

22A496

IN THE UNITED STATES SUPREME COURT
WASHINGTON, D.C.

Supreme Court, U.S.
FILED
NOV - 9 2022
OFFICE OF THE CLERK

CLIFTON B. MAYS,

: CASE NO: _____

PETITIONER,

: JUDGE: _____

-VS-

:
:

KENNETH BLACK, (WARDEN),

: **REQUEST FOR C.O.A.**
: **EVIDENTIARY HEARING REQUESTED**

RESPONDENT.

: **Challenging Integrity of Proceedings**
: **due to Fraud Upon the Court**
: **Clerk violated 2253c illegally denying COA**

Now comes Clifton B. Mays, a pro se' Petitioner, with a complaint against Judge James Knepp, Magistrate Henderson, Chief Judge Jeffrey Sutton and Chief Clerk Deborah Hunt. These parties conspired to hide the fraudulent actions committed by the State of Ohio in the Prosecution and conviction of Clifton B. Mays. The following illegal actions have taken place in your Courts (Rule 4):

- 1) **The Federal Judges and Magistrates prejudicially ignored all requests for Discovery and Exculpatory Evidence that would have enabled Petitioner to get Habeas Relief based on the merits presented.**
- 2) **Judge Knepp merely took the recommendation of the Magistrate and State of Ohio, without conducting any investigation into the merits of Petitioner's claims.**
- 3) **Judge Sutton prejudicially allowed Chief Clerk Deborah Hunt (case no: 22-3029) and to dismiss the Certificate of appealability filed (case no: 22-3483), which violated Title 28 § 2253 (c), which states that only a Judge can rule on or dismiss a case.**
- 4) **The Federal District Courts failed to follow Case Precedents, violating Petitioner's Due Process, 4th, 5th, 6th 8th & 14th Amendment Rights of the United States Constitution, along with a violation of 18 § 241 – Conspiracy Against Rights and 18 § 242 – Deprivation of Rights under the Color of Law.**

We are Petitioning this Court to investigate these claims in order to void a "Manifest Injustice", pursuant to **Federal Rule of Civil Procedure 60 (b)(6)**. Please examine the enclosed Memorandum in Support.

RECEIVED
NOV 29 2022
OFFICE OF THE CLERK
SUPREME COURT, U.S.

MEMORANDUM IN SUPPORT

1) The Federal Judges and Magistrates prejudicially ignored all requests for Discovery -

Clifton B. Mays filed multiple Motions in his Petitions, which were needed to prove his factual allegations that would have entitled him to Habeas Relief. He filed Motions for Discovery, Evidentiary Hearing, Production, Interrogatories, to Show Cause and to serve subpoenas. Prejudicially, any Motion filed was denied with no Findings of Facts or Conclusions of Law.

Under the "Good Cause" Standard, Discovery should be granted if the Petitioner presents specific allegations that if the facts are fully developed, the Petitioner could demonstrate that he is entitled to relief". Petitioner alleged that the indictment was defective, the Prosecutor withheld information that violated Brady, The Prosecutor tilted the scales of Justice, causing trial counsel to be ineffective, Appellate Counsel was ineffective, made an error and failed to correct it and the 8th District Court of Appeals blatantly lied and illegally dismissed Mays one and only Appeal, thereby violating his Constitutional Rights. None of this can be refuted.

394 US AT 300 states "where specific allegations before the court shows reasons to believe that **if the facts are fully developed, and the Petitioner would be able to demonstrate that he is confined illegally and is entitled to relief, it is the duty of the court to provide necessary procedures for an adequate inquiry**". The Federal Court has prejudicially denied 4 motions for an Evidentiary Hearing, which could have resolved this case in an hour versus the 8 months we have been trying to assert that a hearing is not only necessary, but mandatory to obey the Federal Courts Procedural Guidelines requiring them to be expedient and cost-efficient.

Townsend v Sain 372 US 293 the United States Supreme Court listed 6 situations where state errors **required** the Federal Court to conduct an Evidentiary Hearing. The situations are listed below:

- 1) the merits of the factual dispute were not resolved in a State hearing
- 2) the states factual determination is not supported by the record
- 3) the states fact finding procedure did not adequately provide a full and fair hearing
- 4) there is a substantial allegation of newly discovered evidence
- 5) material facts were not adequately developed in a state court hearing and
- 6) the state Judge did not afford defendant a "full and fair hearing"

Generally, a Motion for an Evidentiary Hearing or Oral Arguments may be granted when particularly desirable and where the reasons provided justify a hearing. Oral Arguments are essential to a fair resolution of the case. In violation of Constitutional Law, this case was not ruled on based on its merits. Prejudicially, no investigation was done and no Interrogatories were compelled to be done as requested.

Pursuant to Murphy v Ohio 263 F. 3d 466, 467 "a case must be ruled on based on its merits". This is also mandated via **Federal Civil Rule 60-B (6)**, as they committed Fraud Upon the Court, **Conspiracy Against Rights and a Deprivation of Rights under the Color of Law**, violating **18 US§ 241 & 242**.

According to Taylor v. Maddox, 366 F.3d 92, 1000, 1014 (9th Cir. 2004) states, "Intrinsic challenges to state court findings pursuant to the unreasonable determination standard of section **2254(d)(2)** comes in several flavors, each presenting its own peculiar set of considerations. No doubt the simplest is the situation where the state court should have made a finding of fact but neglected to do so. In that situation, the state court factual determination is perforce unreasonable and there is nothing to which the presumption of correctness can attach. It is well established that when the state court does not make findings at all, no presumption of correctness attaches". The State of Ohio did this, mandating habeas relief.

The State of Ohio never showed the source of their fraudulent evidence as they could not. They merely kept dismissing any motion that would have forced them to present "certified proof" that the "supposed" evidence used to convict Clifton Mays was valid. Since the evidence was never certified, a decision against the Petitioner should have been denied. The fact that it was not constitutes a clear "Abuse of Discretion" that has caused a "Manifest Injustice".

2) Judge Knepp merely took the recommendation of the Magistrate and State of Ohio, without conducting any investigation into the merits of Petitioner's claims -

According to the Federal Rules of Habeas Corpus **28 § 2254** the Federal Court is mandated to investigate any claims that could entitle the Petitioner to relief. However, in today's Federal Courts, the Magistrates and Judges try to expediate their rulings by merely and prejudicially accepting the State Courts arguments, without allowing the Petitioner any chance of getting the necessary discovery to have his case heard and ruled on based on the merits.

