

No. 23-6766

ORIGINAL

FILED

JAN 30 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE
SUPREME COURT OF THE UNITED STATES

Zavian Jordan — PETITIONER
(Your Name)

vs.

Chris Newman — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

Zavian Jordan 19593-058
(Your Name)

Federal Correctional Institution
(Address)

P.O. Box 1500, Butner NC 27509
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

Can a lower court use a different standard other than the precedent setting standards from this Court?

Whether or not a Supreme Court standard is binding to a lower court if not does the lower court have to explain its standard?

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:

Miller Clint Bridges

no. 3:16-cr-00145 RELATED CASES

United States v. Zavian Jordan U.S. District Court for the Western District of North Carolina Judgment entered 11-10-17

United States v. Zavian Jordan no. 17-4751 U.S. Court of Appeals for the Fourth Circuit Judgment entered 3-3-20
Zavian Jordan v. United States no. 20-256 Supreme Court of the United States denied 1-11-21

Zavian Jordan v. Chris Newman no 3:19-cv-00212 MR
U.S. District Court for the Western District of North Carolina Judgment entered: ~~11-8-21~~ 8-2-21

Zavian Jordan v. Chris Newman no. ~~19-7309~~ 21-7309
U.S. Court of Appeals for the Fourth Circuit Judgment entered: 11-8-23

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TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Terry v. Ohio 88 S Ct 1868
Whren v. United States 517 US 806

STATUTES AND RULES

42 U.S.C 1983

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☒ is unpublished.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 11-8-23.

☐ 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: 12-12-23, and a copy of the order denying rehearing appears at Appendix C.

☐ 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

Fourth Amendment

STATEMENT OF THE CASE,

On May 11, 2016 Newman executed a seizure by a way of a fabricated traffic violation and DWI test. Newman testified under oath that the unreasonable stop and DWI investigations were indeed a ruse. In the petitioners Suppression Hearing it was also explained how the Petitioners actions were odd and could be arrest for not exiting the vehicle under Supreme Courts Pennsylvania v. Mimms during that traffic stop, even though Terry was mentioned at that hearing the standard 2-prongs were not used blowing the investigation standard canceled Terry. Searches of three residents took place the same day. The stop and the searches yielded evidence that got the petitioner convicted.

This Court didn't use the 2-prong standard in any of the proceedings including both appeal cases Criminal and civil in fact the appeals overlooked the validity of the stop and gave a opinion for pro-longing of the stop for 11-minutes instead. The District Court did not use the 2-prong standard as well civil and criminal and suppression hearing. The petitioner has been in both Courts 5 times where the 2-prong standard has not played a factor. The searches of the 3 residents were executed on what appeared to be invalid warrants. Also the arrest warrant on the docket sheet was executed before it was issued. On the warrant return it states executed on 5-11-16 but the warrant was issued on 5-12-16. This along with the searches indicates a unreasonable seizure and search.

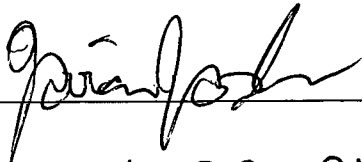
REASONS FOR GRANTING THE PETITION

To ensure fairness and to make sure that everyone no matter if you are a citizen, judiciary, or other follows the same standard, rules and laws with respect. The same rules, laws should apply everyone to balance the powers that be. To Grant this petition would clear up the issue of not using the standards and rules set out by this very court and knock down a hurdle that the average person cant make it over.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "G. A. Jones", is written over a horizontal line.

Date: 1-30-24