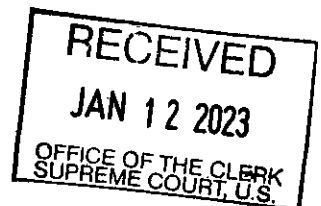
- 24) 2:20-CV-01415-PHX-MTL (ESW)
- 25) 2:20-CV-01385-PHX-MTL (ESW)
- 26) 2:20-CV-01436-PHX-MTL (ESW)
- 27) Every civil action during this
unconstitutional custody in the State
of Arizona under Alfred Eric CARAFFA

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(61) total pages
40 pg. writ of Certiorari
21 pg. Exhibits of Court
orders ect.

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 22-16137; 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 A to the petition and is

☒ reported at 4:22-cv-00255 (Tuc) JGZ; 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 N/A to the petition and is

☒ reported at lacks Jurisdiction; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the Superior Court of Maricopa court appears at Appendix N/A to the petition and is

☒ reported at Refused to provide copy; 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 Rule 11 U.S. Supreme Court Rules
see statement of the case.

☒ 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).

Article III under original Jurisdiction
when "a state shall be party" U.S. Constitution
Supreme Court Rule 20.4(b) and Rule 11

☒ For cases from state courts:

The date on which the highest state court decided my case was Jan. 2022
A copy of that decision appears at Appendix N/A.

[] 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

- 1) U.S. Constitutional Law Art one
Section 9 - Habeas Corpus
- 2) Arizona Constitutional Law A.R.S. Const.
ARTICLE two Section 14 = Habeas Corpus
- 3) U.S. Constitutional Law - First Amendment
Petition clause
- 4) U.S. Constitutional Law - Sixth Amendment
- 5) U.S. Constitutional Law - seventh
Amendment
- 6) Arizona Constitutional Law - A.R.S.
Const, Article 22 section 10
- 7) A.R.S.A. Title 12 - section 126
- 8) Federal Rules of habeas corpus practice
and procedure Rule 30-1
- 9) 28 U.S.C.S. section 1691
- 10) 28 U.S.C.S. section 2000 dd-(a)(b)(c)(d)
- 11) A.R.S.A. Title 13 - section 701

Constitutional and Statutory Provisions Involved

12) A.R.S.A. Title 13 - section 703

13) Arizona Rules of Sentencing

14) Arizona Rules of Evidence

A.R.S. Art. 4 Pt. 2(3) - changing the Rules of Evidence.

15) Arizona Rules of Civil Procedure

Rule 7.1 Motion in Limine

16) Arizona Rules of Criminal Procedure

Rule 1.7 Filing documents and service

17) Federal Rule of Civil Procedure

18) Supreme Court Rules of the United States Supreme Court.

Constitutional and Statutory Provisions Involved

19) U.S. Constitutional Law -
Fourteenth Amendment

Statement of the Case

ON December sixth 2019, This Petitioner was Arrested and Confined at Lower Buckeye County Jail in Phoenix, Arizona

In October 2019, This Petitioner was Arrested and Confined in that same county Jail for disorderly conduct- Fighting. A criminal case IN Tempe Arizona which became A civil action Accepted to the United States District Court for the District of Arizona Division of Phoenix.

Accepted for trial in Feb. 2020. During the unlawful and unconstitutional Arraignment, Trial and Sentencing of this

Petitioner Alfred Erik Caraffa...
Now ADC #350727.

An Unconstitutional Arrest
and Confinement over A 1991
MLB Trading Card which was
Donated For Viewing purposes
to the Tempe Historical Library
In Tempe, Arizona (Maricopa
County)

Donated A few hours Before
this first unconstitutional
and unlawful confinement.

Statements by Phoenix Police
Officers In Body Camera Footage
About Seeing the Tempe Police
Department as well as photographs
of Court documents are in the
evidence, which was withheld

By the Deputy State Prosecutor
Elizabeth M. Lake at trial.

The original Phoenix Police Dept.
Report and Supplemental Report
with on-scene statements were
withheld by the State of Arizona
Because of Defects In the
Original charging documents
which by Arizona Rules to
Criminal Procedure Made the
Criminal Action unconstitutional.

changing the Rules of
Evidence in the unlawful trial
and Denying the Factual Information
of Arizona Constitutional Laws
and U.S. Constitutional Laws
To Protect A Few Judge's IS
Also unconstitutional. SINCE

This Petitioner Filed A motion to the Federal District Court of Arizona After finding out my criminal Defense Attorney in CR2019-155732 (State of Arizona v. Alfred Erik Carafra) was getting copies of court document(s) in my civil action.