3) Judge Sutton prejudicially allowed Chief Clerk Deborah Hunt (case no: 22-3029) and to dismiss the Certificate of Appealability filed (case no: 22-3483), which violated Title 28 § 2253 (c), which states that only a Judge can rule on or dismiss a case -

Deborah Hunt has multiple lawsuits currently filed in Federal Courts for doing the same illegal actions. A reasonable person would argue "how can a case be decided by a Judge on a certain date and the case was not even on his docket?" This would appear to the reasonable person that fraud was committed by the Court and the Judge never heard, considered or ruled on the Petition.

Also, the decision is supposed to have been made by a three Judge panel and the other 2 Judges are

not even named and their signatures are not on the Judge's Order. The only signature on the Judge's order was Deborah Hunts.


4) The Federal District Courts failed to follow Case Precedents, violating Petitioner's Due Process, 4th, 5th, 6th 8th & 14th Amendment Rights of the United States Constitution, along with a violation of 18 § 241 – Conspiracy Against Rights and 18 § 242 – Deprivation of Rights under the Color of Law -

The United States Supreme Courts has Judicial Codes of Conduct. **Canon 1.1** requires compliance with the law. **Canon 2.2** requires fairness and impartiality; **Canon 2.3** allows no Bias or Prejudice. Petitioner was wrongfully convicted by an all white Jury. Former U.S. Marshall, Keith Eckmeyer has been trying for almost a year to get a letter from the Courts to authorize him to get a copy of the fraudulent/missing evidence from GreyHound Bus Lines, University Hospital and the Red Roof Inn. The Court prejudicially will not comply. Anything that would help the Petitioner get his claim for habeas Relief approved, has been denied by each and every Court.

RELIEF SOUGHT

Petitioner is asking the Court to reinstate all previous Motions denied and to have them “fairly and impartially” ruled on by the Court. We respectfully demand our Constitutional Right to have an Evidentiary Hearing and Counsel Appointed, preferably within 30 days, in order to correct the “Manifest Injustices” that have occurred.

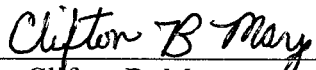
Respectfully submitted,



Clifton B. Mays #754410
Richland Correctional Institution
P.O. Box 8107
Mansfield, Ohio 44901
Petitioner, Pro se

CERTIFICATE OF SERVICE

I declare (or certify, verify or state) this petition was placed in the prison mailing system on November 9th, 2022 and sent to all parties mentioned, including the Ohio Attorney General located at 30 E. Broad Street in Columbus, Ohio 43215.



Clifton B. Mays

Mr. Clifton B. Mays
#754410
Richland Correctional Institution
P. O. Box 8107
Mansfield, OH 44905

Clifton B. Mays

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Cincinnati, Ohio #2 P&HC 452 ZIP
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OFFICIAL COURT OF APPEALS CAPTION FOR 22-3483

CLIFTON B. MAYS

Petitioner - Appellant

v.

KENNETH BLACK, Warden

Respondent - Appellee


ON the above date 6/23/82
I c/o James gave T/M Mays
his mail ^{from} ^{Si Yam circuit court} ~~bring~~ with the other
Inmates.  -40 James

Exhibit - A

Mr. Clifton B. Mays
#754410
Richland Correctional Institution
P.O. Box 8107
Mansfield, OH 44905

Part - two

SUPPLEMENT - Motion
TO
C. O. A
MEMORANDUM

MEMORANDUM IN SUPPORT:

Now comes the Petitioner, Clifton B. Mays, Pro Se', contesting the Integrity of the Proceedings under Magistrate Henderson, by the way of **Writ of Coram Nobis**. Magistrate Carmen E. Henderson's vindictive report and recommendation demonstrates her total disregard for the Rule of Law, The Judicial Codes of Conduct, Rule 2 &4, her oath of office, and the United States Constitution. We are requesting this Honorable Court for a **Mandatory Injunction** to the Federal District Courts, District Judge James R. Knepp II to order an Evidentiary Hearing or have him appoint a new Magistrate that will obey the United States Constitution and their oath of office in the interest of justice. We are asking for Magistrate Henderson to be disqualified from Case No: **1:20-CV-01402-JRK**, because of demonstration of bias towards Mr. Mays, since he filed a Writ of Mandamus against her after 20 months of inaction. Also, Magistrate Henderson allowed the State of Ohio to file for an extension of time at 6:00pm on May 4th, 2021; when the Court was closed and then illegally counted as filed on May4, 2021, Friday, instead of the next business day, which would have been Monday May 7th, 2021.

Magistrate Henderson violated her order on January 5th, 2021 by failing to make the State of Ohio demonstrate "**Good Cause**" for not asking for an extension within three business days or more, to comport with her own order, and the 14th Amendment, and its Due Process of Law Standards of the United States Constitution. We request that her Fraudulent and biased report and recommendation be stricken from the record, since it was done out of malice or malevolent intent as well as retaliation against Mr. Mays for filing a Writ of Mandamus. Mr. Mays predicted this in the same Mandamus. An Evidentiary Hearing is needed in this case in the Interest of Justice, because there is not any certified "**Chain of Evidence**". The who, what, when, where and how has not been legally satisfied as it relates to the Fraudulent Greyhound Bus Tickets, which were used as evidence at trial to convict Mr. Mays illegally.

For Example:

- 1) **Where did the Prosecutor get the copies of the Greyhound Bus tickets?**
- 2) **When were they received (date and time)?**
- 3) **Who from Greyhound gave them the Bus Tickets and**
- 4) **Why weren't they subpoenaed to testify at trial to verify their validity?**
- 5) **What legal reason was there for allowing Prosecutor Christine M. Vacha to use unverified, unvalidated Greyhound Bus Tickets as Evidence at trial?**
- 6) **Do the aforementioned Errors made by the Prosecutor not qualify as Prosecutorial Misconduct that created a Sham Legal Process?**
- 7) **How could Superintendent of Cleveland Internal Affairs, Ronald Bakeman confirm the validity of the alleged "Fraudulent" Greyhound Bus Tickets without a valid, Certified Chain of Evidence Statement?**

- 8) **How come the Cleveland Public Safety Director, Michael McGrath personally reviewed the Greyhound Bus Tickets given as evidence and found them to be "Fraudulent tickets created on a computer"?**
- 9) **Cleveland Public Safety Director, Michael McGrath subsequently stated that the Complaint filed was Fraudulent and fatally defective. How come this did not cause the Court to lose Subject Matter Jurisdiction?**

These arguments support that a crime occurred against Clifton B. Mays and his family; an Ohio and Federal Tax Payers! The Sixth Circuit Court has both statements from Michael McGrath and Ronald Bakeman.

