

No. \_\_\_\_\_

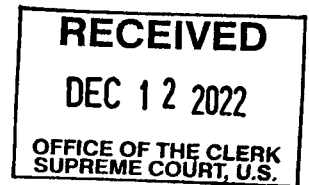
IN THE SUPREME COURT OF THE UNITED STATES

In re GARLAND RAY GREGORY, JR.

PETITIONER

PETITION FOR WRIT OF MANDAMUS

Garland Ray Gregory. Jr. #01566  
Mike Durfee State Prison  
1412 Wood Street  
Springfield, South Dakota 57062-2238



Petition For Writ Of Mandamus

Per the Supreme Court Of the United States, Office Of The Clerk's letter (attached) dated November 10, 2022:

Pursuant to 28 U.S.C. § 1651(a), Supreme Court Rule 20.1, the writ will be in aid of the Court's appellate jurisdiction, U.S. Const., Art III, § 2, CL2, reviewing the lower courts Supremacy Clause, U.S. Const., Art VI, CL2, violations; clearly erroneous application of A.E.D.P.A. prohibitions to petitioner's Rule 60(b)(4)(5) Motion application; abuse of discretion in review of the exceptional circumstances of the court<sup>1</sup> having never established constitutional subject matter jurisdiction for prosecution of petitioner; petitioner's habeas habeas filed 27 January 1981 being un-terminated; the decision in Gregory v. State, 353 N.W.2d 777 (S.D. 1984)

<sup>1</sup> South Dakota Fourth Judicial Circuit Court

overturned by subsequent South Dakota Supreme Court decisions; petitioner's life sentence being subsequently made a breach of the plea bargain by a 2005 South Dakota Legislative action, resulting in petitioner's present ongoing prison incarceration exceeding the statutory punishment.

### Certificate Of Service

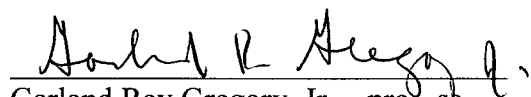
I declare that on this date 1 December, 2022, I have served the enclosed

Petition For Writ of Mandamus, on the:

South Dakota Attorney General  
1302 East Highway 14, Suite 1  
Pierre, S.D. 59501-8501

by depositing an envelope containing the documents in the United States mail properly addressed, postage prepaid.

Dated this 1 day of December, 2022.

  
Garland Ray Gregory, Jr. pro-se  
Mike Durfee State Prison  
1412 Wood Street  
Springfield, South Dakota 57062-2238