

22-7278

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

ORIGINAL

Supreme Court, U.S.  
FILED

MAR 23 2023

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Christopher J. Ward-Malone PETITIONER  
(Your Name)

vs.

United States of America — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Eighth Circuit  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Christopher J. Ward-Malone #12177-029  
(Your Name)  
Federal Correctional Complex-USP-2  
P.O. Box 1034  
(Address)

Coleman, Florida 33521-0879  
(City, State, Zip Code)

N/A

(Phone Number)

**QUESTION(S) PRESENTED**

To Review The Panel denial of petition for Rehearing  
on Summary Affirmed Judgment of The District  
Court Denial of Petitioner pro se Motion without  
Review, Analysis and Conclusion.

## **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**

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## TABLE OF AUTHORITIES CITED

### CASES

Miranda V. Arizona 384 U.S. 436 (1966)

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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 is unpublished.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 is unpublished.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 is unpublished.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 is unpublished.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 November 21, 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: January 18, 2023, and a copy of the order denying rehearing appears at Appendix C.

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).

2.

**CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

Fifth Amendment Due Process Violation of  
(Miranda Rights).

3.

### STATEMENT OF THE CASE

On October 3, 2022, Petitioner filed a criminal Action Motion. On October 4, 2022, Petitioner Prose Motion was denied without review. On November 21, 2022, U.S. Court of Appeals summarily Affirmed Judgment. On December 7, 2022, Petitioner Motion for an extension of time to file a petition for rehearing is granted. On December 27, 2022, Petition for rehearing filed. On January 18, 2023, Petition for rehearing by the panel is denied.

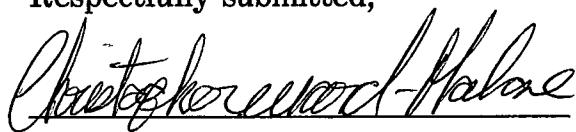
## REASONS FOR GRANTING THE PETITION

The U.S. Court of Appeals has entered a decision in conflict with the U.S. District Court by summarily affirmed the district court denial of Petitioner's pro se Motion arising a Fifth Amendment due process violation of (Miranda Rights) without review, analysis and conclusion of the constitutional claim. Both lower courts are avoiding and denying to address the merit of a guaranteed protective constitutional right to due process of law and denial of review will affect petitioner's substantive due process rights to review. This rise a important federal question that require the Supreme Court discretionary jurisdiction of review of the conflict of both lower courts and Petitioner should be grant certiorari.

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christopher W. Malone". The signature is fluid and cursive, with "Christopher" and "Malone" being the most distinct parts.

Date: March 20, 2023

A handwritten mark or signature in black ink, appearing to read "60". The "6" is on top and "0" is below it, with a small circle to the right.