An Evidentiary Hearing is required to see who is telling the truth. The Ohio Attorney General, David Yost cannot confirm the Greyhound Bus Tickets were not Fraudulent. That is why his Columbus Ohio's Office wrote three letters conceding these facts on March 1, 2021; and on June 23, 2021 and July 27, 2021. Also, the Ohio Attorney General, David Yost recommended that Mr. Mays file a complaint with the Ohio Disciplinary Counsel which he had done several times, after relentlessly contacting the Attorney General's Office and not getting any response.

The Ohio Attorney General, Dave Yost, should have filed a **"Motion for Want of Prosecution"** or some other related Motion, in order to be compliant with State of Ohio's Laws. Mr. Yost assigned the case to Asst. Attorney General of Ohio, Mary Ann Reese from the Cincinnati Branch. She was not aware of the **"Fraudulent Ticket"** that was illegally used as evidence against Mr. Mays. Mr. Mays sent her a copy and she negligently and prejudicially ignored it. In Ms. Reese's position, she should have been aware that since the evidence did not have a **"Certified Chan of Evidence"** statement on July 1, 2021, the evidence should have been excluded. This case lacks **"Certified Arrest and Search & Seizure Warrants"** that was not signed by a Judge.

As it stands now, Mr. Mays was illegally kidnapped from his home on the fictitious word of pathological liar, induced by self-preservation and by Detective Thelmon Powell of the Cleveland Police. Key questions that should have been answered are below:

- 1) **Where is the certified Complaint that establishes "Probable Cause"?**
- 2) **Where are the Essential Facts? How come when someone claims they were assaulted and went to the hospital, is the claim not dismissed when they or the hospital had absolutely no record that this person was ever seen on the dates in question?**
- 3) **How come if this abused person even went to the Hospital as claimed, did the Hospital not obey the law and call Police to report the supposed abuse?**
- 4) **Where are the pictures, medical records, University Hospital Police Reports which document the supposed abuse? Where is the alleged 911 call audio tape?**

- 5) Where are the videos from March 11-13, 2018 from 11pm to 4am to prove that the victim was even at University Hospital? Why when the videos were requested from Iron Mountain Video (located on East 71st and Euclid), who is responsible for storing all video from the hospital plus the University Hospital stores their own videos, why was the Defendant told that they were not available?
- 6) Why did the State of Ohio Fraudulently claim the month of March 11th to the 13th of 2018 videos were destroyed by University Hospital (U.H.), but they had all the other days in March 2018?
- 7) Why doesn't University Hospital have record of Arian Akhir being treated at U.H.?
- 8) Where is a record of the supposed cab ride (including the name of the cab company) from U.H. to Greyhound on Chester on March 13, 2018 between 3 and 3:30am?
- 9) Where are the children's Greyhound Tickets?
- 10) Where is the video showing Arian Akhir and her four children in the bus station or getting on the bus at 4am then the videos of them getting off the bus in Toledo at @7:30am on March 13,2018?
- 11) Where is the video showing Arian Akhir and her four children in the bus station in Toledo or getting on the bus on March 26, 2018 at @1:08pm then the videos of them getting off the bus in Cleveland at @4:30pm?
- 12) Why did Arian Akhir claim she paid for the Bus Tickets and hotel with a supposed Visa credit card and no bill confirming these payments (to Greyhound 7 Red Roof Inn) were submitted?
- 13) How can former U.H. Police Officer Greg Lindsay testify under oath that he spoke with Arian Akhir on Monday, March 12, 2018 at 11pm but there is no record or report of the conversation alleging domestic violence?
- 14) How come Detective Thelmon Powell admitted in trial that he did no investigation on October 9, 2018 but was able to make the conclusions he did to convict Mays without the proper evidence?
- 15) How come Detective Thelmon Powell failed to get the video evidence from U.H. or Iron Mountain that could verify that Arian Akhir was not at U.H. on the dates in question?
- 16) How come Detective Thelmon Powell got his longtime friend and former fellow officer, Greg Lindsay to testify in a case where no evidence submitted shows that U.H. Police Officer Lindsay was in any way involved in this case? (No mention in any Police Report which a U.H. Police Officer is required to file).
- 17) Was U.H. Police Officer Greg Lindsay fired due to his illegal statement which put U.H. liable of Conspiracy and creating a Sham Legal Process?
- 18) Did the letter Mr. Mays write to the President of U.H. identifying the above discrepancies lead to the firing of U.H. Officer Greg Lindsay?

19) How come Mr. Mays Constitutional Rights were violated when no credible party from U.H., Red Roof, Greyhound or any cab company testify as normally required in a trial?

20) Why were the subpoenas that Mr. Mays sent to the Cuyahoga County Clerk not served to Greyhound or University Hospital?

An Evidentiary Hearing will answer all these questions and prove that Clifton B. Mays was improperly and illegally charged and convicted. Additionally, the Cuyahoga County Clerk, Nailah K. Byrd confirmed that on March 9, 2020 that the U.H. videos can still be recovered, which directly contradicts the State of Ohio claim and makes that claim Fraudulent.

Mr. Mays' Trial Counsel, Michael Cheselka and his Appellate Counsel, Francis Cavallo both provided Ineffective Assistance of Counsel. Attorney Cheselka was investigated and later disbarred in Ohio for fraud and deception against his clients. He purposefully and prejudicially fixed cases and got innocent people convicted for crimes such as this one. The Supreme Court of Ohio disbarred him on January 2, 2020.

CHESELKA DISBARRED

How come these crimes committed by the Judge, Prosecutor and Trial Attorney not overcome any alleged Procedural bar, in the Interest of Justice? Mr. Mays filed a **Federal Civil Rule 31 – Motion for Written Interrogatories** by Deposition, **Federal Civil Rule 33 – Motion for Written Interrogatories** through mail, **Federal Civil Rule 34 – Motion for Production** to inspect the State of Ohio's alleged "**Certified Chain of Evidence**", **Federal Civil Rule 35 – Motion for Expert Witness** or forensic documentation expert that would prove that the Greyhound Bus Tickets and the Complaint were Fraudulent. Why would an Honest Magistrate deny Mr. Mays an Evidentiary Hearing, unless she had an axe to grind?

