

23-7511

No.

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED

MAY 10 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Washington D.C. 20543-0001

Rodney Johnson

Je5374

— PETITIONER

Superintendent Sci coal Township
Commonwealth of Pennsylvania

vs.

Attorney General Pennsylvania — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United states court of Appeals - Third Circuit

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

PETITION FOR WRIT OF CERTIORARI

Rodney J. Johnson - Je5374

(Your Name)

Sci-coal Township - 1-Kelley Drive

(Address)

Coal Township, Pa. 17866

(City, State, Zip Code)

570-644-7890

(Phone Number)

QUESTION(S) PRESENTED

- 1.) The issuing Authority Failed to comply with the Rules of court to exclude the Judge sign and seal of the Affidavit of probable cause making this illegal void for Jurisdiction to hold court-Due process of appellant.
- 2.) Arresting officer broke into Appellant apt. confiscated 2-knives from wife-MS. Friday, Then tested For DNA Lab Results- Negative, were appellant still charged & convicted with additional charges outside the Affidavit. was Due process for Appellant.
3. Commonwealth Failure to hold and complete A PFA hearing Violation for appellant-the results, Guaranteed by the protection from abuse act statue. was Due process for Appellant.

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

MS. Barbara C. Friday - wife
MR. Rodney J. Johnson - Husband - Petitioner
Protection From Abuse Act. No. 2008-FC-000551-Y12
Family Court Honorable John W. Thompson Jr.
York County Court House
45 North George Street.
York, Pa 17401

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Com vs. Jones, 929 a.2d 205 (2006.)	#1.
Com vs. ABNEY, 465 pa. 304, 350 a.2d 407 (1978)	#2.
Com vs. Dempsey, 241 a.3d 365 (2020)	#3.
FRANK vs. Delaware, 438 U.S. 1154 98 Sct. 2674 57 L 2d (1978)	#3.
Com vs. Edmondson, 526 pa. 374 586 a.2d (1991)	#3.
Giordenello vs. United States 357 U.S. 480 (1958.)	#4.
Com vs. Munley, 242 a.3d 402 (2020)	#4.
Com vs. Lucci, 443 (1994)	#5.
Yankosie vs. Lenker, 526 a.2d 429 363 pa. super. 448 (1997)	#6.

STATUTES AND RULES

PA. R. Crim. p. 508-(A)
PA. R. Crim. p. 513. Requirements For Issuance.
PA. R. Crim. p. 203(d.) Suppression of the Fruit of evidence.
^{9545(a)} Jurisdiction - void Judgment of conviction sentence lack subject matter.
PA. R. Crim. p. 205.(A) 1-4 Contents of search warrant
Statute 313. Entrapment. Personal agents to arrest husband.
23. pa. C.S.A section 6108. Relief From the act of the order.
23. pa C.S.A section 6107. Fail to hold a completed evidentiary Hearing.

OTHER

United States Constitutional Bill of Rights Violations
Amendment 4. Search & Seizure
Amendment 5. Due process
Amendment 6. Counsel without bias
Amendment 8. Cruel & unusual punishment
Amendment 14. All. CC Citizen Due Process Right

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APPENDIX D	<i>York County court - appeal proceed 9-6-22</i>
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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 _____; 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 _____; 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 C 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 Lower Court York County court appears at Appendix D 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 16, 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: April 5, 2024, 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 NONE (date) on NONE (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 2-16-24.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: 4-5-24, 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 NONE (date) on NONE (date) in Application No. A.

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Statute 313. Entrapment

23 Pa.C.S.A. Section 6108. Relief

23 Pa.C.S.A. Section 6107. Evidentiary Hearing.

STATEMENT OF THE CASE

Petitioner - Husband and accused wife both had marital issues a contact pFA order on each other. The both (orders) was not to argue or harass each other place of employment or anywhere. Accuser-wife pledge the firstly phone call and lied to arresting officers - one phone call could arrest any order, that petitioner harass her verbally over the phone. Petitioner was arrested with 3 years probation while under the same Contract of both parties (pFA orders.) Petitioner agree to drop his pFA order off wife and seek marriage counseling. During the weeks of marriage counseling, petitioner was accused of cheating, then wife ms. Friday made openly false calls to violate petitioner of personal agenda. Then prosecution excluded the initial pFA hearing and compel a Jury Trial, were Appellant was convicted without all facts and sentence to 28 TO 56 years in a state pennsylvania prison.

REASONS FOR GRANTING THE PETITION

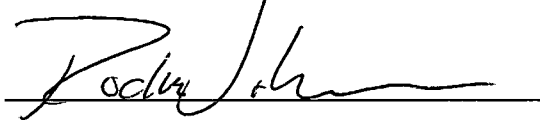
To show The Honorable Supreme Court of The United States, that the - Lower County Court of Pennsylvania, 45 North George Street, YORK PA 17401 - YORK County Court House. was without Jurisdiction to impose sentence and that the sentence was excessive, illegal, aggravated to the maximum - out side the 4-corners of the Affidavit, Violating Appellant Due Process, Ineffective Counsel Failure to defend or object to excluded evidence from the Jury and Appellant causing a new trial. The Commonwealth misapplied the Law and Counsel bias personal remarks towards Appellant to avail the District Attorney. See attached Trial - Transcripts pg 61. line 12.

MR Rodney Johnson-Je5314- located at Seicoal Township
Pennsylvania, is praying The United States of Supreme Court
Vacate Appellant sentence and New Trial. The Commonwealth
violated and maliciously prosecuted Appellant with
excluded evidence of the DNA Report from the Jury that
contradicts the prosecution theory to convict Appellant.
Appellant had no defense or material to prove innocence
until after trial, with Invalid Court procedure, or PFA
hearings withheld. Appellant had a unfair Trial a harsh
Sentence of 28 To 56 years In prison, with Counsel no
Objections or challenge.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: 5-9-24