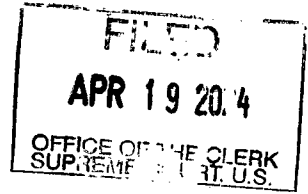


23-7432

No. _____

ORIGINAL



IN THE

SUPREME COURT OF THE UNITED STATES

No. 22-12504-DD

Torrieo M. Johnson — PETITIONER
(Your Name)

vs.

United States
A.D.A. STUART E. WALKER — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Courts of appeals for the 11th Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Torrieo M. Johnson #01704-120
(Your Name)

FCI Bennettsville - P.O. Box 52020
(Address)

Bennettsville, Sc. 29512
(City, State, Zip Code)

N/A
(Phone Number)

Questions Presented

1. WHAT IS THE ACCEPTANCE AND RECORDATION DATE FOR WHICH THE FEDERAL GOVERNMENT ACCEPTED CONCURRENT LEGISLATIVE JURISDICTION FROM THE STATE OF GEORGIA OVER PARCEL NO. 016001003 - STATE CODE (10) COUNTY CODE (275) CITY CODE (5460) ?
2. HAVE THE FEDERAL GOVERNMENT OBTAINED CESSION OF CONCURRENT JURISDICTION IN WAY THAT GEORGIA'S CESSION STATUTE REQUIRE 50-2-23.1 ?
3. HOW ARE CRIMES COMMITTED IN THE UNITED STATES DISTINGUISHED AS STATE CRIMES OR FEDERAL CRIMES ? WHAT SEPERATES THE TWO ?

List of Parties

[V] All the parties do not appear in the caption of the case on the cover page. A list of all parties to the proceedings in the court whose judgment is the subject of this petition is as follows: Assistant United States Attorney Stuart E. Walker of Middle District of Georgia may have an interest in the outcome of this case; including: Jessica M. Lee; Sonja B. Profit; Marl T. Treadwell; Richard A. Greenberg; Christina L. Hunt; Clay D. Land; Thomas Q. Langstaff; Hugh Lawson; Peter D. Leary. These are a list of all the parties who may or may not have an interest in the outcome of this case. All from the Middle District of Georgia.

No publicly traded company or corporation has an interest in the outcome of this case or own 10% of the corporation to my knowledge.

Related Cases

- Collins v. Yosemite Park Co. 314 US 518 (1938).
- Adams v. U.S. 1943, 319 US 312, 63, S. Ct. 1122, 87 LEd 1421.
- In Re Kelly 71 F. 545 (C.C.D. Mont. Wis. 1895).
- ~~People v. Whitman~~
- United States v. Perez III LEGAL STANDARD LEXIS 75006 NO. CR-06-0001-MAG-MEJ (N.D. Cal. 2006).
- New York Central R. Co. v. Chisholm 268 US 29, 31-32 (1925).
- United States v. Tully, 140 Fed. 899 C.C.D. Mont (1905).
- Surplus Trading Co. v. Cook 1930, ~~288~~ 281 U.S. 647, 650, 50, S. Ct. 455, 458 74 L. Ed. 1091
- United States v. Unzeuta 238 US 138 ~~1080~~ (1930).

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• The Adventure 1 F. Cas. 202, 204 (No. 93) (C.C. Va. 1812)	5C
• THE STATE OF Rhode Island v. THE STATE OF MASSACHUSETTS Etl. <u>STATUTES AND RULES</u>	5C
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18 USC 922 (g) (1)	5B
18 USC 7(c)	5B
GSA Reg. 2-XI-201.01	APPENDIX B-C
GSA Form 1166 B	APPENDIX B
GSA Form 1209 C	APPENDIX C
TITLE 40 U.S.C. 3112	5B

OTHER

United States Constitution Article I, sec. 8, cl. 17

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 ~~2~~-F 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 E 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 2/11/2024.

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: 3/14/2024, and a copy of the order denying rehearing appears at Appendix A.

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 _____.
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

• Georgia cession statute 50-2-23.1 Appendix D

• General Services Administration Form 1166 B Appendix B

• General Services Administration Form 1209 B Appendix C

• General Services Administration Reg. 2-XI-201.01 Dated 11/8/1960

A Reporting Agency for purposes of this Inventory is the same as that of Real Property owned by the United States Government as defined by this GSA Reg. 2-XI-

201.01.