In mid-February 2020, After that civil action was accepted for trial, I Asked MS. Amy L. Silver (Daughter of Federal Judge Morton Sitver of the District of Arizona Phoenix courthouse) to find me A civil Attorney to help with my Tempe civil action. And to file motion(s) for Bail hearing which I gave her a copy of the Motion Request for A hearing.

Using the Tempe civil action towards the Bail.

MRS. Silver Did none of these things I requested my criminal Attorney to do several times. But she had me put into the RTC Program of Correctional Health Services and found Incompetent to stand trial

But restorable. (RTC Program of Maricopa County.) For 10 months and 15 days my writ of habeas Corpus for Defects and missing Evidence, Tampered with Evidence was not heard by the State of Arizona.

And was Unconstitutionally Dismissed by Frank Moskowitz In Jan. 2021 without prejudice.

An Attempt In Feb. 2021 through new counsel Amy E. Bain was copied and returned to me by Miss Bain. (the originals)

But given An Habeas Corpus number In Feb. 2021 HC-00070-2021 by the Arizona Supreme Court. (Miss Silver was final removed as my Attorney After 30 Attempts or more to file A motion to Appointment of New counsel.) All the Attempts were refused to be filed to the Court by Inmate legal services of Maricopa County and stated I must send them to my Attorney of Record - violating my First Amendment Right to Petition the

Court(s) and Act ~~as~~ as my own counsel
on my own Behalf.

I Filed to the District of Arizona
(Phoenix Division) under A habeas corpus
Case for A criminal case that could not
get A Constitutional Conviction.

Civil action 2:20-cv-01435-PHX-
MTL (ESW) gave the constitutional
violations in my Arraignment and NO
Arraignment hearing as A matter of
Constitutional Law of the State of
Arizona (IN Appeal as of 9/6/2022 to
the U.S. Court of Appeal for the 9th circuit)

After Raising the Unconstitutional
Arraignment issues, The Federal district
Court Judge gave himself absolute
immunity to all liability By misquoting
civil actions of Law.

And gave this Petitioner Alfred Erik
Caraffa Now ADC#350727 "Three Strikes"
under 28 USCS section 1915(g)
citing three civil actions during this
Unconstitutional Conviction and
unlawful ~~and~~ sentence.

Use to Barr this Petitioner from
Filing Additional civil actions under
Conditions of Confinement and the
Unconstitutional Conviction in criminal
action CR2019-155732-001.

In which the State of Arizona
Appeals court in And for the State
claim A lack of Jurisdiction under
Supreme Court Rule 20(4)(b) the Supreme
Court of Arizona is Correct in that
Ruling.

A writ of habeas corpus is A Petition
for An Extraordinary writ. under Rule
20(4) Supreme Court (Rules) of the
United States (2019)

ON September 8th 2022, I
submitted A motion to be copied
going to the U.S. District Court in
the District of Arizona to transfer
the writ of habeas corpus to the
Jurisdiction of the U.S. Supreme
Court under Rule 20(4)(b).

ON September 6th 2022
I filed notice(s) of Appeal to the
U.S. District Court in and for the

District of Arizona (Both Phoenix and Tucson Divisions)

The writ of habeas corpus under 2254 Petition was filed with the (Phoenix) U.S. District Court on May 12th 2022. (close to 120 days Ago.)

While the Employees of the State of Arizona Dept. of Corrections deny Constitutional Rights, Privileges and Immunities to this Petitioner.

Active Interference from Prison officials to prepare, copy and file Federal Court document(s) in habeas Case(s) under this Unconstitutional Conviction.

The writ of habeas corpus in this Case is An open and shut case under the clear language of the Arizona Constitution.

A.R.S. Constitution Article 22 Section 10 and the clear language of ARS A Title 12-126 that states the until otherwise provided by Law. Clearly says the Seal of the Superior court of Maricopa County shall have the Vignette of ~~Alhambra~~

Abraham Lincoln and the words that shall surround that vignette of President Lincoln.

My Indictment and Summons to Arraignment does not have that vignette of President Lincoln or the surrounding words as provided by Arizona Constitutional Laws.

As of today, September 5th 2022, the 1,000th day of this excessive Unconstitutional Incarceration, the cost of this Relief by comparable cases at the Punitive damage Ratio of 10,000 to 1 is costing the State of Arizona, Dept. of Corrections 665 million dollars plus Interest on the Judgment and has cost the County of Maricopa \$1,330,000,000.00 Billion Dollars.

