

No. 23-7193

ORIGINAL

No.

A rectangular filing stamp with a double-line border. The word "FILED" is stamped in large, bold, capital letters at the top. Below it, the date "FEB 23 2024" is stamped in a slightly smaller font. At the bottom, the text "OFFICE OF THE CLERK" and "SUPREME COURT, U.S." is stamped in smaller capital letters.

IN THE

SUPREME COURT OF THE UNITED STATES

Jared D Maloid — PETITIONER
(Your Name)

vs.

State of Texas — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Texas Court of Criminal Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Jared Maloid

(Your Name)

Bridgeport Unit 4000 N. 10th St. Bridgeport, Tx 76426
(Address)

Bridgeport, TX 76426
(City, State, Zip Code)

NIA

(Phone Number)

QUESTION(S) PRESENTED

USCS Supreme Ct R 10

B.) A state court of last resort has decided an important federal question in a way that conflicts with the decision of United States Court of Appeals?

Question:

Do probationers or parolees or people on community supervision have a First Amendment Right to access social media or the internet while under supervision?

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: **N/A**

RELATED CASES

United States vs Eaglin 913 F.3d 88 United States Court of Appeals
for the Second Circuit

United States v. Holena. 906 F.3d 288

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TABLE OF AUTHORITIES CITED

CASES

United States vs Eaglin 913 F.3d 88
United States v. Holena. 906 F.3d 288
Maloid v State 2023 Tex. App Lexis 2408
Ex Parte Jared Domel Maloid WR-95,005-02

PAGE NUMBER

STATUTES AND RULES

N/A

OTHER

N/A

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 _____ 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[] is unpublished.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 A to the petition and is

[] reported at 297th District Court of Tarrant County N/A; or,
[] has been designated for publication but is not yet reported; or,
[X] is unpublished.

The opinion of the 297th District Court of Tarrant County court appears at Appendix B to the petition and is
[X] reported at Deputy Court Ref. #9485 page 10 of volume 101; 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 _____.

[] 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 _____ (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 12/13/2023.
A copy of that decision appears at Appendix 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 _____.

[] 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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Conflict in Authority

First Amendment Violation

Deprivation of Liberty

STATEMENT OF THE CASE

If you go back to the very first hearing for revocation in trial Court/revocation hearing the judge agreed in the first court reporter record that terms of supervision violated but during second hearing changed his mind because I pleaded true to the violations. I used US v Eaglin in my habeas corpus and prosecutors answered that at least one court agreed that terms of supervision did violate, so its in conflict with United States Court of Appeal of the Second Circuit Decision

REASONS FOR GRANTING THE PETITION

In *Packingham v. North Carolina* Justice Kennedy delivered the opinion of the court and struck down a law prevent sex offenders from using social media and made it clear that sex offenders have a first amendment right to do so, however it wasn't made clear if that right refers to sex offenders on supervised release whose crime wasn't used or broke the law using the internet.

Which would therefore be in conflict with *United States vs Eaglin* 918 F.3d 88

United States Court of Appeals for the Second Circuit that agreed that Plaintiff has a first amendment right to be able to email, blog and discuss the issues of the day on the internet while on supervised release. In my habeas proceedings I raise those questions ⁱⁿ *US vs Eaglin* about conflict in authoring, which was shot down by the magistrate Jacob Mitchell and petition was denied all together without written order on the findings of the trial court by *Texas Court of Criminal Appeals* (WR-95,005-02) Not mentioning other cases, like: *United States v Ellis* 984 F.3d 1092 or *United States v Holena* 900 F.3d 288.

This petition should be granted because of Rule 10.

Considerations Governing Review on Certiorari

B.) a state court of last resort has decided an important federal question in a way that conflicts with the decision of the United States Court of Appeals

C.) a state court has decided an important question of federal law that has not been, but should be, settled by this Court, and or has decided an important federal question in a way that conflicts with relevant decisions of this Court

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Janel Malone

Date: February 21, 2024