• For Additional information regarding the contents of this Circular or any questions

or problems relating thereto, Agency Representatives may communicate with the General Services Administration Office of Finance and Administration, Accounting

and Reports Management Division Washington 25, D.C. - Telephone: Government

Dial Code: 183, Executive - 3-4900, Extension 4131

• THE 40 U.S.C. 3112 (b) Acquisition and Acceptance of Jurisdiction - Act of Feb.

1, 1940: When the head of a department, agency, or independent establishment

of the government, or other authorized officer of the department, agency

or independent establishment considers it desirable, that individual may accept

or secure from the state in which land or an interest in land that is under the

immediate jurisdiction, custody, control of the individual ~~is situated~~ is situated, cons-

ent to, or cession of, any jurisdiction over the land or interest not previously

obtained. The individual shall indicate acceptance with the governor of the

state or in another manner prescribed by the laws of the state where the land

is situated.

• subsection (c) Presumption: It is conclusively presumed that jurisdiction

has not been accepted until the government accepts jurisdiction over land as

provided ~~in~~ in this section.

STATEMENT OF THE CASE

On June 26, 2019 two Uniform Police entered the Curtilage of 1235 N. STEVENS ST in Thomasville Georgia 31792 Inquiring about a vehicle parked within its premises, Parcel No. 016001003. The OFCS Alleged to had smelled Marijuana emanating from the vehicle and proceeded to search the vehicle. No Marijuana was discovered but guns were discovered which resulted in the arrest of Mr. Johnson, Torrico. 8 months later the Federal Government returned an indictment alleging that Mr. Johnson's possession of a Firearm on State Installation as a convicted Felon was a crime against the United States and charged Mr. Johnson with 18 U.S.C. 922(g)(1). Which led to a conviction of 21 years and 8 month sentence.

Mr. Johnson contends that the conviction in this case is illegal because the Federal Government had no Criminal Jurisdiction over the Area of the alleged crime, The Federal Government had eluded the question as to any Acquisition of Jurisdiction in respect to Title 40 U.S.C. 3112(b) or Georgia's cession statute 50-2-23-1 and if so, what is the Acceptance and Recordation Date on which The Federal Government obtained Concurrent Legislative Jurisdiction over this Enclave?

United States v. Torrieo M. Johnson

Appeal No. 22-12504-JD / Docket No. 7:20-cr-00009-HLTQL-1

"Writ of CERTIORARI" / Brief

In this Petition, the petitioner RAISES AN imperative public important questions) that deviates From Normal U.S. Courts of Appeals practices and require immediate determination in this Court. The 11th cir. Court of Appeal have Exercised Criminal Jurisdiction in this case in CONFLICT with the decisions of several other Circuit Courts where the Courts Answered the same question pertinent to this case.

The Alleged crime of 18 U.S.C. § 922(g)(1) occurred at A Residential Home, parcel No. 016001003 legal description 1235 N. Stevens st. In Thomasville, GA. 31792. STATE CODE (10) County Code (275) city Code (5460); "A STATE ENCLAVE". The Supreme Court Stated that in the cession statute the state may impose conditions which are not inconsistent with the carrying out of the purpose of the Acquisition. see U.S. v. Unzueta 281 US 138 (1930). So the petitioner Relies on Georgias Cession of concurrent Jurisdiction statute 50-2-23.1(a)-(e). And RAISES THE Question(s) Have the Federal Government obtained concurrent Jurisdiction over the area of the Alleged crime in this case as Required by the Georgia Cession statute? And what is the Acceptance or Recordation date the Federal Government Accepted concurrent legislative jurisdiction From the state of Georgia over parcel No. 016001003? Under case Collins v. Yosemite Park Co. 314 US 518 (1938) it was noted: THERE ARE (3) METHODS by which the United States obtain Exclusive or Concurrent Jurisdiction (over) Federal lands in a state; (1) A states statute consenting to the purchase of land by the United States For the purposes enumerated in Article I, section 8, clause 17 of the U.S. Constitution; (2) A STATES Cession statute and (3) A Reservation of Federal jurisdiction upon the Admission of A STATE into the Union. In Adams v. United States 1943, 319 U.S. 312, 63 Sct. 1122, 87 L.Ed. 1421. "The Alleged rape occurred within the confines of A Government Military Camp over which at the time of the crime The Government had not accepted or Acquired exclusive

