23-7405

Number 24-_____

ORIGINAL

In the
SUPREME COURT
Of the
United States of America

In Re: PATRICK CHRISTIAN

Petitioner,

v.

DISTRICT OF COLUMBIA

Respondent.

Reviews are from the D.C. Superior Court

Case # 2019 CNC 589

The Honorable Judge Danya A. Dayson

D.C. Court of Appeals Case # 22-SP-653

The Honorable Chief Judge Anna Blackburne-Rigsby

United States District Court, Case #1:24-cv-00063

The Honorable Judge Tanya S. Chutkan

WRIT OF MANDAMUS

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QUESTIONS PRESENTED

1. In the eyes of the Court when is Punishment Retroactive?

2. Is the Legal Definition of Double Jeopardy described here?

3. In considering the records, does this Case expose elements of a Civil Rights Conspiracy?

4. Are the Lower Court errors correctable?

5. Outside of "Re-Offending", Probation, and/or recidivism, what takes Precedence over a Completed Sentence?

LIST OF PARTIES

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TABLE OF CONTENTS

Cover Page.....Page i

Questions Presented.....Page ii

List of Parties.....Page iii

Table of Contents.....Page iv

Table of Authorities.....Page v-vii

Jurisdictional Statement.....Page 1-2

Constitutional and Statutory Provisions.....Page 2-3

Statement of the Case.....Page 3

Reasons for Granting Mandamus.....Page 3-5

I. Petitioners Right to Issuance of a Writ is Clear.....Page 5

II. A Writ of Mandamus is Warranted Given the Urgent Circumstances of this Case.....Pages 5-9

Conclusion.....Page 9-10

Certificate of Compliance.....Page 11

Certificate of Service.....Page 12

APPENDIX A Copy of USDC Order & Memo Opinion.....Page 13-15

TABLE OF AUTHORITIES

LAWS **PAGE**

U.S. Constitution 5th Amendment Double Jeopardy.....Page 1,2,4

U.S. Constitution 5th Amendment Due Process.....Page 1,3,8

5 U.S.C. §3331 Oath of Office.....Page 4

18 U.S.C. §35 Imparting or Conveying False Information.....Page 5

28 U.S.C. §1915 (e)(2)(B)(ii).....Page 2

28 U.S.C. §1331.....Page 5

28 U.S.C. §1332.....Page 7

D.C. Code §2-1831.16.....Page 1

D.C. Code §22-3002.....Page 2,3,4

D.C. Code §22-3002 (a)(1).....Page 2,3

D.C. Code §22-3002 (2).....Page 2,3

D.C. Code §22-3003 (2).....Page 2

D.C. Code §22-3020 (a)(1).....Page 2,3,4

D.C. Code §22-4001.....Page 2,3,4

D.C. Code §22-4001 (3)(A)(i).....Page 2,3

D.C. Code §22-4001 (6)(A).....Page 2,3

D.C. Code §22-4001 (6)(B).....Page 2,3

D.C. Code §22-4001 (8)(D).....Page 2,3

D.C. Code §22-4001 (8)(G).....Page 2,3

D.C. Code §22-4001 (9)(D).....Page 2, 3

D.C. Code §22-4002 (a).....Page 2

D.C. Code §22-4002 (b).....Page 2,3,4

D.C. Code §22-4002 (d).....Page 2

D.C. Code §22-4004.....Page 2, 3
D.C. Code §22-4011 (b)(2)(A).....Page 2
D.C. Code §22-4011 (b)(2)(B).....Page 2
D.C. Code §22-4011 (b)(2)(C).....Page 2
N.C. General Statutes §14-27.3 (now 14-27.22).....Page 2, 3
N.C. General Statutes §14-27.7 (now 14-27.31).....Page 2, 3

