

No. 23-7828

Third circuit

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

MAY 23 2024

OFFICE OF THE CLERK

Sean McElrath

— PETITIONER

(Your Name)

vs.

State of Pennsylvania

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Appeals Court for the Third Circuit No. 23-3173

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

PETITION FOR WRIT OF CERTIORARI

Sean McElrath

(Your Name)

FCC VSP Coleman 1, Po Box 1033

(Address)

Coleman FL 33521

(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

- ①. Is the petitioner allowed to use the Coram Nobis with the rules of the U.S. Supreme Court, with the State Court?
- ②. When the State appoints Counsel for first habeas petition is the petitioner's suppose to get counsel for his first habeas petition:?

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

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TABLE OF AUTHORITIES CITED

CASES

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STATUTES AND RULES

OTHER

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

[] For cases from **federal courts:**

[] reported at Case No. 23-3173 3rd cir; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

[] reported at W.D. P2 CIV NO. 2:23-CV-00685; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

[] For cases from **state courts**:

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

[] 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[] is unpublished.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 n/A.

☒ 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 _____.
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

Coram Nobis

STATEMENT OF THE CASE

Petitioner filed a *Corum Nobis*
in the State Court and was not
given Attorney through the entire process
as what is required by state law

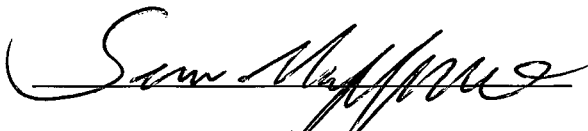
REASONS FOR GRANTING THE PETITION

To conform with the rules
of Court Rules & State law

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,


Date: 5/22/24