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June 24, 2024

No. 24-5056

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ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

of America

Tyrene Stafford — PETITIONER
(Your Name)

vs.

Zwikke, Doss, Castillo, Gibson etc. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States 5th circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Tyrene Stafford
(Your Name)

Homeless (Address) (2302 Durwood Apt. 412)

Austin Tx
(City, State, Zip Code) (Austin, Tx 78704)

(512) 400-5911
(Phone Number)

↑ ↑ ↑
Sister Address

Lost my Housing
cause of this case.

Courts

In the
Supreme Court of the United States

Tyrone Stafford,

Petitioner,

v.

Zwicke, Guadalupe County Commissioners, Wilborne, Gipson, Doss, ETc...

Respondents.

*On Petition for a Writ of Certiorari to the
United States court of Appeals for the Fifth Circuit*

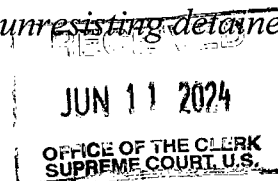
PETITION FOR WRIT OF CERTIORARI

Questions Presented

Does sitting with hands on steering wheel constitute the use of force that allows for officers to grab your neck and choke you in 2022, when the arrestee does not put the Officers in seriously dangerous situations?

Does not having a warrant and knowing you have no warrant grounds for me failing to obey a Lawful order?

Do law enforcement officials have a right to slam and choke unresisting detainees?



Do State Officials in State Capitols over Municipalities have the power to pick which LAWS their jurisdiction chooses to imply? Do Texas Sheriffs in Counties that have one district attorney have the rights to withhold evidence and continue to keep US incarcerated?

When GEORGE FLOYDS PUBLIC DEATH sparked outrage and the government implemented procedures to deter NECK RESTRAINTS through the proper law enforcement channels which created, TEXAS PENAL CODE 2.33 and SENATE BILL 69 in 2021, is this a valid law under the Constitution?

When the NATIONAL COVID 19 mandate hit and GOVERNOR GREG ABOTT declared a state of emergency through his covid bills and He stated that 90 days was the max amount of time we could do if we couldn't bond out, how did most of us do more than 90 days?

Does MY bodycam arrest footage have the same role in my litigation that it has everyone elses case matter, under the Objectively false decision in Baxter v. Roberts, Eleventh Circuit or Scott v. Harris?

Does my malicious prosecution claim met the requirements listed in Thompson v. Clark?

Is deadly force in the form of a choke hold protected under the Fourth Amendment like with Tennessee v. Garner?

Is Graham v. Connor use of force by officers based on an objective reasonableness standard, the totality of the circumstances, and officers perception at the moment?

Does a officer have the right to abuse his authority under color code of law based on an individuals color, race or looks?

If I sustained neck injuries during my arrest doesn't that meet the 4th amendment protections?

Officers let the person go that had a warrant and took me to jail for his warrant.

Can officers legally go in disguise under color of law and prevent citizens in the United States of America their equal protection of law?

Can the County Officials be held liable under Whren v. United States(1996) traffic stops when the stops amount to deliberate indifference, when officer use unjustified amounts of force when no threat of danger is present?

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:

Graham v. Connor
Coward v. Erwin
Aucoin v. Cupil
Kinney v. Weaver
RAMIREZ v. Martinez

NEWMAN v. Guedry Williams v. City of Yarrow

Pucks Worth v. Landrum

Hanks v. Rogers

Trammel v. Fruge

RELATED CASES

Hope v. Pelzer

Baxter v. Roberts

Scott v. Harris

Thompson v. Clark

Tennessee v. Garner

Whren v. United States

Terry v. Ohio

Sligh v. City of Conroe - the admittance of body cam footage

Mullenix v. Luna

Morrow v. Meachum

Romero v. City of Grapevine

Harlow v. Fitzgerald

Ryburn v. Huff

Mathaway v. Bazany

Reese v. Anderson

Carnaby v. City of Houston

Manis v. Lawson

Young v. Killeen

Plumhoff v. Richard

Harmon v. City of Arlington

Crape v. City of Arlington

Salazar v. Molina

Darden v. City of Fort Worth

Fairchild v. Coryell County

Pearson v. Callahan

City of Tahlequah v. Bond

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 _____ 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 MARCH 25, 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: _____, 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).

For the purpose of Title, 18, U.S.C., Section 241-242. Conspiracy Against Rights and Deprivation of Rights Under Color of Law, When Laws Criminal and Civil are passed and Mayors Council persons, Judges, etc. Persons bound by laws, statutes ordinances, or customs know these laws and they and they knowingly and willingly conspire on a state level that taints the courts and judges, how can the civilians and law enforcement be safe in the line of duty?

