

No.

22-7750

ORIGINAL

Supreme Court, U.S.
FILED

MAR 29 2023

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Jessie TRAYLOR — PETITIONER
(Your Name)

vs.

WARDEN, S. KNIGHT - RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals For The Fourth Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Jessie Taylor

(Your Name)

P.O. Box 6001

(Address)

Ashland, Ky 41105

(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

1. What is the difference between new controlling role of law in the F.S.A and new controlling role of law in Illinois concerning *Nasera-Rodriguez v. Barr*, 926 F.3d 343 (7th Cir 2019)
2. Is the petitioner a career offender after law has changed
3. Does the Act of Clemency stop petitioner from benefitting the terms of the law.
4. Is the petitioner's case actionable having cause through 782 Amend Amendment minus two election
5. Does denying petitioner the benefit of (Mathis) and (Nasera-Rodriguez) violate his Fifth and Fourteenth Amendments Rights of the Due Process Clause.

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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CASES

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1. U.S. V. SURRETT, 855 F.3d, 218 (4 Cir 2017)
2. 782 Amendment Made Retroactive on Nov. 1 2014
3. NAJERA-Rodriguez v. Barr, 926 F.3d 343 (7th Cir 2019)
4. Wadling v. Werlich, NO. 17-cv-449-S MY, 2020 U.S. Dist. Lexis 61340 (C.D. Ill Apr 7 2020)
5. Illinois Statute 720 ILCS. 5/70/402

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[] is unpublished.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[] is unpublished.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 _____.

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).

STATEMENT OF THE CASE

Petitioner is found guilty at trial sentence to life plus 38 years in Jan of 2010.

Petitioner filed 2285 in 2011 contesting conviction with priors.

Petitioner filed 2245 in 2012 contesting same priors with Brady violations.

Clemency is awarded to petitioner Jan. 2017.

In 2019 petitioner filed 782 Amendment that was made retroactive on 1 Nov. 2014 petitioner told that he was a career criminal and did not qualify for reduction even though law in Illinois had changed and he should no longer be consider a career criminal.

In 2020 petitioner moves to 2241 in the (4 cir) stating that his priors no longer qualify him for enhancement District Court denied cases citing (Surratt) case not because of clemency. Petitioner appeals this decision in 2021 stating under new controlling rule of law (F.S.A) (Surratt) had been rejected in every case. We asked what is the difference between new controlling rule of law in the (F.S.A) and the new controlling rule of law concerning NASCRA - Rodriguez v. Barr

REASONS FOR GRANTING THE PETITION

There is existence of a conflict between the reading or understanding of the law between the courts that can only be address by the Supreme Court. That can only be address by The Supreme Court. The (B.O.P) keeps one outside of the state that petitioner was sentence in. Making it even harder to explain the reason given for a denial. The law has change in Illinois and having clemency should not stop one from being consider American. I am not a second class citizen and when a law changes in America it changes for all.

The president has no constitutional role in defining crimes or fixing penalties which are legislative functions (U.S. v. Evans, 333 U.S. 483 68 S.Ct. 634 92 L.Ed 823) and commutation is not a new or imposed presidential sentence, but a modification of one previously imposed by a court. which congress and the courts have powers to reduce. petitioner asked that the courts order a hearing to impose a reduced sentence under the current statutory penalties explaining that he was convicted under 21 U.S.C 841(b) (1)(A) and that is the reason why

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Jessi Taylor

Date: 30 May 23

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. U.S. v. Booker, 543 U.S. 220, 160 F.3d 2d 621 125 S.ct 18 U.S.C 3583 (b)(1)
2. U.S. v. McKinney, 464 F. Appx 444, 447 (6th Cir 2012)
3. Madison push v. U.S (6 Cir N.D.O.H 2019 U.S. Dist Lexis 49407 case no S-98-cr-148)
4. Walker v. U.S (6th Cir 2019)
5. Dodd v. U.S (4th Cir 2019)
6. The 7th Cir. published opinion IN.
Curtis Johnson v. U.S, 339 U.S. 133, 138 (2010)
Thomson v. Terris (2019)
7. Mathis v. U.S, 136 S.ct at 2247
CANNON v. U.S, 890 F.3d at 663,
Holt v. U.S 843 F.3d 720
8. Opinion: IN Mathis by Wilkson J. 579. U.S at 505, 136 S.ct 2243, 195 L.E.2d 2d 604.
9. opinion: IN STALLWORTH v. U.S BY District Judge James P. Jones
10. opinion BY Judge WYNN IN WALKER v. U.S CASE NO. 1:94-cr-5 2019 U.S Dist. Lexis 42 673 (N.D. Ohio March 15 2019).