

23-7407
No.

ORIGINAL

FILE
MAY 01 2014

OFFICE OF THE CLERK
SUPREME COURT U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

MARIO HOWARD LLOYD — PETITIONER
(Your Name)

vs.

UNITED STATES OF AMERICA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO THE
UNITED STATES SUPREME COURT ~~eg.,~~ UNITED STATES COURT
OF APPEALS FOR THE 1st CIRCUIT

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

PETITION FOR WRIT OF CERTIORARI

MARIO HOWARD LLOYD
(Your Name)

P.O. BOX 33 ECI TERRE HAUTE
(Address)

TERRE HAUTE, IN 47808
(City, State, Zip Code)

none
(Phone Number)

QUESTION(S) PRESENTED

I.

Whether the Seventh Circuit and its predecessor made a err in the judicial proceedings by allowing a defective indictment by named \$1,240,675:00 as a defendant?

II.

Whether Petitioner was deprive of due process therein, a judicial misconduct by corrupt attorney filed a motion to appear caused fraud upon the court?

III.

Whether the Petitioner was deprive of assistance of counsel when Petitioner alerted the court about haven a ischemic stroke of the brain. The error affect a substantial right of Petitioner.

LIST OF PARTIES

[✓] All parties do not appear in the caption of the case on the c over page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

1. Mario H. Lloyd-Petitioner.
2. \$1,240,675:00 -was named as a defendant.
3. United States of America-Respondent.

RELATED CASES

Criminal case number #89-CR-427.

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TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Petitioner asserts that the table of authorities cited appear in the Appendix D attached to this writ of certiorari form.

Also, the status and rules are attached in the Appendix D aswell.

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 2024 U.S. App. LEXIS 2424; 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☐ is unpublished.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 1990 U.S. Dist. LEXIS 2342; or,
☒ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☐ For cases from **state courts**: Does not apply

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 February 2, 2024. See Appendix A attachment.

☒ 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**: Does not apply

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

The Fifth Amendment (1791) states in relevant part:

"nor be deprived of life, liberty, or property without due process of law; Clearly the Civil docket sheet shown that the proceeding in this case reveal that in the entire case Petitioner were never call upon any of the proceeding thereof affect the judicial proceeding in this case.

The Sixth Amendment (1791) states in relevant part:"and to have the Assistance of Counsel for his defence. Again, the entire docket sheet reveal that the court granted Petitioner's former lawyer to withdraw and at the same time deny the motion for a status to appoint counsel for Petitioner and it was denied.¹ Also a clerical err as to the name Charles Lloyd instead of Petitioner Mario Lloyd. See docket sheet page 8 line 129. Moreoverly, while putting the panel on notice of Petitioner's health condition, the panel err and said that:The panel assigned to decide this case may recruit counsel if it finds that step appropriate after reviewing the brief." See Appendix C page 1." What an error that affect a substantial right of the party. After suffered from a ischemic stroke of the brain the court had Petitioner to file a pro se brief.

1. Petitioner request that the Clerk of the United States Supreme Court to retrieve all of the document from the Court of Appeals for the Seventh Circuit for Judicial Review in this case.

STATEMENT OF THE CASE

Petitioner asserts that the statement of the case appear in the Appendix mark as Appendix D of the Petitioner's opening of the brief before the United States Court of Appeals for the Seventh Circuit as Petitioner had mentioned repeatedly that the attorney fees settlement in case No. 90-cv-7011 as the government tried to mislead the court, while settle for \$20,000 with a attorney that was firer several months and never hire in this case to make it seem like Petitioner had a lawyer that consist of misconduct.

To fill in the story, Petitioner ask this court to takes judicial notice of Appendix D ¶¶6-8 in this case. Also, notify a defective indictment that appear in this case affect the judicial proceeding in this case. Enclosure, prior to filing the opening brief, Petitioner request for assistant of counsel due to his' bad health issue with a ischemic stroke in the brain and was deny. See Appendix C ¶1.

REASONS FOR GRANTING THE PETITION

A. The Decision Below conflicts with Decision of other Circuits

The Seventh Circuit's decision as to standing squarely conflicts with holdings of all the other sister circuits. A Judicial Discretion by allowing a defective indictment by names as co-defendant the \$1,240,675.00 U.S. Currency, while currency may be named as a defendant in an in rem action to determine ownership of it, no court of our sister circuits aware of any theory by which currency can assert rights of its own as a defendant.

B. Its well settle as a matter of law that a defendant has the right to retrieve an assistant of attorney in a criminal case but, the court may take judicial notice when a defendant's health reveal a ischemic stroke of the brain, the court should recruit counsel for assistant in the opening brief. In this case at bar, the panel asserted that:"The panel assigned to decide this case may recruit counsel if it finds that step appropriate after reviewing the briefs."

Petitioner asserts that our Supreme Court should take action in determine the Judicial Discretion when such a err affect a substantial right of a party. See Appendix C ¶1.

CONCLUSION

For the reasons set forth above, it is respectfully submitted
that:

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Mario Gloya

Date: May 1, 2024.