

23-6409

No. \_\_\_\_\_

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED  
DEC 29 2023

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

23-15622

Alfred E. Caraffa <sup>ADOC#350727</sup> — PETITIONER  
(Your Name)

ADOC et. al. <sup>vs.</sup> — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

No Court of this United States  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Alfred Erik Caraffa <sup>ADOC#</sup>  
(Your Name) <sup>350727</sup>  
ASPC-TECSON/Rincon He Six A  
PO Box 24403  
(Address)

LUCSON, AZ 85734  
(City, State, Zip Code)

In Custody  
(Phone Number)

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QUESTION(S) PRESENTED

1) Does the fifth Amendment of the U.S. Constitution Apply to the Federal U.S. Court of Appeal ~~IN~~ and for the Ninth Circuit Court?

2) CAN the U.S. ~~Court~~ Court of Appeals IN the 9th Circuit Court issue AN writ/order of the Court with NO Seal of the United States per USC S?

3) CAN the U.S. Court of Appeals IN the 9th Circuit Court issue AN writ/order of the Court with NO official Signature(s) FROM Any 9th Circuit Judge or the clerk of the Court and uphold the UNAUTHORIZED unsigned Documents Constitutional?

4) CAN the 9th Circuit Court of Appeal hold AN Appeal for 8 months with NO Evidentiary hearing Being done in A writ of habeas Corpus Class Action Case?

5) can Federal Judge(s) violate U.S. Constitutional Laws?

## 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:

- 2) United States of America case No. 23-15875
  - 3) State of Arizona case No. 23-15876
  - 4) David Shinn / Ryan Thornell case No. 23-15926
- Plus All Defendant(s) listed in each case.

## RELATED CASES

- 1) 23-15622 (9th Cir.) D.C. case Number 2:23-CV-00299-PHX-MTL (ESW)
  - 2) 23-15875 (9th Cir.) D.C. case Number 4:23-CV-00173-TUC-JGZ (PSOT)
  - 3) 23-15876 (9th Cir.) D.C. case Number 4:23-CV-00177-TUC-JGZ (PSOT)
  - 4) 23-15926 (9th Cir.) D.C. case Number 4:23-CV-00176-TUC-JGZ (PSOT)
  - 5) 23-2395 (9th Circuit) D.C. case No. 2:23-CV-00982-PHX-MTL (ESW)
  - 6) 23-15873 (9th Cir.) D.C. case Number 2:22-CV-00813-PHX-MTL (ESW) Also see 23-3369
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(6) Six pages of Evidence

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32 pages case no. 23-15873  
and 23-3369

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# TABLE OF AUTHORITIES CITED

## CASES

## PAGE NUMBER

- 1) Pope V. Turner C.A. 10 (UTAH) 1970,  
426 F.2d. 783
- 2) Cooper V. Porter <sup>(378)</sup> U.S. 546 (1964)  
Estelle V. Gamble 429 U.S. 97, 97 S.Ct. 285,  
50 L.Ed. 2d. 251 (1976)
- 3) Jackson V. Bishop 404 F.2d. 571, 579,  
(CA. 8 1968)
- 4) U.S. ex. Rel. Sero V. Preiser, C.A. 2 (NY)  
(1974) 506 F.2d 1125, certiorari denied. 95 S.Ct.  
1587, 421 U.S. 921, 43 L.Ed. 2d. 789

## STATUTES AND RULES

- 1) ARS Const. Article 20 paragraph fourth  
Public Lands, Indian Lands
- 2) 18 USCS section 1162 - State  
Jurisdiction over offenses committed  
by or against Indians in the Indian  
Country see (a) (b) (c) and (d)
- 3) 18 USCS section 1152 - Laws governing
- 4) 18 USCS section 1153 - offenses committed  
within Indian Country.

## 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 23-15622; 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 A to the petition and is

☒ reported at 2:23-cv-00299-PHX-MTL; 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 N/A 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 N/A 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 12/18/2023.