CITED CASES PAGE

#17-646, Gamble v. United States (17 June 19).....Page 7
Arthur v. United States, 253 A.3d 134 (D.C. 2021).....Page 6
Bush v. Butler, 521 F. Supp. 2d 63, 71 (D.D.C. 2007).....Page 8
Cannon v. Igborzurkie, 779 A.2d 887, 889-90 (D.C. 2001).....Page 5
Hagans v. Lavine, 415 U.S. 528, 536-37 (1974).....Page 7
In re Doe, 855 A.2d 1100 (D.C. 2004).....Page 6
In re W.M., 851 A.2d 431 (D.C. 2004).....Page 6
Kowal v. MCI Commc'ns Corp., 16 F.3d 1271, 1276
(D.C. Cir. 1994).....Page 8
Maldonado v. Maldonado, 631 A.2d 40, 42 (D.C. 1993).....Page 6
Newburyport Water Co. v. Newburyport,
193 U.S. 561, 579 (1904).....Page 8
Owen Equip. & Erection Co. v. Kroger, 437 U.S. 365,
373-74 (1978).....Page 8
Sims v. Dist. Of Columbia Gov't, 646 F. Supp. 2d 36,
37-38 (D.D.C. 2009).....Page 8
Sullivan v. United States, 990 A.2d 477, 478 (D.C. 2010).....Page 7
Watson v. United States, 73A 3.d 130, 131 (D.C. 2013).....Page 8

WEBSITES **PAGE**

www.ncleg.gov, Chapter 14-Criminal Law.....Page 4

www.browninglong.law.com .....Page 5

JURISDICTIONAL STATEMENT

On 16 December 2019, Patrick Christian filed a Motion Seeking Judicial Review D.C. Code §2-1831.16, in the District of Columbia Superior Court, reassigned on 31 December 2019 for removal from the SOR Registry after 20 years of Compliant Registering Ordered by Vance County Court, Henderson, N.C. Judge Stephens in which was Denied on or about 24 August 2022 (what took so long?); after completing 5 years and 10 months prison sentence, 36 months' Probation, 100 hours Community Service, Paying Restitution, TASC Training, 12 months Group Therapy understanding victims' rights and offending, and registering from 1996 to the present. He received an Oppositional Response 31 May 2022 (what took so long?), replying immediately, filing the Response to the Opposition 6 June 2022 (note the records seem to come from Richmond, VA, not Vance County, in which Respondent has previously filed in multiple Courts including Federal Courts as Exhibits supporting his Claims and Allegations of the same type of Conspiracy there exhaustively), but it contained SEALED Exhibit B and what follows, (why when he has seen and read all pertinent records? Also, the Prosecutor said it contained SSN and other personal information, but again, why would they keep it from him, when all they had to do was black mark it out?). Judge Dayson overtly used these Sealed Documents as part of her determination for Denial, which caused bias, and District of Columbia Codes which may not apply; therefore, Appellant filed an Appeal in DCSC on 25 August 2022 on the GROUNDS THAT HE BELIEVES THIS DETERMINATION WAS MADE IN ERROR, and was provided with Appeals Court of the District of Columbia's Appeal in Brief #22-SP-653 on 8 September 2022. Pursuant to Law this gives the District of Columbia Appeals Court the Jurisdiction to CORRECT THIS ERROR,

citing 28 U.S.C. §1915 (e)(2)(B)(ii) but what is frivolous about being removed from the Registry after completing a Court Ordered Sentence? These are utter failures, and so did the United States District Court.

CONSTITUTIONAL AND STATUTORY PROVISIONS

The Denial was based upon Sealed Exhibit and what follows, which Appellant has not reviewed, and District of Columbia Codes D.C. Code §22-3002, D.C. Code §22-3002 (a)(1), D.C. Code §22-3002 (2), D.C. Code §22-3003 (2), D.C. Code §22-3020 (a)(1), D.C. Code §22-4001, D.C. Code §22-4001 (3)(A)(i), D.C. Code §22-4001 (6)(A), D.C. Code §22-4001 (6)(B), D.C. Code §22-4001 (8)(D), D.C. Code §22-4001 (8)(G), D.C. Code §22-4001 (9)(D), D.C. Code §22-4002 (a), D.C. Code §22-4002 (b), D.C. Code §22-4002 (d), D.C. Code §22-4004, D.C. Code §22-4011 (b)(2)(A), D.C. Code §22-4011 (b)(2)(B), and D.C. Code §22-4011 (b)(2)(C), and Cited Cases including Cannon v. Igborzurkie, 779 A.2d 887, 889-90 (D.C. 2001): In re Doe, 855 A.2d 1100 (D.C. 2004): Maldonado v. Maldonado, 631 A.2d 40, 42 (D.C. 1993): Arthur v. United States, 253 A.3d 134 (D.C. 2021): In re W.M., 851 A.2d 431 (D.C. 2004): and Sullivan v. United States, 990 A.2d 477, 478 (D.C. 2010) which PPC contends to be an Error that can be corrected here, and though DCSC Judge Dayson opined "Double Jeopardy" is inapplicable, reviewing its definition says "the fact of being prosecuted or sentenced twice substantially for the same offense", and "the 5th Amendment provision stating, nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb". This is reintroduced since one, PPC has successfully completed his Vance