Also, Mr. Mays filed a Motion requesting that Magistrate Henderson order the State of Ohio to show cause; or the source of their "**Fraudulent**" evidence. She prejudicially failed to do this. Mr. Mays filed his **Writ of Habeas Corpus** on June 25, 2020 and Magistrate Henderson falsely claimed that the Writ was filed on July 5, 2018. How can her recommendations be trusted when she does not even remember the correct dates.

If Mr. Mays is "**procedurally defaulted**" as Magistrate Henderson claims because he is a "layman to the law", then how come she negligently failed to assign Counsel, when Mays demonstrated "special circumstances" that require appointment of counsel. Her ruling was improper, claiming that Mays was competent to represent himself and then she procedurally bars him for being incompetent and making multiple errors. This ruling is prejudicial and not logical at all.

The lower Federal Court cannot rule on the merits in this case before an evidentiary hearing is granted. **State of California v Douglas 372 US at 357** states "when an indigent is forced to a preliminary showing of merit, there is discrimination where a rich man can require the Court to listen to arguments before deciding the case on its merits, where a poor man cannot". If this case is properly ruled on based on its merits, it will become evident that a "Manifest Injustice" has occurred. It would also prove that Magistrate Henderson's Report and Recommendation was prejudicial and an Abuse of the Process.

We hereby request an Evidentiary Hearing (**within the next 30 days**), along with a written reprimand for Magistrate Henderson. Mr. Mays' Constitutional and Civil Rights have been violated, along with the Due Process of Law according to the Rule of Law Standards. If the lower Court would follow the law as it was written and intended, the Federal Courts would not be so tied up with remands to the Lower Court.

Mr. Mays was wrongfully convicted and is innocent. He fits the Miscarriage of Justice Standards according to **Murray v Carrier 477 US 478 (1986)**. The State of Ohio has put up Fraudulent opposition on State and Federal Appeal. Arian Akhir and her 3 oldest children should be allowed to recant their personal written and oral statement under oath. Mr. Mays has the subpoenas ready to be served. These are the same ones that Magistrate Henderson prejudicially returned, along with 6 other Interrogatories.

We request under **Federal Civil Rule 60 B (6)** that a full investigation and Evidentiary Hearing be held. Mr. Mays has diligently presented valid arguments to dispute many issues that have deprived him of his Constitutional Right to be heard and to get a "fair and impartial" decision rendered based on the merits of this case. It should also be noted that Mr. Mays did not waive his rights to Appellate Counsel, an incorrect statement made by Magistrate Henderson. The state record does reflect that Mays filed a Motion for New Counsel. No waiver was ever filed.

Mays gave the State of Ohio Courts a fair chance to hear and rule on his State **Civil Rule 60-B (5)** that claimed fraud upon the Court. All rulings were not accompanied with Findings of Facts or Conclusions of law. No presumption of correctness exists for the Federal Court to consider. Their determination must be presumed to be unreasonable, and needs to be reviewed by the Federal Court, De Novo. An Evidentiary Hearing will produce clear and convincing evidence in support of Mays exposing the State of Ohio and Magistrate Henderson's fraud upon the Court.

When Mr. Mays filed his **Habeas Corpus (2254)** with a Richland Cashier Certified Affidavit on June 25, 2020, proving that he was Indigent and the Clerk accepted it and sent an E-copy to the Ohio Attorney General in Columbus, Ohio, where Dave Yost ignored it for six months because if he answered it, he would be committing fraud upon the Federal Court. His three concession letters confirm that fact.

When the Clerk erred and failed to include the Indigence forms in the Pro Se' packets, Magistrate Henderson attempted to use this procedural error to dismiss the Writ. She then gave the State of Ohio an illegal extension of time after they were in default for 6 months. This is why Mays filed a Motion for Default on August 19, 2020. Judge Knepp's Clerk in Toledo refiled the Motion on January 26, 2021 at 1:00pm. Mays wrote Judge Knepp explaining why Magistrate Henderson erred by denying his August 19, 2020 filing for Default Judgment. Then, at 2:00pm on January 26, 2021, Magistrate Henderson overruled District Federal Judge Knepp's ruling an hour after receiving it, not giving it fair and impartial consideration to the benefit of the State of Ohio. The journal entry bears Mr. Mays witness as one entry is from Youngstown and one is from Toledo Federal Court.

Mr. Mays returned the Indigence form and had his family pay the \$5 filing fee on December 29, 2020. What more does Mays have to do to claim Federal Relief, or at least an Evidentiary Hearing? Magistrate Henderson and the State of Ohio both agree that Mays does not have remedies left in Ohio's state courts and why would he want to try to have a motion heard in these courts, when they had been prejudicially denied, not based on the merits.

Mays gave Ohio Courts a chance to rule on his **State Civil Rule 60 B (5)**. According to *Harvey v Portvondo, 2002 U.S. Dist. Lexis 1632 at 15 (E.D.N.Y. August 5, 2002)* "Even if a claim is not raised at trial, or on direct appeal, a claim pursued throughout a full round of State post-conviction proceedings is exhausted". The Trial Court, the 8th District Court of Appeals and the Ohio Supreme Court denied Mays **State Civil Rule 60 B (5)** without giving Findings of Facts or Conclusions of law, because to do so would expose the "Buddy Systems" conspiracy against Mays. It is so erroneous to claim that all of Mays claims on **Habeas Corpus 2254** and **Federal Civil Rule 60 B (6)** are "**Procedurally Barred**", unless Magistrate Henderson is in fear of exposing the Mock Trial Conspiracy and Sham Legal Process against Mays.

Mays has United States Certified Postal Receipts that he sent with his Motion for New Trial to the 8th District Court of Appeals. This same Court denied Mays Motion to show Cause as well as his Motion for Default Judgment on May 26, 2021. No reason was given as to why the "Fraudulent" Greyhound Bus tickets were not presented in open court on May 24, 2018 and June 4, 2018 and then were introduced on October 6, 2018. Why do all the Police Reports filed state that there were no injuries to Arian Akhir and her four children? How can the State of Ohio prove Felonious Assault without any Medical Records, Picture, real Witnesses or anything to support that Arian Akhir was injured and went to the Hospital as she Fraudulently stated? The evidence or lack of definitely supports that Mays was a victim of a Sham Legal Process using a Fixed Jury.

How can the Courts or Police prove kidnapping when Arian Akhir and her 4 children (one who is Mays child) have lived with Mays for over 7 years? It would appear obvious to a competent Detective that Arian Akhir filed a false report because Mays was kicking her out of his home for being unfaithful and if she did not get him in

trouble, she would not have a place to stay. Her actions were logical and made sense. She was protecting her own interests by filing the Fraudulent report.