665 days in Maricopa County at one million dollars per day (\$200 dollars per day ~~plus~~ plus 5000 to 1 Ratio under Gore and Campbell is (1) millions dollars per day 665 Million dollars,

Oct. 5th 2021, to September 5th 2022 is 332 days at \$200 dollars per

Day Plus 10,000 to 1 Ratio for Punitive Damages under GORE and Campbell is (2) two million per day plus Interest on the Judgment. (Plus 90 days up to 12/6/22 IS 332 days

$$\begin{array}{r} \$1 \text{ 2 million dollars per day} \\ \$664 \text{ million dollars} \\ + 665 \text{ million dollars} \\ \hline \$1,329,000,000 \\ + 180,000,000 \text{ 90 days until } 12/6/22 \\ \hline \$1,509,000,000 \end{array}$$

In addition, this Petitioner has (21) twenty-one civil action(s) under Unconstitutional conditions of Confinement. Filed September 6th 2022.

As addition (4) four civil action(s) filed to the 9th circuit Court of Appeals have violation(s) of Due process of Law and the First Amendment by Defendant(s) In those civil actions.

The 9th Circuit Court of Appeals made A grave error of the court by dismissing Appeal case 20-16246 which was filed Before my unlawful Conviction by the County of Maricopa.

A writ of Certiorari by way of writ of habeas corpus was filed to the Supreme Court of the United States
In case no. 20-8007

District court case nos. 2:20-cv-00598-PHX-MTL (ESW) and 2:20-cv-00774-PHX-MTL (ESW) and 2:20-cv-00800-PHX-MTL (ESW)

which the Sheriff's Deputies of Maricopa County Sheriff's Office, ILS - Immediate legal services tampered with the filed writs to the Supreme Court of the United States violating Supreme Court Rule 45.1 - Process

this civil action under the continuing denial(s) of Constitutional Rights, Privileges and Immunities in case ~~NO. 20-8007~~ Alfred Erik Caraffa AOC#350727 V. President Joe Biden et al., case no. 4:22-cv-00255-~~350727~~-Tuc-JGZ-PSOT ninth circuit court case 22-16137.
(See exhibit ZBG4)

Another possible "pasted" signature that match and lines-up with other orders (writs)

of the Court(s) in the District of Arizona.
(See exhibits APC 101 and APC 101A)
(Dated Oct. 2021).

NONE of the Federal writs of orders
of the District Court of Arizona for
the Phoenix or the Tucson Divisions have
ANY seal of the lower court(s) on ANY
of the document(s)

Under the Arizona Constitutional
Law of A.R.S. Const. Article two section
32- the provisions of this Constitution
are Mandatory.

It has taken over two years to
uphold the Mandatory Constitutional
Law of the State of Arizona in this
Denial of Constitutional Rights, Privileges
and Immunities which is excessive.

I have filed several times to the
Federal Courts trying to get AN
Constitutional verdict in these civil
actions. The federal Court(s) are in
Conflict with the Constitution of the State
of Arizona and the U.S. Constitutional

Laws and Laws of this United States
of America.

That's why this case is of Such
imperative public importance as to
Justify deviation from normal
appellate practice and to require
Immediate determination in
this Court under 28 USC § 2101(e)
and Supreme Court Rules of the
United State Supreme Court (Rule 11)

Sept. 5th 2022

Alfred Erik

~~Case No. 22-13507~~

~~Sept 28th 2022~~
~~3507~~

15 of 15

REASONS FOR GRANTING THE PETITION

- 1) To uphold the United States Constitutional Laws and the Laws of the United States of America.
- 2) to protect, and defend this Constitution of the United States and of the State of Arizona
- 3) To provide equal protection of Law to all citizens of this United States
- 4) To provide equal rights to Alfred E. Careffa ADC #350727 under the U.S. Constitutional Laws and the Laws of the United States.
- 5) to protect the Constitution(s) Both State and federal And provide no Law for action(s) or act(s) in official capacity is ever passed over by A few corrupted government employees.

(6) Because the Arizona Dept. of Corrections stole the Court Approved writ of habeas Corpus (Amended Petition) and All three Copies along with the Exhibits of Envelopes from NOV. 28th 2022 (3 of 3) envelopes) In habeas Case 2:22-CV-00813-PHX-MTL (ESW) violating the U.S. Constitution and Arizona State Constitution. (A new civil Action Complaint for 1 Billion Dollars)

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date:

August 25th 2022

November 22nd 2022

December 6th 2022

AD 350727

21 of —

Certificate of Compliance

NO. _____

Ex parte:

Alfred Erik Caraffa

Petitioner

V.

President Joe Biden et al.,

Respondent(s)

As required by Supreme Court Rule 33(7)(5)
I certify that the petition for a writ of
Certiorari contains under 9000 words
excluding the parts of the petition that
are exempted by Supreme Court Rule 33(7)(d)
I declare under penalty of perjury that
the foregoing is true and correct.

Executed on Sep. 5th 2022
November 22nd 2022 I of 1
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Alfred Erik Caraffa
~~Alfred Erik Caraffa~~
38777