County Court Ordered Sentence, plus 10 more years of registering, and two the cited D.C. Codes define themselves and does not apply to or match the N.C. General Statutes §14-27.3 (now 14-27.22) Class C, N.C. General Statutes §14-27.7 (now 14-27.31) Class E, given (the Judge stating "close in comparison" is not a justifiable clarification, due to the Laws being clearly defined), and creates the jeopardy defined by Law, as well as, ex post facto clause. The Law is redefining punishment already given out in 1996; and the fact that the statutes and codes are different does not mitigate or diminish the fact Mr. Christian has completed his Ordered Sentence. This situation also Deprives PPC of Housing, Due Process, Equal Protection, and Redress of Grievances which are extremely discriminatory.

STATEMENT OF THE CASE

Can the District of Columbia Superior, Appeals, and U.S. District Courts Errors be corrected after careful Analysis of the D.C. Codes, Cited Cases, N.C. Statutes, SOR Records, and this Writ of Mandamus, properly following the Law and remove him from the Sex Offense Registry understanding he is not a threat, but part of the solution?

REASONS FOR GRANTING MANDAMUS

1. N.C. General Statutes §14-27.3 (now 14-27.22) a Class C Felony and N.C. General Statutes §14-27.7 (now 14-27.31) a Class E Felony both are one sentence requiring 10 years and are nothing close to what Court opined; in reference to D.C. Code §22-4004(a)(1), referencing §22-4002(a) a ten (10) year period, which has passed.

2. Court Records in Exhibit A proves Court Ordered Punishment is COMPLETE.

3. Ordered 10 years was completed in 2012 and for the past 26 years PPC has been punished already.

4. For the above not to be considered does in fact introduce Double Jeopardy, as well as, Elements of a Conspiracy.

5. D.C. Codes cited are not substantially similar one says First and the other Second.

6. For Exhibit B and what follows to be SEALED, and not provided to PPC with the opportunity to review them is arbitrary and improper, because part of denying removal was determined by this information, and withheld evidence causes bias, one-sidedness.

7. Compliance is not a question, but records prove contact was and is maintained.

8. D.C. Code §22-3002 does not apply at all: D.C. Code §22-4002 (b) does not apply at all: D.C. Code §22-3020(a)(1) does not apply at all: and many of the definitions in D.C. Code §22-4001 does not apply at all especially (6)(A) or (B), but (8)(G) is substantially similar, also (9)(D) because PPC did relocate to the District of Columbia, but (3)(A)(i) is questionable only because in 1996 Henderson Police Department Detective Ellington indicted him by saying he "Confessed", and that he was not "Polygraphed" and did not receive adequate counsel due to this, but he has never seen a written or oral confession and was not sentenced under "a Confessor" guidelines while self-incrimination is unconstitutional, nor is there a record explaining why a polygraph was taken or not, and lastly, N.C. General Statutes originally charged with have been re-codified and General Statutes state "effective 1 December 2015, and applicable to offenses committed on or after that date" (www.ncleg.gov, Chapter 14-Criminal Law) not before. This also means that this does not apply to PPC. Removal from registry should be forthcoming.

9. If the Court accepted Exhibit B and what follows knowing that it may be false information and not providing it for review, violates their Oath committing 5 U.S.C. §3331 Oath of Office, and 18 U.S.C. §35 Imparting or Conveying False Information.

I: PETITIONERS RIGHT TO ISSUANCE OF WRIT IS CLEAR

Patrick Christian has fulfilled his Court Ordered Punishment, and should be removed from Registry, since he has already exceeded the punishment meted out by Vance County Court, Henderson, N.C. in 1996, and removing him is 100% Lawful and corrective.