or concurrent jurisdiction ~~but~~ ^{From the} ~~background~~ STATE OF Louisiana. The Supreme Court held that in these circumstances the trial court was without jurisdiction to try and sentence the defendants. Congress has defined the Territorial Jurisdiction of the United States in Title 18 U.S.C. § 7(3). The term special maritime and territorial jurisdiction of the United States, includes any lands reserved or acquired for use of the United States and under the exclusive or concurrent jurisdiction thereof or any place purchased or otherwise acquired by the United States by consent of the state, which would make it a crime against the United States for the petitioner to possess a fire arm as a convicted felon within the special maritime and territorial jurisdiction of the United States on lands specified in (7)(3). The petitioner also relies on these rulings: *In Re Kelly* 71 F. 545 (C.C.D. WIS 1895); *Hankins v. Delo* 977 F.2d 396 (8th cir. 1992); *United States v. Davis*, 726 F.3d 357, 363-365 (CA2, 2013); * *United States v. Tully* * 140 Fed. 899 (C.C.D. Mont) 1905; and just 18 years ago *United States v. Perez* at 111 Standard Lexis 75086, No. Cr-06-0001-MAG-MEY (N.D. Ca. 2006) where it was noted: In order for a federal court to exercise jurisdiction over a criminal action the offense must have occurred within lands reserved or acquired for the use of the United States and under the exclusive or concurrent jurisdiction thereof by consent of the legislature of the state. "Absent consent of the state, however the United States does not obtain exclusive or concurrent jurisdiction. Instead it is simply an ordinary *Proprietas*." See *Surplus Trading Co. v. Cook*, 1930, 281 U.S. 647, 650, 50, S.Ct. 455, 458, 74 L.Ed. 1091.

* Attention * these proceedings involve a state statute and may or may not draw into question the constitutionality of an act of Congress. Therefore, Title 28 U.S.C. § 2403(a) may apply and be served on the solicitor general of the United States; to include 28 U.S.C. § 2403(b) may apply and shall be served on the Attorney General of the state of Georgia if these proceedings qualify.

Reason For Granting Petition

The Global issue is not with the Citizens against the Judiciary. The Global issue is within the Body of our Government. The 3 HEADED DRAGON: The Executive Branch seeked to construct and signed GSA Reg. 2-XI-201.01, The legislative branch Amended the law in the Act of Feb. 1, 1940 which provides a condition; but The JUDICIARY Branch have not respected the REVERSAL of the Act of Feb. 1, 1940. The Act of February 1, 1940 definitely IS an Act of Congress, that DESERVES the SAME RESPECT as any other United States Code section. If you will look to GSA Form 1166 B (Attachment 1) No. 11 provides: TYPE OF legislative Jurisdiction (1) Exclusive (2) concurrent (3) partial (4) Proprietary interest only (5) unknown. Under this section Title 18 U.S.C 3231 Original Jurisdiction IS not listed. Absent COMPLIANCE with the Conditions set forth in this GSA Circular No. 275, Title 40 U.S.C 3112 or Georgia Cession statute 50-2-23.1 The Federal Government's Exercise of Authority to Punish is totally erroneous and must be decided by this Court of the United States on this certain Imperative Federal Question. The Global Issue only effects the Citizens severely...

* Under the Rule of Lenity "Any Reasonable doubt About the Application of a Penal Law Must be Resolved In Favor of Liberty" The Adventure, 1 F. CAS. 202, 204 NO. 93 (CC Va. 1812).

"A Cession of Territory Is essentially a cession of Jurisdiction" The state of Rhode Island v. The state of Massachusetts, 12 Peters 657, 733, 37 US 657 (1838).

I, declare under the penalty of perjury the Forgoing is true
And correct.

Javier M. Johnson 4/19/2024

Under Haines v. Kerner, 404 U.S. 519, 520 - 521, 92 S.Ct 594, 30 L.Ed.
2d 652 (1972) "pro-se Filings should be liberally construed and
subject to less stringent pleading Requirements."

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Javier M. Johnson

Date: 4/19/2024