

No.

23-7060

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED

MAR 08 2024

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

Marcus D. Ford

(Your Name)

— PETITIONER

VS.

David Buss-Warden

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States & Court of Appeal Tenth Circuit

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

PETITION FOR WRIT OF CERTIORARI

Marcus D. Ford

(Your Name)

129 Conners road

(Address)

HominY, OK 74035

(City, State, Zip Code)

\_\_\_\_\_  
(Phone Number)

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### QUESTION(S) PRESENTED

1. Did Congress pass the Organic act for Oklahoma on May 2, 1890, to establish State laws, or did Congress pass certain general laws of Arkansas on May 2, 1890, C. 182, §§ 30, 31; 26 Stat. 81, 94, 95, providing the provisions of the Mansfield's Digest in chapters entitled "criminal laws and Criminal Procedural" shall govern prosecutions for Crimes in Indian Territory - Oklahoma?
2. Did Congress pass the Indian Civil Rights Act of 1968 for the federally recognized Indian Tribes reservations that has exclusive Criminal and Civil Jurisdiction on their respected federal lands to Self-governing of their own lands, like all of the 39 federally recognized Indian tribes in Oklahoma?

## 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:

## RELATED CASES

Hooper vs. City of Tulsa, 71 F. 4<sup>th</sup> 1270 <10<sup>th</sup> Cir. 2023>  
Joiner vs. Patterson, 274 U.S. 544 <1927>  
Washington vs. Miller, 235 U.S. 422 <1914>  
Blaylock vs. Incorporated Town of Muskogee, 117 F. 125 <8<sup>th</sup> Cir. 1895>  
Leak Glove Manuf'g Co. vs. Needles, 69 F. 68, 16 C.C.A. 132 <8<sup>th</sup> Cir. 1895>  
Alberty vs. United States, 162 U.S. 499 <1896>  
Robinson vs. Long Gas Co., 221 F. 398, 136 S.Ct. 642 <8<sup>th</sup> Cir. 1915>

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## OTHER

The Five Civilized Tribes Treaties with the United States

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 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 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.

☐ 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.

## JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was January 22, 2024.

☐ 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 \_\_\_\_\_.

☐ 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. 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 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. A.

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

### **STATEMENT OF THE CASE**

On March 22, 1998, in Oklahoma County District Court Case no. CF-1997-1227, Petitioner plead guilty to first-degree murder and larceny of an automobile after a former conviction.



### REASONS FOR GRANTING THE PETITION

The United States Court of APpeals made an unreasonable decision in this matter, due to the fact of the Subject matter Jurisdiction. Within the Constitutional bounds, Congress decides what cases the federal Courts have Jurisdiction to consider. Because Congress decides whether federal Courts can hear cases at all, it can also determine when, and under what conditions, federal Courts can hear them. See Curry, 6 How., at 113, 12 L.Ed. 363. The notion of "Subject-matter" Jurisdiction obviously extends to "classes of cases... falling within a Court's adjudicatory authority," Eberhart, supra, at 16, 126 S.Ct. 403. In Kontrick vs. Ryan, 540 U.S. 443, 124 S.Ct. 906, 157 L.Ed. 2d 867 (2004), held that failure to comply with the time limitation requirement in Federal Rule of Bankruptcy Procedure 4004 did not affect a federal Court's Subject matter Jurisdiction.

Petitioner, has proven with Clear and Convincing evidence that he is being denied his Constitutional rights to due process of federal laws, and Subject matter Jurisdiction under U.S. Constitution Article III <3> § 1.

Petitioner, request this honorable Court will reverse and remand this matter-action to the United States Court of APpeals with instructions.

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Marcus D. Ford

Date: March 7, 2024