II: A WRIT OF MANDAMUS IS WARRANTED GIVEN THE URGENT CIRCUMSTANCES OF THIS CASE

a. In view of the cited cases Cannon v. Igborzurkie, 779 A.2d 887, 889-90 (D.C. 2001) "Opinion II in promoting public safety in at least three ways: by facilitating effective Law Enforcement (here checks as accurate), by enabling members of the public to take direct measures of a lawful nature for the protection of themselves and their families (this is accurate since PPC is never around unsupervised children, and the Registry provides data and pictures and allows public inquiries/access, and Law Enforcement on his part has been effective, and by reducing offenders exposure to temptation to commit more offenses (here a completed active sentence, TASC, 12 months Group Therapy, open communication with SOR/CSOSA Personnel all are effective deterrents). Specifically, PPC does not question the requirement, but one his own successful completion of punishment and compliance, two does the D.C. Codes predispose the completed

N.C. General Statutes sentence from 1996, and does the fact completion mean removal since the Court has already ordered ten (10) years, which has passed, and prior to the re-codified N.C. Laws and D.C.'s Repealed Laws, and changes that took effect after PPC was sentenced on or after **11 July 2000**?

b. PPC again does not question the Law only that he has successfully completed his punishment and should be removed; whereas, In re Doe, 855 A.2d 1100 (D.C. 2004) does not apply to his situation.

c. In Maldonado v. Maldonado, 631 A.2d 40, 42 (D.C. 1993) court opined "trial Court abuses its discretion when it rests its legal conclusion on incorrect legal standards" this same opinion should apply here since substantially similar to is not the same as exactly.

d. Arthur v. United States, 253 A.3d 134 (D.C. 2021) is not a question because PPC has never failed to comply from 1996 to the present, and ex post facto may not apply because he has already completed his sentence, and has been held accountable for any and all alleged offenses, and he cannot be accused of anything which he has not already paid his debt and dues for.

e. For In re W.M., 851 A.2d 431 (D.C. 2004) recidivism is not an issue, PPC is not a danger, in fact he has advocated for anti-child abuse, anti-child abasement, and neglect with the Justice Department, Law Enforcement Agencies, Federal and State Courts, Federal and State Lawmakers, the Education Department, and the media. In relation to N.C. Laws (www.browninglong.law.com) PPC is not a recidivist, aggravated offender, violent predator; therefore, falls within the 10 year registration period, his original Order as of 1996-2012 which started immediately after prison Class C and E Felonies and meeting compliance for 20 years.

f. Nothing found on Sullivan v. United States, 990 A.2d 477, 478 (D.C. 2010).

g. Francine Williams (a girl PPC dated in 1988 who said he got her pregnant, but found out in 2005 that he is not the biological father, and that she is the person who put the words in the "alleged victim Nikohmi Williams mouth in 1996" that he committed acts that define Rape, but she is the one who took the child to the Doctor for the examination; therefore, no the results, [also Detective Ellington, PD J. Hughes, and Judge Stephens deceased of Henderson Police Department and Vance County Court, N.C., also know the truth, but PPC was railroaded into guilt], subsequently, she has been stalking PPC since 2005 after he told her that the Court and Police told him to stay away from them [also, the child now an adult came to visit PPC twice during his custody in Richmond City Jail and Central State Hospital in Petersburg, Commonwealth State of Virginia from 2014-2016 for "Failure to Register", yet the Virginia State Police and the 13th Circuit Court of Richmond Judges had the Records that verified PPC maintained regular contact with the SOR Office], and she has been involving herself in PPC's personal affairs in Charlotte, N.C., Richmond, Virginia, and now here in Washington, D.C., and he believes she is the person who got all of the California people involved in Conspiracy; subsequently, PPC in 2005 found out that the child is not his biological child; therefore, wants his name removed from her birth certificate), while both of these people are the people Terry McAuliffe have been sexually abusing under the influence of Mental Health Drugs, that everyone seems to think is funny, despite him being a Defendant in PPC's Virginia Complaints, and other current Complaints.

h. PPC believes the facts are uncomplicated and undisputed since he did complete a sentence meted out in 1996 like in Watson v. United States, 73A 3.d 130, 131 (D.C. 2013).

i. Bush v. Butler, 521 F. Supp. 2d 63, 71 (D.D.C. 2007) is an inappropriately cited case, since PPC is not a prisoner, and Sims v. Dist. Of Columbia Gov't, 646 F. Supp. 2d 36,37-38 (D.D.C. 2009), another case improperly cited, and Kowal v. MCI Commc'ns Corp., 16 F.3d 1271, 1276 (D.C. Cir. 1994), another irrelevant case and blatant disregard of the facts.

j. Mr. Christian has already seen all the records from 1996, and initiated the Judicial Review, needing all the records he requested; therefore, why would the Clerks of Court and Judges withhold information if they have nothing to hide, or cover up, exposing all the Overt Wrongdoing, during the performance of their Official Duties?

