

No. 22-3224

Supreme Court, U.S.

FILED

JUL 26 2023

OFFICE OF THE CLERK

23-5518

IN THE

SUPREME COURT OF THE UNITED STATES

Wm Mc Gamble — PETITIONER  
(Your Name)

vs.

USA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals N.Y.  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Wm Mc Gamble  
(Your Name)

68 Sullivan St  
(Address)

Rochester, New York  
(City, State, Zip Code)

585-867-2355

14605

(Phone Number)

585-470-4136

**ORIGINAL**

QUESTION(S) PRESENTED

1. 8th Amendment Violations  
Constitution Protection to all American's  
Citizens.
2. Due Process, the Right to fair  
Treatment - Equal protection.

**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:

DAVID G. LARSEN, District Judge  
United States of America,

**RELATED CASES**

1. Willie Gamble vs - U.S. A., 388 F<sup>3d</sup> 72
2. United States of AMERICA

VS  
John Son      Supreme  
Court.

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TABLE OF AUTHORITIES CITED

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STATUTES AND RULES

922 E. ACCA,

OTHER

U.S.A. VS. Johnson.

U.S.A. VS. Gamble et al

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 5 to the petition and is

reported at N.A.; 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 is unpublished.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 5 to the petition and is

reported at N.A.; 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 is unpublished.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 5 to the petition and is

reported at N.A.; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

The opinion of the N.A. court appears at Appendix 5 to the petition and is

reported at N.A.; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

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## JURISDICTION

[ ] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was MAY 25 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: NA, and a copy of the order denying rehearing appears at Appendix NA.

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

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 NA. A copy of that decision appears at Appendix NA.

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

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

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

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

J.A. 8<sup>th</sup> Amendment to the United States Constitution, Protects All American Citizens, Prohibits the Imposition of Excessive — Punishment.

And that All Statutory Provisions Involved Be Applied by Law with Respect.

It's ESSENTIAL TO ENSURE THAT ALL MISSTAIRAGE of Justice Are SURFACE AND — CORRECTED.

8<sup>th</sup> Amendment Prohibits CRUEL & UNUSUAL PUNISHMENT

⑩ MA,  
Provide a statement that identifies the relevant facts and makes a showing of likely merit as to each issue you intend to present on appeal. See Local Rule 24.1.

The Eighth Amendment to the United States Constitution, prohibits, cruel and unusual punishment. This Amendment prohibits the Federal Government from imposing unduly harsh penalties on criminals' defendants.

SEE, United States of America vs- Willie Gamble, Appellant, 388 F.3d 74, 2nd Circuit 2004. Gamble was sentenced to a statute that does or did not apply to him. 922, E.A.C.A. 18 year sentence.

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Provide a statement that identifies the relevant facts and makes a showing of likely merit as to each issue you intend to present on appeal. See Local Rule 24.1

Due Process Clause is found in both the Fifth and the Fourteenth Amendments to the United States Constitution, which prohibits the deprivation of life, liberty, or property, by the federal and state government. The United States Supreme Court interprets these clauses to guarantee a variety of protection. The Bill of Rights,

etc, etc  
, )

## STATEMENT OF THE CASE

DUE PROCESS VIOLATIONS  
The Right To Fair Treatment  
And Equal Protection:

Plaintiff convicted June 30 2003. Appaled  
his conviction. Twice denied. STATE  
and FEDERAL.

Know asked this Court to review  
the miscarriage of Justice, 8th amendment  
and Due Process Violation.

Gamble was sentenced as a Armed  
Career Criminal A.C.C.A. 922 G.  
which is a Statute that does not  
apply to Gamble.

Gamble was giving 18 years  
USA. vs. Gamble

Unconstitutional  
by Law.

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3.C.

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REASONS FOR GRANTING THE PETITION

Gamble Is And NEVER Was An ACCA GUILTY.  
Gamble was charged with A Simple  
Possession Charge. That Ended up AT  
The Federal Level, And unjustly  
DEALT WITH BY THE COURTS.  
United STATES of AMERICA VS Johnson  
waived my Plea from the Day of  
conviction until now.

As The Supreme Court noted - HARRIS,  
is ESSENTIAL TO ENSURE THAT MISCARRIAGE  
of JUSTICES ARE CORRECTED.

ACCA Does NOT  
APPLY TO Defendant ~~Play~~.

**CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

William J. Lambe

Date:

8/25/2023