

No. 23-5467

ORIGINAL

FILED

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OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE
SUPREME COURT OF THE UNITED STATES

Anthony Andrews — PETITIONER
(Your Name)

vs.

Warden Ramos — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

Anthony Andrews
(Your Name)

FBI Butler, P.O. Box 1000
(Address)

Butler, NC 27509
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

Is Chevron USA Inc v. NRDC,
Inc, 467 U.S. 837 (1984) "good law"
after Loper Bright Enterprises v
Baimondo, Case No 22-451 Cert. granted
5/1/23, U.S. Supreme Court?

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

Loper Bright Enterprises v. Raimondo, Case No 22-451
(cert granted May 1st 2023. (US S. CT))

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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 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☒ is unpublished.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☒ is unpublished.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☐ is unpublished.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☐ is unpublished.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 _____.

☒ 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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Under 18 USC 3621 (b) and 3624 (c) the
Chevron doctrine masks the enormity of
what is at stake. Chevron holds that a
federal court must defer to an agency's
interpretation of a statute when issuing a
ruling, provided the interpretation is reasonable.
This might seem straightforward a ruling, in fact,
it authorized a massive shift in power from
Congress and the courts to the president.
Most of the Administrative Agencies subject to
Chevron, including FBOP are run by Presidential
Appointments. These officials might have subject
matter expertise, but their knowledge does not
negate the fact that they make inherently
political judgments, which the Constitution
envisions would be made by elected legislators.
It is clear the Chevron doctrine "wrests
from the courts the ultimate interpretative
authority to say what the law is and hands
it over to the executive branch. The
interpretation and discretion is unreasonable.
I ask that this case be held in Abeyance
Pending Lopez v. Ramirez, Case No 22451,
set granted 5/1/23, US Supreme Court.

STATEMENT OF THE CASE

Petitioner moved under 28 USC 2241 challenging the FBOP's denial of Home Confinement under Cases Act due to prior conviction for False Imprisonment, A lesser included offense of Kidnapping under N.C. G.S. 14-39 Under N.C. law, 4th Circuit 2015, the 4th Circuit is Analyzing NCGS 14-39 and it has no "retaliatory purpose element" crime due to law contradiction. Under the FSA-2018, this prior conviction from 1988 was no time served, only a (Federal Time Credits) due to I don't have any qualifying violent conviction. The district court's ruling by using the "underlying facts, rather than finding a qualifying prior violent felony" is error and thus 18 USC 3621 and 18 USC 3624(c) is Ambiguous under Chevron v. NRDC, 467 US 837 (1984) by deferring to the Agency's interpretation of the First Step Act-2018. This allows the FBOP to be immune to the Judicial Process, even when its decision is clearly contrary to established law. The US Supreme in Lopez B. Bright Enterprises v. Brimondo, Case No 22-451 (cert granted 5/1/23). Under Chevron 18 USC 3621(b), 18 USC 3624(c) are Unreasonable Interpretations of the law!

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