

No. 23-5467

ORIGINAL

FILED

AUG 16 2023

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 Court 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)

3/1

(Phone Number)

QUESTION(S) PRESENTED

HTs Chevron USA Inc v. NRDC,
Inc., 467 U.S. 837 (1984) "good law"
after Loper Bright Enterprises v
Balmaceda, 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

Hoper Bright Enterprise v. Raimondo, Case N° 22-451
(cert grant) May 1st 2023. (US S.C.T)

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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[✓] is unpublished.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[✓] is unpublished.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[] is unpublished.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[] is unpublished.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 at first, but it authorized a massive shift in power from Congress and the courts to the president. Most of the administrative agencies subject to Chevron, including FBIOP, are run by presidential appointments. These officials might have subject matter expertise, but their knowledge does not. The fact that they make inherently political judgments, which the Constitution envisioned would be made by elected legislators, is clear. The Chevron doctrine "rests" from the courts the ultimate interpretive authority to say what the law in end hands it over to the executive branch. The interpretation and discretion is enormous. It ask this can be held in Abeyance pending (Op. v. Raymond, Case No. 22-451) set granted 5/1/23, US Supreme Court.

STATEMENT OF THE CASE

Petitioners moved under 28 USC 2241 challenging the FBO's denial of home confinement under CAES 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 law of US v. Flores-Gonzales, 783 F.3d 487 (4th C. 2015, the 4th circuit, is Analyzing NCGS 14-39 found False Imprisonment "not to be a violent crime due to it has no " retaliatory purpose element under State, N.C. law conviction. Under the FSA-2018, this prior conviction from 1988 was no time served, only a fine and this the FBO awarded FTC's (Federal time credits) due to it doesn't have any disqualifying violent conviction the district court's denial by using the "underlying facts, after year finding a qualifying prior violent felony is a error and this 18 USC 3621 and 18 USC 3624(c) is ambiguous under chevron NRPSC, 467 US 837 (1984) by referring to the Agency's interpretation of the First Step Act-2018. This allows the FBO to be immune to the Judicial Process, even when its decision is clearly contrary to established law. The US Supreme Court to consider the "chevron deference" in Lopez B. v. Bright Enterprise v. Spimondo, Case No 22-451 (cert granted 5/1/23). Under chevron 18 USC 3621(c), 18 USC 3624(c) are unreasonable Interpretations of the law!