k. Why would Clerks of Court and Judges take bad advice from Democrat and Republican Politicians and Celebrities who have nothing to do with Patrick Christians' personal affairs if not for the historical systemic racism (the Negro Democrats and Republicans refuse to implement or follow the Law appropriately also)?

l. Patrick Christian is not being prosecuted in the District of Columbia for no reason see [#17-646, Gamble v. United States (17 June 19)]; therefore, this Writ should force the D.C. Superior, Appeals, & U.S. District Courts to Correct their Errors.

m. PPC does not know why Newburyport Water Co. v. Newburyport, 193 U.S. 561, 579 (1904), or Owen Equip. & Erection Co. v. Kroger, 437 U.S. 365, 373-74 (1978), or 28 U.S.C. §1331, §1332 were cited seemingly no apparent reason, his claim has been supported by records, facts, and Laws, real laws and an experience, nothing imaginative.

n. Hagans v. Lavine, 415 U.S. 528, 536-37 (1974) cited and each Court PPC filed Motions to Review Records to remove him from the Registry fell within its jurisdictional ability. The reason PPC emphasizes the reason he has not been removed are the facts have been disregarded, the records withheld, each Judge obviously Committed Canonical Improprieties and Procedural Failings, the Prosecutors Offices and the CSOSA Officers assisted, and each were all supportive of each other's errors, unconstitutionality, unlawfulness, and incompetency which are all ***Elements of a Civil Rights Conspiracy*** that must not be overlooked this time.

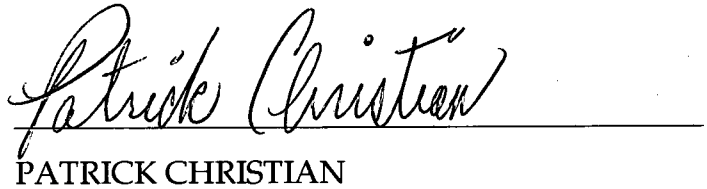
o. The refusal to remove PPC from DC Registry an unwarranted choice, also prevents him from getting housing, especially under the Voucher Program, which also introduces another question, why would they give him a Voucher knowing his situation, if they knew an individual falling under his category would be ineligible for Housing, which is also another and/or other Civil Right Deprivations, and Conspiracy Element?

p. Lastly, in accordance to Appendix A the Governments Counsel filed a Motion to Extend time 25 Feb. 22 and 29 April 22, despite Judicial Review Motion was filed 16 Dec. 19. What took the United States so long to respond from 2020-2022? This clearly lies outside of time restrictions, even during the Pandemic Notifications where given out to Defendants and Plaintiffs; why did this Office not notify Patrick Christian of these?

CONCLUSION

In conclusion, Petitioner Patrick Christian feels if the Court insists on accepting false information, going behind his back outside of the parameters of the Court cooperating with outsiders who have nothing

to do with him, in reference to these special proceeding matters, committing Canonical Improprieties and illegalities by doing so, depriving Due Process and Redress of Grievances, refusing to provide him with a copy of Medical Evaluation, proof the child received counselling, a copy of the original statement, an Order specifying 10 years of registering, a copy of the Sealed Exhibit and what follows, a copy of a written or oral confession as stated by Detective Ellington in 1996, and citing irrelevant Cases while disregarding Laws and Facts and Records; then he must demand that his record be ***cleared completely of all false information and records***. This is a very serious matter that must be handled with professionalism, not disregard. Granting this Writ of Mandamus means removing Appellant from the Registry, clearing his name completely, and approving Compensation for these illegalities, Deprivations, and Injustices meriting valid reasons to base this upon due to all the lower Court Failures & Errors, since these Vance County North Carolina and Virginia Officials have overtly, clearly committed wrongful acts, as well as, District of Columbia and United States Officials during the performance of their duties, in addition to purposefully keeping him out of the Court, and lying.



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CERTIFICATE OF COMPLIANCE

1. This document complies with the guidelines outlined in Court of Appeals for the District of Columbia Court, Rule 27(d), Rules 28(a)(1), 28(a)(1-4), 28(f), and Rule 32(a).

2. This document contains 3,632 words, and 16 pages.

3. This document has been prepared in 1.5 space typeface using Book Antiqua 12, MS Word.

Patrick Christian

Prepared by Pro Se Appellant Patrick Christian

Dated: April 29, 2024