☐ 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: 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. N/A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from **state courts**: Doesn't Apply

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. N/A.

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

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CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- 1) 14<sup>th</sup> Amendment U.S. Constitution
- 2) 8<sup>th</sup> Amendment U.S. Constitution
- 3) 5<sup>th</sup> Amendment U.S. Constitution
- 4) 6<sup>th</sup> Amendment U.S. Constitution
- 5) 7<sup>th</sup> Amendment U.S. Constitution
- 6) 18 U.S.C.S section 1152
- 7) 18 U.S.C.S section 1153
- 8) 18 U.S.C.S section 1162
- 9) 42 U.S.C.S section 1983
- 10) 28 U.S.C.S section 2254(e)  
Rule 8 of the Rules Governing section  
2254 Cases (evidentiary hearing)
- 11) Federal Rules of Civil Procedure  
Rule 8(b)(6) effect of failing to Deny.



# STATEMENT OF THE CASE

In the class action habeas Corpus Action filed to the 9<sup>th</sup> circuit Court of Appeals on June 5<sup>th</sup> 2023 and Not heard in AN Evidentiary hearing But Dismissed along with several other civil Action(s) on December 18<sup>th</sup> 2023.

UNCONSTITUTIONALLY with NO Seal or official Signature on Any of the Federal Court writs/orders issued by the U.S. Court of Appeals for the 9<sup>th</sup> Circuit Court (AN Fifth Amendment violation)

A.R.S. CONST- Article 20.14) was Also filed IN 22-15873 which is 23-3369 AS still Not Ruled on By this 9<sup>th</sup> Circuit Court of Appeals.

The Constitutional Law is Clear in its Language of Absolute Jurisdiction and Control "the word Absolute is Not liable for revision- which Means the total Federal Jurisdiction in the State of Arizona is An Exclusive Jurisdiction of the United States of America. And Can Not be changed.

Under Fed. R. Civ. P. Rule 8(b)(6)  
Effect of Failure to Deny - The  
State of Arizona has had legal  
Notice more than three (3) times in  
three different cases Action(s)  
while the Federal Court(s)  
Delay the Constitutional outcome  
to the one Federal Jurisdiction  
of the State of Arizona.

In 23-3369 the three named  
Petitioner(s) Are seeking \$7440<sup>00</sup> dollars  
per day of unconstitutional Custody  
well under the legal limitations  
allowed by the U.S. Supreme  
Court in Comparable Case(s)  
plus Interest.

The State of Arizona has not  
Responded and the Effect of  
failure to deny IS Default

The only question the State of  
Arizona can subject hearings of  
is the Cost of Damages  
which is \$7440 per day plus Interest  
with \$80,000<sup>00</sup> upon Release from

Custody, And the release of All  
the subclass under 23-3369  
Amended to All State and County  
Prisoners under  
U.S. Ex Rel. SERO V. Preiser  
C.A. 2 (N.Y.) 1974, 506 F.2d  
1115 certiorari denied, 95 S.Ct.  
1587, 421 U.S. 921, 43 L.Ed 2d.  
789 which states

"where ~~Representative~~ Representative  
parties who sought habeas Corpus  
for themselves and for other  
young Adult Misdemeanants held  
in State prison could have proceeded  
Individually in District Court for  
the Southern District of New York,  
That Court had jurisdiction over  
the entire class, Including those  
who were neither imprisoned, nor  
sentenced in the Southern District"

Arizona has ONE Federal District  
Court for the Entire State.  
which had Jurisdiction to hear this

## REASONS FOR GRANTING THE PETITION

- 1) to uphold the Federal and State Constitution & Laws
  - 2) to Stop the Creation of Unconstitutional Arrests, and Conviction(S)
  - 3) to Stop the irreparable harm Being caused by Unconstitutional Employees In the State of Arizona  
Receiving A Reward of An Unlawful Paycheck, knowingly and willingly.
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## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Respectfully submitted,

Date: 12/20/2023

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