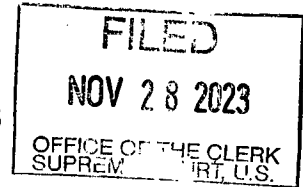


No. 23-6825 ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



Jmarreon Mack — PETITIONER
(Your Name)

vs.

U.S. Court of Appeals for the Fifth Cir. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

Jmarreon Mack # 21052-035
(Your Name)

FCI Pollock, PO Box 4050
(Address)

Pollock, LA 71467
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

I would like the United States Supreme Court to undo my Wrongful Conviction in the lower U.S. District Court 5th Circuit and Grant me Release.

I ask all of the United States Supreme Court Justices; How can a United States District Court allow a Corrupted State Trooper under an active Criminal Investigation for Murder that the Prosecutor knows about but with holds that information from a Defendant, Be allowed to Testify against that Defendant Under Oath at his "Suppression Hearing" and again at His Trial?

Is this Fair? Is this Integrity?

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:

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STATUTES AND RULES

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☐ is unpublished.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 _____ 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☐ is unpublished.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☐ is unpublished.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 September 1, 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: _____, 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 November 16th 2023 (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

My Constitutional Rights were violated... My Sixth Amendment right to confront and cross-examine the Government's primary witness against me, as well as my right to a Fair Trial. By not being given the opportunity to cross examine the Government witness against me with the "New Evidence" it undermined confidence in the verdict. Kyles, 514 U.S. at 435.

"My Fifth Amendment Rights were violated under Due Process, There is Newly Discovered Evidence in my case.

The Suppression of evidence favorable to an accused upon request violates due Process where the evidence is material either to guilt or to punishment, irrespective of the good faith or bad faith of the prosecution. Banks v. Dretke, 540 U.S. 668, 691 (2004). Louisiana State Police Trooper Christopher Hollingworth testimony at my motion to suppress hearing on June 19, 2019, and again testifying at my Trial seriously affected the fairness, integrity and Public Reputation of Judicial Proceedings, As such, there is an extremely High reasonable Probability that the outcome of my case would have been different had the evidence against me been Suppressed.

The United States Supreme Court has consistently held the prosecution's duty to disclose evidence material to either guilt or punishment applies even when there has been no request by the accused. Banks v. Dretke, 540 U.S. at 690 (quoting Strickler v. Green, 527 U.S. 263, 280 (1999); United States v. Agurs, 427 U.S. 97 (1976).

The important Question of Constitutional Law here is whether my Fifth and Sixth Amendment Rights were violated in my case? The answer to that Question is clearly Yes! The U.S. 5th Circuit of Appeals erred in its ruling against me. My Fifth and Sixth Amendment Constitutional rights were absolutely violated without a doubt! The U.S. Govt Suppressed crucial evidence in violation of Brady v. Maryland, 373 U.S. 83 (1963).

The evidence was indeed factually Material. The evidence was in fact material because there is a "reasonable probability" that its disclosure would have led to a different outcome. Kyles v. Whitley, 514 U.S. 419, 434-35 (1995). The record of the Govt's choice to use a corrupted Trooper with NO credibility clearly undermined confidence in the verdict. Without the Criminal testimony and fabricated statements of the Trooper the United States Government would not have had a case against me. This duty applies to exculpatory and impeachment evidence. Strickler v. Greene, 527 U.S. 263, 280 (1999); United States v. Bagley, 473 U.S. 667, 676 (1985). In all due respect to the U.S. 5th Circuit of Appeals, The Court clearly erred by not Granting a ruling in my favor.

STATEMENT OF THE CASE

My Sixth Amendment Rights were violated under right to confront and cross-examine witness against me, as well as my right to a fair Trial.

My Fifth Amendment Rights were violated Under Due Process.

Former State Trooper Chris Hollingsworth testified against me at my "Motion to Suppress Hearing" and at my Trial. By the time my Suppression hearing commenced, Hollingsworth had already been actively engaged in a corrupt cover-up of his criminal actions on the night Ronald Greene died. This cover-up continued through the date of my jury trial. The Government defends the testimony of Hollingsworth a State Trooper it knows was corrupt. It does not deny it's principal witness corruption. Instead it characterizes his corruption as garden variety impeachment evidence. The Government's response is to urge the Court to ignore the corruption because it's existence constitutes mere impeachment evidence. But the failure to provide the defense with the impeachment evidence deprived me of two (2) fundamental Constitutional rights at the "Suppression Hearing" and "Trial".

There is Newly Discovered Evidence in my case.

The Suppression of evidence favorable to an accused upon request violates Due Process where the evidence is material either to guilt or to punishment, irrespective of the good faith or bad faith of the prosecution. *Banks v. Dretke*, 540 U.S. 668, 691 (2004).

