

No. 23 - 5355

FILED

JUL 24 2023

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE
SUPREME COURT OF THE UNITED STATES

Johnny Lee Warren PETITIONER
(Your Name)

vs.

MARK NADIER, et al., — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Ninth Circuit Court of Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Johnny Lee Warren #401108
(Your Name)

P.O. Box 957, 3-A-2
(Address)

Tucson, Arizona 85702
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

1. Did THE Ninth Circuit Deny Judgment By default in Err of The FEDERAL Rules Of Civil procedure Rule 55(a)?
2. Did The Ninth Circuit in its Order July 5, 2023, Mistakenly Claim Plaintiff is OR WAS A pretrial detainee, when Petitioner is STILL A pretrial detainee After 26 months With All His Federally protected Rights. This Err Effects The United STATES.
3. Did The District Court Err Ruling There is No personal Discrimination 42 U.S.C.S. § 12101, Chisdm V. Georgia, 2 U.S. 419 (1793). Plaintiff brought his 1983 in defendants individual Capacities And Federal LAWS, And In Violation of The United STATES Constitutions Amendments.
4. Was Plaintiff's Miranda Rights Violated?
5. Did The Tucson & SO. Tucson Police dept. Violated Double Jeopardy? 6/24/2028 AND 6/25/2021.

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:

MARK NAPIER, et al., previous Sheriff
Current Sheriff, CHRIS NANO'S. Defendants.

v.
Johnny Lee Warren,
Plaintiff

RELATED CASES

Must see; CV-00254-TUC-JCH-PSOT (2023).id.

There's A Conflict of Interest With
The federal district Judges presiding
ON ALL OF Plaintiff's Cases IN (TUCSON)

Confer - Senior ^{Federal} Judge Zapata (1999) presided
During Plaintiff's TRIAL By Jury
Plaintiff was The prevailing
Party. IN (TUCSON) ARIZONA

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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 _____ 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☒ is unpublished.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 July 5, 2023.

☐ 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).

yes Under Article III of The Constitution,

☐ 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).

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Smith V. Williams, 871 F.3d 684 (Sept. 8, 2017)

Chisolm V. Georgia, 2 U.S. 419 (1793).

STATE V. Turden, 239 Ariz. 526, 373 P.3d 543
(Ariz. 2016).

STATUTES AND RULES

Ariz. R. Crim. P. Rules 6, Effective Assistance of
Counsel Rule 7, Release, Rule 8 Speedy Trial. Its Been
26 months, Miranda Violation, Double Jeopardy Violated.

28 U.S.C. § 1257

42 U.S.C. § 12101

42 U.S.C. § 1975(d).

28 U.S.C. § 1915(g).

OTHER

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Constitution's First Amendment Right to Redress and Not be Discriminated Against, *id.* opening Brief on all Constitutional Violations, 1st 4th 5th 6th 8th 11th 14th and The Fifteenth which gives this Honorable Court Jurisdiction, is invoked under 28 U.S.C.S. § 1257(c)

ARIZONA'S Constitution Articles II & 10 is Coextensive with The Fifth Amendments Double Jeopardy Clause, Article II & 24 Rights to a Fair Trial Not Be denied pretrial detainees' Constitutional Rights (all) Before A Tribunal. 28 U.S.C.S. § 1915(e).

42 U.S.C.S. § 12101

42 U.S.C.S. § 1975 (d) Plaintiff is discriminated because of his Ethnic Background and Physical Condition Disability - Severe heart failure, 100% Disabled ADA.

STATEMENT OF THE CASE

identify The Opening Brief Attached With All other motions And Ninth Cir. order Electronic filing of CV-2023-00254-TUC-JCH. filed June 2, 2023. By Plaintiff, a default By defendants who never Answered or defended, first disclosures pages 1 of 1 and 1 of 2, 7/14/2021 by Dr. Shadd, M.D.

Requesting Plaintiff be seen within 48 to 72 hrs on 6/25/2021 to no avail, I've been in The Pima County Jail (Tucson) since 6/24/2021 Released for 4 hours and Rearrested. United States Officer Marshal Tackolove Read Plaintiff his Rights at 10:56 am on the Arrest sheet Plaintiff was in custody at 7:00 am, A violation of Miranda, I d., The Ninth Circuit failed to disclose the documents.

The Fact Remains Plaintiff is still a Pretrial detainee in Jail with all his Constitutional Rights.

Unless someone took them away? With all due respect, 26 months have gone by No Rule 8 Speedy Trial?

No Rule 11. On Sept. 8, 2022, I filed a letter with the Supreme Court in Assumpsit, Also, on Nov. 16, 2022 while waiting for a Ruling in the Ninth Circuit, which subsequently, I filed a default Judgment Motion. Plaintiff has a physical condition/severe heart failure exposed to Covid 19, Not a mental condition.

With All due Respect Supreme Court Justices.

God Bless you All!

REASONS FOR GRANTING THE PETITION

Under Article III of The Constitution This Court has Jurisdiction to Correct The Violations of The lower Courts to prevent Substantial Changes to OUR UNITED STATES Constitution, Federal laws AND Conspiracies By The lower Courts. letter's Filed With The Commission Sept. 8, 2022, NOV. 16, 2022 Under Civil Rights 42 U.S.C.S. § 1975(d). of The United States letter's By plaintiff twice put in danger from Contracting Covid 19 here At the Pima County Jail (Tucson) ON 2/8/2022 AND 5/17/2023, With Severe heart failure, High Blood pressure, Kidney failure. Therefore, Plaintiff prays This Honorable Supreme Court of The land, Grant this petition.

Also, Judgement By Default, Civil, R. 55(a). Double Jeopardy, Attached this WAS A single continuous event. STATE V. Jurden, 239 Ariz. 526 (2016).

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Johnny Lee Warren, Pro Se

Date:

July 24, 2023