Furthermore, the State of Ohio Records do not support that there was a **Certified Warrant** for kidnapping. The logical conclusion was that Arian Akhir filed a false report in order to have Mays removed from the home, so she could stay and not be put out for her infidelities. She also called Police from a land line phone in Cleveland (caller id verifies this), which proved that she lied and never went with the kids to Toledo. The tickets would have cost @\$58 one-way, the hotel @\$85 a day and she had no receipts for anything including food. The email statement she sent to Detectives on March 16, 2018 and the pictures she emailed to Detectives taken on March 19, 2018 were sent from her brother's home in Cleveland and not from any Hotel in Toledo. This verifies that her claims were "**Fraudulent**". Mays requested the Detectives verify this by getting the i.p. address and GPS information, along with her cell phone records.

More evidence of fraud is exhibited as the University Hospital Police are required to call the Cleveland Police whenever a victim of an assault enters their Hospital. Why were no calls made by them on March 12th or 13th, 2018? If an incident happened and was not reported, that person would have been reprimanded and possibly fired. Therefore, since no report exists, Arian Akhir's statement of injury from an assault and her claims that she went to University Hospital cannot be proved and must be viewed as false and Fraudulent.

Clifton B. Mays has satisfactorily shown that there are myriads of errors committed by Police, Detectives and the Courts in Ohio. The result is that an innocent man was convicted of crimes he did not commit, based on the statement of his wife, who was trying to make sure she would have a place to stay and not be left homeless due to her infidelity. To recap, the following errors were made:

- 1) **Conflicting Statements** - March 15th, 16th, 27th & 29th, 2018 and October 10, 2018 testimony
- 2) **Lack of Evidence -Nothing was verified**, no Medical Reports, Receipts, proof that her and children went to Toledo and stayed at Red Roof Inn, a computer generated "Fraudulent" Greyhound Bus Ticket, supposed missing videos, no Police Reports from University Hospital, Greg Lindsay¹ testified under oath to a case he had no knowledge of and who was friends for over 10 years with the Detective, and when Mays wrote to the President of the Hospital and stated that no Hospital Records or Police Reports were filed, that Officer has been terminated due to the letter Mays had written. Why was not someone from university Hospital not prosecuted for failing to report Arian Akhir's domestic violence abuse? Where is the record of that prosecution? Why did Arian Akhir claim to have been seen by a nurse in her police reports even though there is no record of it, then

¹ This officer is a University Hospital Police Officer.

at trial claim that she did not talk to any medical staff or University Hospital Police Officer, and she never mentioned Greg Lindsay in any of her written or oral statements?

Magistrate Henderson and the State of Ohio knows that a crime never happened, except against Mr. Mays. Magistrate Henderson failed to follow the constituting command required by the United States Constitution and her oath of office, and the Mandamus to do justice and obey the Rule of Law. Her Report and Recommendation must be stricken from the record in the interest of justice. A provision in a statute is said to be mandatory, when disobedience to it, or want of exact compliance with it, will make the act done under the statute absolutely void. Magistrate Henderson is upset with Mr. Mays because he filed a Mandamus, Ohio Judges, Prosecutors, Defense Attorneys, Police Officers, Detectives, Appellate Counsel are upset with Mr. Mays for contacting the FBI and the United States Justice Department, and Arian Akhir was upset with Mr. Mays because he threatened to kick her out of his home. How could this not be a Mock Trial Conspiracy or Sham Legal Process, if everything can be proven with an Evidentiary Hearing? How could Mr. Mays ever get a fair trial in Cuyahoga County?

Why would not the State of Ohio put up Fraudulent Opposition on State and federal Appeals, if all of this is true, and can be proven with an Evidentiary Hearing? They have too much invested to worry about tricking or deceiving federal judges to help them cover up their **Conspiracy Against Rights – 241 U.S.C., and Deprivation of Rights done under Color of Law – 242 U.S.C.**? they never expected Mr. Mays would find all this so soon, they underestimated him because he is black, now they do not know what to do, but get the help of rogue Magistrates, like Magistrate Henderson. We request that this Honorable Court to not allow Magistrate Henderson to set such dangerous precedent, where a Magistrate will knowingly leave an innocent man in prison for twenty-four (24) years, because he used his Constitutional Right and Mandamus the court for wasting time, resources, and clogging up the system. Trial court added insult to injury when they charged Mr. Mays two thousand nine hundred ninety-nine dollars (\$2,999.00) for the Mock Trial, so that he would not be able to receive money from his family or use his state pay to fight this unlawful case. They even took Mr. Mays Stimulus Checks even though the Ohio Attorney General Dave Yost stated on record "**Ohio laws prevent the Government from garnishing any money from Coronavirus Stimulus Checks**" (Columbus Dispatch, Source). The State of Ohio is very good with Double Speak.

Even the Cuyahoga County Conviction Integrity is guilty of covering up the Conspiracy and the Defense Attorneys refusal to help Mr. Mays. We request the United State Sixth Circuit Court of Appeals, under the Mandate Rule in an Interlocutory Injunction to direct the lower court to hold an Evidentiary Hearing before reaching merit within the next 30 days after the filing and review of this Writ. We also request appointment of Federal Counsel in the interest of Justice and Fairness. Justiceability, Exhaustion of Remedies, continuation of

litigation after final judgments and exhaustion or waiver of any statutory right of review should be allowed throughout the remedy of the Writ of Coram Noblis only under compelling such action to achieve Justice.

Clayton v Gibson 196 f3d, 11, 19, (10th Cir. 1999) states; "The exhaustion requirements Habeas relief is not jurisdictional, and may be waived by the State or avoided by the Petitioner if attempt to exhaust would be futile". According to US v White 222 F3d 363 (7th Cir. 2000) states; "the government has a special responsibility to insure the Integrity of the Criminal Justice Judicial process by living up to the code of professional ethics and fair play at all times". The State of Ohio and Magistrate Henderson did not do this. According to Discovery Counsel v City of Indianapolis 319 F3d, 277 (7th Cir 2003) "Federal Courts may use any available remedy to make good a wrong done".

