

No. 23-5363 **ORIGINAL**

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

JUN 26 2023

OFFICE OF THE CLERK

KYLE RICHARD BISHOP — PETITIONER

(Your Name)

vs.

THE STATE — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

SUPREME COURT of GEORGIA

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

KYLE RICHARD BISHOP

(Your Name)

WALKER STATE PRISON

(Address)

P.O. Box 98, Rock Spring, GA 30739-0098

(City, State, Zip Code)

UNAVAILABLE

(Phone Number)

QUESTION(S) PRESENTED

1. WHETHER I CAN BE CONVICTED WITHOUT AN INDICTMENT?
2. WHETHER THE U.S. CONSTITUTION ALLOWS THE CONVICTION OF A U.S. CITIZEN WITHOUT AN INDICTMENT?
3. WHETHER THE SUPERIOR COURT HAD JURISDICTION TO CONDUCT AND PRONOUNCE CONVICTION AND SENTENCING WITHOUT AN INDICTMENT?
4. WHETHER THE STATE APPELLATE COURT GOT IT WRONG?
5. WHETHER THE STATE CLERK OF COURT AND DISTRICT ATTORNEY WERE RESPONSIBLE TO OBTAIN AND FILE AN INDICTMENT?
6. WHETHER THE STATE COURT HAD JURISDICTION TO CONDUCT A TRIAL WITHOUT AN INDICTMENT?
7. WHETHER MY LIBERTY HAS BEEN TAKEN WITHOUT FOLLOWING PROPER PROCEDURES?
8. WHETHER THE COURT HAD SUBJECT MATTER JURISDICTION?

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

N/A

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION.....	182
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	3
STATEMENT OF THE CASE	4
REASONS FOR GRANTING THE WRIT	5
CONCLUSION.....	6

INDEX TO APPENDICES

APPENDIX A Supreme Court of GA

APPENDIX B Court of Appeals of GA

APPENDIX C COBB COUNTY Superior Court

APPENDIX D INITIAL Superior Court filing

APPENDIX E

APPENDIX F

TABLE OF AUTHORITIES CITED

CASES	ERICKSON V. PAROUS, 551 U.S. 89 (2007)	PAGE NUMBER
COMMONWEALTH V. LAWWOOD, VA. LEXIS 541 (1828)		
GOODSON V. STATE, 20 FLA 571, 10 SOUTH 738, 30 AM. REP. 135		
REGINA V. HEANE, 9 COXE, CC 433	WILLIAMS V. BERRY, 8 HOW. 495	
ELLIOT V. PERSOL, 1 PETER 328, 26 U.S. 328, 340 (1828)		
BALMAN V. U.S., 1946 CLA 5 LA, 156 F2d 534		
HERRING V. U.S., 424 F3d 384, 389 (3rd Cir. 2005)		
PRICE V. COMMONWEALTH, 21 GRAT. VA. 859 (1892)		
SIMMON V. COMMONWEALTH, 89 Va 157 SE 387 (1892)		
STATE V. HEATON, 2310 Va 778 (1883)		
STATE V. BORDEAUX, 93 N.C. 563		
FRISBLE V. U.S. 157 U.S. 160, 155 LT 586, 396 Ed 657, 172 F656 781, 3d LEd 849	Joyce on an INDICTMENT 31 ex parte BAIN, 121 U.S. 1, 7 S.Ct	
STATUTES AND RULES		
U.S. V. GALE, 109 US 65, 71, 3 S.Ct 204, 28 L		
HERRING V. U.S. 424 F3d 384, 389 (3rd Cir 2005)		
28 USC 2072		
28 USC 2072 (B)		
F.R. of C.P. RULE 6(c) & 6(f)		
DC.G.A. 9-11-60(f)		
SMITH V. HARDRICK, 266 GA 54		
STATE V. MORGAN - 12-9-612-52		
RULE 60	RENIGAR V. U.S. 172 F.646 (1909)	
OTHER		
J.S. CONSTITUTION - 4TH, 5TH, & 6TH. Amends.		
GA CONSTITUTION		

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 1/2 to the petition and is

reported at 1/2; 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 1/2 to the petition and is

reported at 1/2; 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 A to the petition and is

reported at SUPREME COURT OF GA-522C1289; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the COURT OF APPEALS court appears at Appendix B to the petition and is

reported at A22A1510; 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 1/14.

[] 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: 1/14, and a copy of the order denying rehearing appears at Appendix 1/14.

[] An extension of time to file the petition for a writ of certiorari was granted to and including 1/14 (date) on 1/14 (date) in Application No. 1/14.

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 10/20/21. A copy of that decision appears at Appendix C.

[] A timely petition for rehearing was thereafter denied on the following date: 1/14, and a copy of the order denying rehearing appears at Appendix 1/14.

[] An extension of time to file the petition for a writ of certiorari was granted to and including 1/14 (date) on 1/14 (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

U.S. CONSTITUTION - 4TH, 5TH & 6TH AMENDTS.
GA CONSTITUTION

28 USC 2072

28 USC 2072 (B)

F.R. of Crim. Proc. Rule 6(C) & 6(F)

DCGA 9-11-60 (F)

SUBJECT MATTER JURISDICTION

REASONS FOR GRANTING THE PETITION

SUBJECT MATTER JURISDICTION

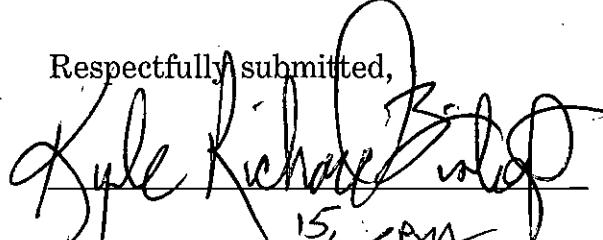
STATEMENT OF THE CASE

THE DISTRICT ATTORNEY PROSECUTED ME WITHOUT AN INDICTMENT. (SEE EXHIBIT 1&2 ENCLOSED). DEPRIVING ME AND THE COURT OUT OF ITS JURISDICTION OVER THE DEFENDANT AND THE SUBJECT MATTER. (SEE ENCLOSED). THE JUDGMENT IS VOID AND THE COURT JURISDICTION WAS NEVER HAD. THE CLERK OF COURT, DISTRICT ATTORNEY, AND THE RECORD IS SILENT.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,


Date: June 23, 2023 15, AM


Notary Public

Notary
Seal
(feel)