Louisiana State Police Trooper Christopher Hollingsworth testimony at my motion to Suppress hearing on June 19, 2019, and again testifying at my Trial Seriously affected the fairness, integrity and Public Reputation of Judicial Proceedings, As such, there is an extremely High Reasonable Probability that the outcome of my case would have been different had the evidence against me been Suppressed.

Trooper Christopher Hollingsworth was a rogue, corrupted, criminal officer who played a key role and involvement in the Torture and Murder of Black Motorist Ronald Greene on May 10th, 2019. Trooper Chris Hollingsworth made false statements and incredible testimony under oath at my "Motion to Suppress Hearing" Thirty (30) days after Beating, Torturing, and Murdering Ronald Greene. Trooper Hollingsworth's involvement in Greene's Death occurred one month before my "Motion to Suppress Hearing" and over six months prior to his testimony given at my Trial on the merits. I Jamarreon Mack Pro Se was racially profiled and stopped By Trooper Hollingsworth.

The Governor of Louisiana "John Bell Edwards" called the Troopers actions criminal and went further to describe them as racist.

Trooper Christopher Hollingsworth was a Inhumane, racist Criminal who should not have been allowed to give lies and false testimony at my Motion to Suppress hearing or my Trial. Hollingsworth's False testimony led to the introduction of unlawful evidence which would have otherwise Been Suppressed had His Misconduct and Criminal Misdeeds been exposed prior to him testifying in Court against me.

The U.S. Govt. did not have a clear case against me, it Blatantly and Knowingly abused it's discretion, the facts clearly and concisely prove my innocence!

REASONS FOR GRANTING THE PETITION

The Honorable Supreme Court Justices of the United States could "Right" a "Wrong" by Granting Certiorari in my case because the Witness who testified at my Suppression Hearing and Subsequent Trial "Trooper Christopher Hollingsworth" gave False Testimony and lied under Oath against me. He was actively being investigated in the Torture and Murder of Black Motorist Ronald Greene Before He testified against me. The U.S. Prosecutor Knew these facts and still withheld that information from my Attorney and I. This is an ongoing serious problem in the United States of America and it is indeed of National Importance.

Racial Profiling by officers who routinely target Black Motorists such as myself then arrest and give False Testimony against them under Oath enabling them to Be Wrongfully Convicted to serve Years and Decades locked up in a prison cell separated from their Family and Loved ones.

If the truth and extent of Hollingsworth's criminal actions had been known, the Key evidence against me which was seized following the traffic stop in my case would have been suppressed and therefore not even available as evidence against me at my trial on the merits. Furthermore, Trooper Hollingsworth would have been exposed as a liar and criminal with No Credibility. According to CID-Monroe, he actively sought to obstruct justice in the Greene case when He turned off his body camera. However, because of the cover-up, Hollingsworth was permitted to continue his employment with the Louisiana State Police and testify at my motion to Suppress hearing in July of 2019 and the ensuing jury trial in November 2019. At both proceedings, he was cloaked in the veil of credibility afforded to law enforcement officers in general, and in particular, to the Louisiana State Police. The U.S. District Court 5th Cir. and The U.S. Appeal Court 5th Cir. both viewed the wrong video, had they both viewed the "Walter Caldwell" Video it would have shown in plain view that my left turn signal was working on the Officer Dash Cam Video. Trooper Hollingsworth admitted on the record that the signal light was working on the "Walter Caldwell Video".

Walter Caldwell asked Trooper Hollingsworth what's that? Trooper Hollingsworth stated... OH! Mack right signal is Functioning... Hollingsworth stated further, "The right Blinker is Blinking." Trooper Hollingsworth made untruthful fabrications and untrue testimony against me under Oath, and in doing so violated my U.S. Constitutional Right to a Fair Trial.

Walter Caldwell asked Trooper Hollingsworth did You give Mack a citation ticket? Hollingsworth stated on the record "NO" I did not give him one. There was no "Probable Cause" for the initial traffic stop. The video clearly shows and indicates that I Jmarreon Mack Pro Se was not breaking the law at the time of the initial traffic stop. Trooper Hollingsworth arrested me left the jail and came back to give me another charge but still did not issue me a citation. The Law is very clear Here... NO Citation, NO Case. No citation ticket was issued to me and both of my turn signal lights were working.

The United States Appeal Court 5th Circuit is in conflict with the decisions of the United States Appeal Court 9th Circuit. In the U.S. Appeal Court of the 5th Cir. Black Minorities as myself are disproportionately ruled against and denied their cases at an alarmingly High level compared to the United States Appeal Court 9th Circuit. I Jmarreon Mack Pro Se was wrongfully convicted although the Facts in my case clearly prove my innocence!

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Jmarreon Mack Pro Se

Date: January 30th 2024