According to Phillip v Woodford 267 F3d 966, 974-76 (9th Cr. 2001) "Petitioner was entitled to an evidentiary hearing notwithstanding failure to develop facts in State Court because State Courts' denial of a request for a hearing constitute "Cause" and Petitioner's allegation raised Colorable Claim of Prejudice". According to Bryan v Mullin 335 F3d 1207, 1214-15 (10th Cir. 2003) "Petitioner is entitled to an Evidentiary Hearing because allegation, if true would entitle him to Habeas relief and existing record is missing key testimony which Petitioner sought to develop in State Court when he requested an Evidentiary Hearing; we need not afford any deference to the State Court's factual findings on issue because the State Court did not hold an Evidentiary Hearing, any we are in the same position to evaluate the factual record as it was".

Magistrate Henderson's Report and Recommendation falls under the Unreasonable Determination Clause: Taylor v Maddox 366 F3d 992, 1000, 1014 (9th Cir 2004) which states "the Unreasonable Determination Clause applies where the first finding process itself is defective. If, for example, a State Court or Magistrate of the Federal Court makes evidentiary findings without holding a hearing and giving the Petitioner an opportunity to present evidence, such findings clearly result in an unreasonable determination of the facts. The Clause itself applies where the State Court or the Federal Magistrate makes Federal findings under a misapprehension as to the correct legal standard. Obviously, where the State Court or Federal Magistrate's legal error infects the fact finding process, the resulting factual determination will be unreasonable and "no presumption of correctness" can attach to it.

The United States Supreme Court states in Mooney v Holohan 295 US 103, 79 L.E.D. 1792 S. Ct. 340 (1935) "Due Process is a requirement that cannot be decreed satisfied if the State has contrived the conviction through pretense of a trial which has been used as a manner of depriving a defendant of liberty through deliberate deception of the Court and Jury by the presentation of testimony known to be perjured. Such a contrivance by the State to procure the conviction and imprisonment of defendant is as inconsistent with the rudimentary demands of justice as is the obtaining of a like result by intimidation".

The law must serve the cause of justice. Perhaps some would say that Mr. Mays innocence is a mere technicality, but that would miss the point. In a Society devoted to the Rule of law, the difference between violating or not violating a criminal statute or the Federal Constitution cannot be shrugged aside by a Judge, Magistrate or Attorney General as a minor detail. The unending search for symmetry in the law can often cause the Judges to forget about Justice.

The State of Ohio has decided fraudulently to oppose the granting of Habeas Relief of a Void Judgment in a **Federal Rule 60 B (6)**. In this case, even as it conceded in three letters that Mr. Mays is a victim of a Sham Legal Process under the Color of Law in violation of Due Process might cause some to question whether the State of Ohio has forgotten its overriding obligation to serve the Cause of Justice.

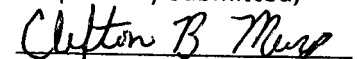
CONCLUSION

The State of Ohio, especially Cuyahoga County has been under a lot of scrutiny. It has become evident with the multiple number of Judges and Prosecutors being disciplined in Cuyahoga County, that the "Cause of Justice" has been blatantly and Prejudicially violated and ignored. SO many errors have occurred in this case, all to the detriment of the Defendants' Right to Justice.

Trial counsel was ineffective. He failed the **Cronic Standard** which required him to present an adversarial defense to the Prosecutions allegations. That deprived the defendant of his **5th 6th and 14th Amendment Rights** to equal protection, effective assistance, and due process guaranteed by the United States Constitution. According to **McMann v Richardson 397 US 759, 771 n. 14 90 S. Ct. 1441, 1449 25 L. Ed.2d 763 (1970)** Ineffective Assistance of Counsel is equivalent to a "Sham Legal Process" and nothing more than a formal compliance with the Constitution's requirement that an accused be given the assistance of counsel cannot be satisfied by mere formal appointment".

Defendant's Attorney, Michael Cheselka was disbarred on January 2, 2020 by the Ohio Supreme Court and on December 14, 2021 he resigned from practicing law, with charges still pending. This fact alone should justify Voiding the Judgment as Mays Constitutional Rights were violated. A "Miscarriage of Justice" has occurred and we humbly request that this Court correct the Injustices done.

Respectfully Submitted,



Clifton B. Mays #754410

P.O. Box 8107

Mansfield, Ohio 44901

CERTIFICATE OF SERVICE

A copy of this Writ has been served to the US District Court, 6th Circuit at 100 E. Fifth Street, Room 548 in Cincinnati, Ohio and the Attorney General of Ohio at 30 E. Broad Street in Columbus, Ohio on this 9th day of NOV, 2022.

Clifton B. Mays
Clifton B. Mays #754410

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Clifton B. Mays

v. Kenneth Black

Case No: 22-34-83

MOTION FOR PAUPER STATUS

I move to waive the payment of the appellate filing fee under Fed. R. App. P. 24 because I am a pauper. This motion is supported by the attached financial affidavit.

The issues which I wish to raise on appeal are:

- ①. FRAUD UPON The Court / And FRAUD done by All Courts
- ②. Evidentiary Hearing / Investigation
- ③. All Claims raised in The Federal District Court
- ④. INEFFECTIVE ASSISTANCE OF Counsel / Michael Chesalka was disbarred
- ⑤. FRAUDULENT EVIDENCE / FRAUDULENT Greyhound Bus tickets
- ⑥. Perjured WRITTEN / ORAL Statements / No Hospital Records

Signed: Clifton B Mays

Date: 6-23-22

Address: PO. Box 8187

MANSFIELD, Ohio 44901

INCARCERATED LITIGANTS ARE TO INCLUDE A COPY OF HIS/HER TRUST ACCOUNT FOR THE LAST SIX MONTHS.

CERTIFICATE OF SERVICE

I certify that a copy of the motion and affidavit was sent to opposing counsel via U.S. Mail on the 23 day of JUNE, 2022

Signature (Notary not required)

Clifton B Mays

CONFIDENTIAL

IN UNITED STATES MAGISTRATE DISTRICT APPEALS COURT or OTHER PANEL (Specify below)

IN THE CASE

CLIFTON B. MAX v.s. Kenneth Black

FOR SIXTH CIRCUIT AT 100 EAST FIFTH Street

LOCATION NUMBER

PERSON REPRESENTED (Show your full name)

- 1 Defendant-Adult
2 Defendant - Juvenile
3 Appellant
4 Probation Violator
5 Parole Violator
6 Habeas Petitioner
7 2255 Petitioner
8 Material Witness
9 Other

DOCKET NUMBERS
Magistrate
District Court
Court of Appeals
Sixth Circuit

CHARGE/OFFENSE (describe if applicable & check box ->)
Felony
Misdemeanor

EMPLOYMENT
Are you now Yes No Am Self-Employed
Name and address of employer: N/A
IF YES, how much do you earn per month? \$ N/A IF NO, give month and year of last employment
How much did you earn per month? \$
If married is your Spouse employed? Yes No
IF YES, how much does your Spouse earn per month? \$ N/A If a minor under age 21, what is your Parents or Guardian's approximate monthly income? \$