JURISDICTION

The district court entered a final judgment in favor of the County, the officers and other officials and I timely appealed to the Fifth circuit which denied my appeal on denial of my IFP status. This Court's jurisdiction rest on 28 U.S.C.1254(1).

Petitioner seeks Court's review under Supreme Court Rule 10 because the Fifth circuit decided important Federal questions in a way that conflicts with the relevant decisions of this court as well as other United States Courts of appeals, and the Fifth Circuit decision so far departs from the accepted and usual course of judicial proceedings. Can this Court exercise its supervisory powers?

STATUTORY AND CONSTITUTIONAL

PROVISIONS INVOLVED

14th
Fourth and Eight amendment, 42 U.S.C. 1983, malicious prosecution, excessive force, unlawful detainment, cruel and unusual punishment, Texas penal code 2.33, senate bill 69, executive order bill GA-13, jails and bail for covid 19. Title U.S.C. section 241-242. 42 U.S.C.1985 conspiracy to interfere with civil rights.

STATEMENT OF THE CASE

On January 29, 2022, Tyrone Stafford was traveling from Austin Texas to Cotulla Texas for a combat sports event with another passenger. Somewhere in Guadalupe County Texas officer Gipson from the opposing side of the highway watched me, watch her as my mother in law silver honda passed her suv. Upon passing her suv Officer Gipson pulled me over for obscured plates or tags. Officer Gipson took my id and the passenger id and went back to her suv where she did whatever cops do. Officer Gipson returned to the honda and asked me to turn off the car and I did, Officer Gipson asked for the keys and I handed them to her. Officer Gipson asked

me to open the door, which I did and then Officer Gipson grab my arm while I was still holding the steering wheel and said I have a warrant. To that I contested the warrant with her still holding my arm. After a while she let my arm go and went back to suv where she had to recheck for warrants because she returned and informed myself and the passenger that he in fact had a warrant from Arizona. While talking to her officers Doss and Castillo pulled up, Doss driving into incoming traffic which had his suv headlight to headlight and Castillo pulled behind Mrs. Gipson. Doss got out his suv and walked to the back of the honda and out of nowhere he reached in and grabbed my throat, after I got my neck lose because Castillo was pulling my shirt or arms I got out the car asking Doss (at the time I thought he was rank why was he choking me. Doss had my left arm and Castillo my right. While walking to the cruiser, I kept asking Doss why is he doing this, when we got close to the suv, Doss attempted to slam me into suv causing, me, Doss and Castillo to fall on the pavement. Castillo landed on my right side of my body and Doss on my left. Doss begin choking me again while shaking his pepper spray yelling (im not sure what). After awhile I got the words out that I couldn't breathe and Doss finally stopped his assault. I got up went to jail and received medical treatment for my knee, elbow, shoulder and neck. I received treatment the entire 98 days for neck injuries. I was charged with resisting arrest, possession of fentanyl and marijuana. All 3 cases got dismissed, I didn't have fentanyl (it was my wife prescription that they found in her moms car). Bobycam footage got my resisting arrest threw out and they dismissed the weed case because they took a statement against me in order to let the passenger go despite his warrant.

I did 98 days despite the fact that David Wilborn getting the prescription papers he asked for. I notified all of the appropriate higher officials that I was still in jail with no evidence

