

FEB 27 2023

OFFICE OF THE CLERK

No. _____

23-6328

IN THE

SUPREME COURT OF THE UNITED STATES

U.S. Court of Appeals for the Sixth CircuitAndrew Fields ^{III} — PETITIONER
(Your Name)

vs.

Federal Bureau of Prisons et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Sixth Circuit

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

PETITION FOR WRIT OF CERTIORARI

Andrew Fields ^{III}

(Your Name)

P.O. Box 2099

(Address)

Pollock, LA 71467

(City, State, Zip Code)

(318) 561-5300

(Phone Number)

ORIGINAL
ONE COPY

QUESTION(S) PRESENTED

Whether the Appellate Court ERRORED in dismissing
Appellants APPEAL for failure to CURE A defect AND/OR
complete (IFP) Application.

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:

ROBERT B. BONAR - Assist U.S Attorney
PATRICK Bouldin - FEDERAL DEFENDER
FRANK Heft - FEDERAL DEFENDER
MICHAEL Williams - OFFICER
BRIAN NONE - Homicide Detective

BRIAN RAYSE - DEA Agent
ANDRE BOTTOMS - DEA Agent
JUSTIN DEMAREE - ATF Agent

RELATED CASES

Criminal Docket for Case #: 3:11-cr-00045-BJB-DW-1
(U.S. District Court Western District of Kentucky (Louisville))

United States Court of Appeals for the Sixth Circuit
Case Numbers: 12-6420, 15-5381 6CA

Case title: U.S.A. v. Fields 3:14-cv-00616-JHM
Magistrate Judge Case Number: 3:11-mj-00068-DW

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION.....	9
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	10
STATEMENT OF THE CASE	11
REASONS FOR GRANTING THE WRIT	12
CONCLUSION.....	13

INDEX TO APPENDICES

APPENDIX A : ORDER of REHEARING PETITION from U.S COURT of APPEALS Sixth Circuit

APPENDIX B: Motion to STAY THE PROCEEDINGS IN ORDER to give NOTICE that Appellant
Did not HAVE His PERSONAL PROPERTY which WAS BEING WITHHELD by PRISON
STAFF.

APPENDIX C

APPENDIX D

APPENDIX E

APPENDIX F

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
[NONE]	

STATUTES AND RULES	
[NONE]	

OTHER	
[NONE]	

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 0 to the petition and is

[] reported at NONE - NONE; 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 0 to the petition and is

[] reported at NONE; 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 0 to the petition and is

[] reported at 0; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

The opinion of the 0 court appears at Appendix 0 to the petition and is

[] reported at 0; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

1.

JURISDICTION

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

The date on which the United States Court of Appeals decided my case was RESPONDENT/APPELLANT DOES NOT HAVE HIS LEGAL MATERIALS AT THIS PRESENT MOMENT, PLEASE SEE WRIT OF CERTIORARI

[] 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: JANUARY 31, 2023, and a copy of the order denying rehearing appears at Appendix A.

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

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 N/A. A copy of that decision appears at Appendix N/A.

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

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

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

[NONE]

STATEMENT OF THE CASE

DURING EARLY 2022 APPELLANT FILED THE AFOREMENTIONED APPEAL MENTIONED HEREIN CASE NO. 5133 AND WAS GIVEN A COURT ORDER TO COMPLETE A IN FORMA PAUPERIS APPLICATION AND FINANCIAL ASSET STATEMENT AND APPELLANT APPLIED.

APPELLANT, AFTER WAITING A LONG PERIOD OF TIME EXPECTING TO RECEIVE HIS COURT OF APPEALS BRIEFING ORDER AND PLRA APPLICATION AND CONSENT TO COLLECTION OF FEES PACKET, THAT HE NEVER RECEIVED["] BUT INSTEAD APPELLANT WAS MAILED ANOTHER FINANCIAL ASSET FORM TO COMPLETE AND FILL OUT WHEREAS APPELLANT COMPLIED.

APPELLANT, WAS THEN LATER MAILED A DISMISSAL ORDER FROM THE COURT OF APPEALS CASE MANAGER RYAN E. ORME INFORMING APPELLANT THAT HIS APPEAL WAS BEING DISMISSED FOR FAILURE TO COMPLY WITH THE COURTS ORDER.

APPELLANT, THEN FILED A MOTION FOR REHEARING ON APRIL 5, 2022 AND THEN SUBMITTED A MOTION TO RECONSIDER "MID 2023" WITH APPEAL COURT LEGAL DOCUMENTS ATTACHED AS EXHIBITS SHOWING AND EXPLAINING TO THE CLERK OF THE COURT ITS ERRORS IN DISMISSING APPELLANT'S APPEAL. THIS LEGAL DOCUMENT/EXHIBIT WHERE COURT RESPONSES INFORMING APPELLANT THAT HIS (IFP) APPLICATION WAS PROPERLY FILED AND GRANTED.

REASONS FOR GRANTING THE PETITION

APPELLANT ASSERTS THAT THE APPELLANT COURT ERRED IN DISMISSING HIS APPEAL AND FAILING TO FILE HIS MOTION TO STAY THE PROCEEDINGS AND GIVE HIM TIME TO RECEIVE HIS PERSONAL PROPERTY WHICH CONSISTS OF HIS LEGAL MATERIALS FROM A PREVIOUS PLACE OF CONFINEMENT WHEREAS APPELLANT WAS TRANSFERRED FROM UNITED STATES PENITENTIARY - THOMAS ON DECEMBER 27, 2022 AND ARRIVED HERE AT UNITED STATES PENITENTIARY - POLLOCK ON JANUARY 10, 2023 AND HAS YET TO RECEIVE OR BE ISSUED HIS NEW ARRIVAL INTAKE PERSONAL PROPERTY WHICH CONSISTS OF HIS LEGAL MATERIALS FROM U.S.P. THOMAS.

APPELLANT'S AVERS THAT WITHOUT HIS PERSONAL PROPERTY WHICH CONSISTS OF HIS LEGAL DOCUMENTS HE IS UNABLE TO DRAFT THIS WRIT OF CERTIORARI PROPERLY GIVING ACCURATE DATES, COPIES OF EXHIBITS, ADEQUATE DETAILS ETC TO SUPPORT HIS PETITION.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Andrew Fields III

Date: March 31, 2023