ASSETS
OTHER INCOME
Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? Yes No
RECEIVED SOURCES
IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES \$ N/A

CASH
Have you any cash on hand or money in savings or checking accounts? Yes No IF YES, state total amount \$

PROPERTY
Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? Yes No
IF YES, GIVE THE VALUE AND DESCRIBE IT \$ VALUE DESCRIPTION
N/A

OBLIGATIONS & DEBTS
DEPENDENTS
MARITAL STATUS: SINGLE, MARRIED, WIDOWED, SEPARATED OR DIVORCED
Total No. of Dependents
List persons you actually support and your relationship to them: N/A

DEBTS & MONTHLY BILLS
APARTMENT OR HOME: Creditors Total Debt Monthly Paymt.
N/A

I certify under penalty of perjury that the foregoing is true and correct. The information herein is protected from public disclosure by the Judicial Conference Policy on Public Access to Electronic Criminal Case Files

Executed on (date)

SIGNATURE OF DEFENDANT

(OR PERSON REPRESENTED)

Clifton B. Meyer # 754-410

Exhibit - B
UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

100 EAST FIFTH STREET, ROOM 540
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

Deborah S. Hunt
Clerk

Tel. (513) 564-7000
www.ca6.uscourts.gov

Filed: May 25, 2022

Mr. Clifton B. Mays
Richland Correctional Institution
P.O. Box 8107
Mansfield, OH 44905

Re: Case No. 22-3483, *Clifton Mays v. Kenneth Black*
Originating Case No. : 1:20-cv-01402

Dear Mr. Mays,

This appeal has been docketed as case number **22-3483** with the caption that is enclosed on a separate page. The appellate case number and caption must appear on all filings submitted to the Court.

The district court has denied you leave to proceed on appeal in forma pauperis. You have until **June 24, 2022** to either pay the \$505.00 appellate filing fee or file a motion for pauper status on appeal. If you choose to pay the fee, it must be submitted to the U.S. District Court. If you choose to request leave to proceed on appeal in forma pauperis, a motion and an accompanying financial affidavit must be submitted to this court, the U.S. Court of Appeals for the Sixth Circuit. **Failure to do one or the other may result in the dismissal of the appeal without further notice.**

For this appeal to proceed, the district court or this court must issue a certificate of appealability (COA) stating at least one issue for review. If the district court has denied the COA as to some or all issues, this court will review all issues rejected by the district court. You do not need to take any further action for this review to occur. However, if you choose to do so, you may submit **one signed** motion to grant a COA with this court, stating the issues for review and why this court should review them. If that is your choice, please do so as soon as possible. 6th Cir. R. 22(a).

This court's review may take several months. If both the district court and this court deny a certificate of appealability as to all issues, the appeal cannot proceed and will be closed. 28 U.S.C. § 2253(c).

Sincerely yours,

s/Sharday S. Swain
Case Manager
Direct Dial No. 513-564-7027

cc: Ms. Mary Anne Reese

Enclosure

EXHIBIT A-3

THE UNITED STATES FEDERAL COURT
COVER SHEET

PETITIONER

CLIFTON B. MAYS #754-410
P.O. BOX 8107
MANSFIELD, OHIO 44901

RESPONDENT

KENNETH BLACK (WARDEN)

OHIO ATTORNEY GENERAL: DAVE YOST
30 BROAD STREET, 16TH FLOOR
COLUMBUS, OHIO 43215

NATURE OF PROCEEDING:

COMPLAINT FOR FRAUD UPON THE COURT

CAUSE OF ACTION

7. Violation of Duty – Professional Codes of Conduct.
8. Fraud and Misrepresentation.
9. Violation of Civil Statute – 18 U.S.C. 241 – Conspiracy Against Rights.
10. Violation of Civil Statute – 18 U.S.C. 242 – Deprivation of Rights Done Under the Color of Law.
11. Violation of 4th, 5th, 6th, 8th and 14th Amendments of the U.S. Constitution.
12. Violation of the 10th Amendment of the Ohio Constitution.

**IN THE UNITED STATES 6th CIRCUIT
COURT OF APPEALS**

CLIFTON B. MAYS,	:	CASE NO: _____
PETITIONER,	:	CIRCUIT EXECUTIVE:
	:	MARK THERIAULT
	:	
-VS-	:	COMPLAINT:
	:	ILLEGAL ACTIONS BY COURT
KENNETH BLACK, (WARDEN),	:	
	:	JUDGE: JAMES R. KNEPP
<u>RESPONDENT.</u>	:	<u>MAG JUDGE: CARMEN E. HENDERSON</u>

Now comes Clifton B. Mays, a pro se' Petitioner, with a complaint against Judge James Knepp, Magistrate Henderson, Chief Judge Jeffrey Sutton and Chief Clerk Deborah Hunt. These parties conspired to hide the fraudulent actions committed by the State of Ohio in the Prosecution and conviction of Clifton B. Mays. The following illegal actions have taken place in your Courts (Rule 4):

- 1) **The Federal Judges and Magistrates prejudicially ignored all requests for Discovery and Exculpatory Evidence that would have enabled Petitioner to get Habeas Relief based on the merits presented.**
- 2) **Judge Knepp merely took the recommendation of the Magistrate and State of Ohio, without conducting any investigation into the merits of Petitioner's claims.**
- 3) **Judge Sutton prejudicially allowed Chief Clerk Deborah Hunt (case no: 22-3029) and to dismiss the Certificate of appealability filed (case no: 22-3483), which violated Title 28 § 2253 (c), which states that only a Judge can rule on or dismiss a case.**
- 4) **The Federal District Courts failed to follow Case Precedents, violating Petitioner's Due Process, 4th, 5th, 6th 8th & 14th Amendment Rights of the United States Constitution, along with a violation of 18 § 241 – Conspiracy Against Rights and 18 § 242 – Deprivation of Rights under the Color of Law.**

We are Petitioning this Court to investigate these claims in order to void a "Manifest Injustice", pursuant to **Federal Rule of Civil Procedure 60 (b)(6)**. Please examine the enclosed Memorandum in Support.