REASON FOR GRANTING THE PETITION

1. RULE 56 SUMMARY JUDGMENT or PARTIAL SUMMARY JUDGMENT= A PARTY MAY MOVE FOR SUMMARY JUDGMENT, IDENTIFYING EACH CLAIM OR DEFENSE ON WHICH SUMMARY JUDGMENT IS SOUGHT. THE COURT SHALL GRANT SUMMARY JUDGMENT IF THE MOVANT SHOWS THAT THERE IS NO GENUINE DISPUTE AS TO ANY MATERIAL FACT AND THE MOVANT IS ENTITLED TO JUDGMENT AS A MATTER OF LAW. THE COURT SHOULD STATE ON THE RECORD THE REASON FOR GRANTING OR DENYING THE MOTION.
2. THE 5TH CIR. AND THE WESTERN DISTRICT OF TEXAS GRANTED SUMMARY JUDGMENT WITHOUT THE MOVANTS SHOWING EVEN LESS EVIDENCE THAN THEY DID TO KEEP ME CAPTIVE AND TEXAS PENAL CODE 2.33 WAS A LAW PASSED AFTER NATIONAL OUTRAGE OF THE STRANGULATION OF GEORGE FLOYD.... THE SUPREME COURT OF THE WORLD HAS MADE SEVERAL RULINGS ABOUT CASES SUCH AS MINE IN DIFFERENT FEDERAL REGIONS, WHICH THE 5TH CIRCUIT STILL RULED AGAINST THE WRITTEN LAWS.
3. PREVIOUS RULINGS FROM THE THOMPSON V. CLARK CASE FROM APRIL 4, 2022 MAKE MY CASE NOT FRIVOLOUS OR MERITLESS AS THE 5TH CIRCUIT CALLED IT. THE 2ND, 3RD, 4TH, 6TH, 7TH, 8TH, 9TH AND THE 10TH CIRCUITS HAVE ALREADY HAD CONTEST TO THE SAME LAWS THAT IM ASKING THE JUSTICES OF THE LAND TO CLARIFY FOR US IN THE 5TH CIRCUIT COURTS.
4. THE VIDEO FOOTAGE OF MY ARREST IS NOT BEING RELEASED ONLY BECAUSE THEY LET THE PERSON WITH A WARRANT FOR HIS ARREST GO AND TOOK ME TO JAIL ON BOGUS CHARGES AFTER 2 WHITE SHERIFFS AND HISPANIC PERFORMED A DIRECTED RACIAL ATTACK. ALSO THEY DIRECTLY ATTACKED THE CONSTITUTION OF AMERICA.
5. THE SUPREME COURT GRANT OF MY PETITION WOULD BE A HUGE STEP IN TEARING DOWN THE DISFUNCTION AND ATTACK ON LAW THROUGH THE SPLITS IN THE LOWER COURTS.

6. IF IT'S CALLED LAW ENFORCEMENT THE DEFINITION OF LAW ENFORCEMENT IS OR WAS NOT BEING MET BY THE PEOPLE SWORN IN TO PROTECT THE CONSTITUTION OF AMERICA.
7. I'M NOT APPEALING A RULING THAT AFFECTS ME, I'M APPEALING A RULING THAT AFFECTS ALL AMERICANS AND NON-AMERICANS ALIKE.
8. I'M NOT APPEALING A CRIMINAL CONVICTION OR CONTESTING MY WRONG DOINGS, THEY COULDN'T EVEN TAKE ME TO COURT FOR THOSE CASES.
9. THIS IS NOT FOR TYRONE STAFFORD, THIS IS FOR ALL AMERICANS AND NON-AMERICANS, LAW ENFORCEMENT AND CIVILIANS THAT HAVE DIED IN THE LINE OF DUTY WHILE NOT BEING IN THE COMMISSION OF COMMITTING A DANGEROUS OR SERIOUS CRIME..... HELP US PROTECT THE RIGHTOUS BY MOVING MY CASE ONE STEP CLOSURE TO RULINGS THAT ARE CONSISTANT WITH PREVIOUS RULINGS IN AMERICA.
10. A DENIAL OF MY PETITION WILL ADD TO THE 5TH CIRCUIT CREATING JURISDICTIONAL DISFUNCTION BETWEEN COURTS AND IT WILL ALSO GIVE THE COURTS OF THE SOUTHERN STATES ACCESS AT CONTINUING TO DIRECTLY ASSUALT THE ONES THAT ARE NOT PUTTING LIVES AT RISK.
11. THE LAW ENFORCEMENT OFFICERS THAT ATTACK CIVILIANS ARE NOT THE ONES WHO PUT THEIR LIVES ON THE LINE TO SAVE A LIFE AND THEY CREATE A STATE OF CONFUSION THAT RISK THE GOOD LAW ENFORCEMENT OFFICERS LIFE.

12.BODYCAM FOOTAGE PLAYS A ROLL IN ALL
CASES, YET WHEN IT COMES TO GUADALUPE
COUNTY, A LITTLE TEXAS COUNTY THEY HIDE
THEIR DISCRIMINATION AND RACISM THROUGH
REWARDING BAD COPS.

What Rules and Laws Govern us All?

Am I to only be punished to the Full extent of Law?

The term Frivolous as used by the 5th Cir. to dismiss my Appeal was directed at State and Federal Law

CONCLUSION

If the Law is Rightous then

→ The petition for a writ of certiorari should be granted.

Respectfully submitted,

Tyrese Stafford tyrese Stafford 02 gmail.com

Date: June 3, 2024