MEMORANDUM IN SUPPORT

1) The Federal Judges and Magistrates prejudicially ignored all requests for Discovery -

Clifton B. Mays filed multiple Motions in his Petitions, which were needed to prove his factual allegations that would have entitled him to Habeas Relief. He filed Motions for Discovery, Evidentiary Hearing, Production, Interrogatories, to Show Cause and to serve subpoenas. Prejudicially, any Motion filed was denied with no Findings of Facts or Conclusions of Law.

Under the "Good Cause" Standard, Discovery should be granted if the Petitioner presents specific allegations that if the facts are fully developed, the Petitioner could demonstrate that he is entitled to relief". Petitioner alleged that the indictment was defective, the Prosecutor withheld information that violated Brady, The Prosecutor tilted the scales of Justice, causing trial counsel to be ineffective, Appellate Counsel was ineffective, made an error and failed to correct it and the 8th District Court of Appeals blatantly lied and illegally dismissed Mays one and only Appeal, thereby violating his Constitutional Rights. None of this can be refuted.

394 US AT 300 states "where specific allegations before the court shows reasons to believe that **if the facts are fully developed, and the Petitioner would be able to demonstrate that he is confined illegally and is entitled to relief, it is the duty of the court to provide necessary procedures for an adequate inquiry**". The Federal Court has prejudicially denied 4 motions for an Evidentiary Hearing, which could have resolved this case in an hour versus the 8 months we have been trying to assert that a hearing is not only necessary, but mandatory to obey the Federal Courts Procedural Guidelines requiring them to be expedient and cost-efficient.

Townsend v Sain 372 US 293 the United States Supreme Court listed 6 situations where state errors **required** the Federal Court to conduct an Evidentiary Hearing. The situations are listed below:

- 1) the merits of the factual dispute were not resolved in a State hearing
- 2) the states factual determination is not supported by the record
- 3) the states fact finding procedure did not adequately provide a full and fair hearing
- 4) there is a substantial allegation of newly discovered evidence
- 5) material facts were not adequately developed in a state court hearing and
- 6) the state Judge did not afford defendant a "full and fair hearing"

Generally, a Motion for an Evidentiary Hearing or Oral Arguments may be granted when particularly desirable and where the reasons provided justify a hearing. Oral Arguments are essential to a fair resolution of the case. In violation of Constitutional Law, this case was not ruled on based on its merits. Prejudicially, no investigation was done and no Interrogatories were compelled to be done as requested.

Pursuant to Murphy v Ohio 263 F. 3d 466, 467 "a case must be ruled on based on its merits". This is also mandated via **Federal Civil Rule 60-B (6)**, as they committed Fraud Upon the Court, **Conspiracy Against Rights and a Deprivation of Rights under the Color of Law**. violating **18 US§ 241 & 242**.

According to Taylor v. Maddox, 366 F.3d 92, 1000, 1014 (9th Cir. 2004) states, "Intrinsic challenges to state court findings pursuant to the unreasonable determination standard of section **2254(d)(2)** comes in several flavors, each presenting its own peculiar set of considerations. No doubt the simplest is the situation where the state court should have made a finding of fact but neglected to do so. In that situation, the state court factual determination is perforce unreasonable and there is nothing to which the presumption of correctness can attach. It is well established that when the state court does not make findings at all, no presumption of correctness attaches". The State of Ohio did this, mandating habeas relief.

The State of Ohio never showed the source of their fraudulent evidence as they could not. They merely kept dismissing any motion that would have forced them to present "certified proof" that the "supposed" evidence used to convict Clifton Mays was valid. Since the evidence was never certified, a decision against the Petitioner should have been denied. The fact that it was not constitutes a clear "Abuse of Discretion" that has caused a "Manifest Injustice".

2) Judge Knepp merely took the recommendation of the Magistrate and State of Ohio, without conducting any investigation into the merits of Petitioner's claims -

According to the Federal Rules of Habeas Corpus **28 § 2254** the Federal Court is mandated to investigate any claims that could entitle the Petitioner to relief. However, in today's Federal Courts, the Magistrates and Judges try to expediate their rulings by merely and prejudicially accepting the State Courts arguments, without allowing the Petitioner any chance of getting the necessary discovery to have his case heard and ruled on based on the merits.

3) Judge Sutton prejudicially allowed Chief Clerk Deborah Hunt (case no: 22-3029) and to dismiss the Certificate of Appealability filed (case no: 22-3483), which violated Title 28 § 2253 (c), which states that only a Judge can rule on or dismiss a case -

Deborah Hunt has multiple lawsuits currently filed in Federal Courts for doing the same illegal actions. A reasonable person would argue "how can a case be decided by a Judge on a certain date and the case was not even on his docket?" This would appear to the reasonable person that fraud was committed by the Court and the Judge never heard, considered or ruled on the Petition.

Also, the decision is supposed to have been made by a three Judge panel and the other 2 Judges are

not even named and their signatures are not on the Judge's Order. The only signature on the Judge's order was Deborah Hunts.

4) The Federal District Courts failed to follow Case Precedents, violating Petitioner's Due Process, 4th, 5th, 6th 8th & 14th Amendment Rights of the United States Constitution, along with a violation of 18 § 241 – Conspiracy Against Rights and 18 § 242 – Deprivation of Rights under the Color of Law -

The United States Supreme Courts has Judicial Codes of Conduct. **Canon 1.1** requires compliance with the law. **Canon 2.2** requires fairness and impartiality; **Canon 2.3** allows no Bias or Prejudice. Petitioner was wrongfully convicted by an all white Jury. Former U.S. Marshall, Keith Eckmeyer has been trying for almost a year to get a letter from the Courts to authorize him to get a copy of the fraudulent/missing evidence from GreyHound Bus Lines, University Hospital and the Red Roof Inn. The Court prejudicially will not comply. Anything that would help the Petitioner get his claim for habeas Relief approved, has been denied by each and every Court.

RELIEF SOUGHT

Petitioner is asking the Court to reinstate all previous Motions denied and to have them “fairly and impartially” ruled on by the Court. We respectfully demand our Constitutional Right to have an Evidentiary Hearing and Counsel Appointed, preferably within 30 days, in order to correct the “Manifest Injustices” that have occurred.

Respectfully submitted,

Clifton B. Mays #754410
Richland Correctional Institution
P.O. Box 8107
Mansfield, Ohio 44901
Petitioner, Pro se

CERTIFICATE OF SERVICE

I declare (or certify, verify or state) this petition was placed in the prison mailing system on November ___, 2022 and sent to all parties mentioned, including the Ohio Attorney General located at 30 E. Broad Street in Columbus, Ohio 43215.

Clifton B. Mays