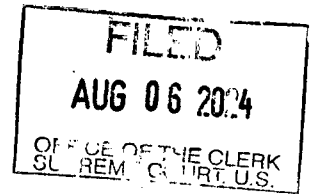


No. 24-5253

ORIGINAL



IN THE

SUPREME COURT OF THE UNITED STATES

IN RE RAFAEL JONES — PETITIONER  
(Your Name)

vs.

Antionette Cort — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States District Courts, Southern District of New York  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

RAFAEL ARDEN JONES B/LC8952300111  
(Your Name)

GRVC 09-09 HAZEN STREET 7B CELL #44  
(Address)

EAST ELMHURST, NEW YORK 11370  
(City, State, Zip Code)

N/A  
(Phone Number)

### QUESTION(S) PRESENTED

Can Judges and personally assigned Attorney's By Municipal Judges along with The District Attorney State on Court Records repeatedly after charging Defendant's fraudulently with Criminal Possession of Firearms that were never used in the commission of crimes under Penal Law 265.03, 265.02, & 265.01. That the Federal Laws 18 USC 1202(A), The Gun Safety Act of 2023, The Omnibus Crime Control and Safe Streets Act of 1968 Title VII, "Are not" Federal Laws? Can they repeatedly say on record that United States v. Bass 404 U.S. 336, 339, The New York State Rifle and Pistol Association Inc. v. Bruin 142 S.Ct. 2111, Kipke v. Moore 2023 U.S. Dist LEXIS 74934 will not be followed in her courtroom?

Can ~~SHE~~ say that the Appellate Division NEVER Rule in Federation of New York State Rifle and Pistol Club Inc. v. New York City Police Dept 73 N.Y.2d 92 that they will not give out names and addresses of gun permit owners?

Is these acts By Court Officials Called Sedition Under 18 USC 2384, & 2385 and isn't it violations of McDonald v. City of Chicago 561 US 742 Banning Handguns?

## 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:

- #1) PEOPLE OF THE STATE OF NEW YORK  
Bronx Supreme Court, Criminal Term Part 28  
CASE NO# CR-013906-21BX, Indictment NO# 70616-21  
Supreme Court Justice MARGARET L. Clancy (718) 618-3638
- #2) Jones v. Antionette Cort, United States District Courts  
Southern District of New York #2241 Petition NO# 1:23-CV-10522  
LAURA TAYLOR SWAIN.
- #3) United States District Courts of Appeals, For the Second  
Circuit of New York CASE NO# 24-54 Jones v. Antionette Cort

## RELATED CASES

- 1). Bronx Supreme Court, Criminal Term Part 28  
CASE NO# CR-013906-21BX, Indictment NO# 70616-21  
265 EAST 161st STREET, Bronx New York 10451
- #2) RAFAEL JONES AKA. RAFAEL A. JONES SR v. Antionette  
Cort #2241 Petition number 1:23-CV-10522(LTS) U.S.  
District Courts, Southern District of New York 10007  
500 PEARL STREET, NEW YORK, NEW YORK 10007.
- #3) RAFAEL A. JONES AKA. RAFAEL A. JONES SR. - against -  
Antionette Cort CASE NO# 24-54 United States  
District Courts of Appeals For the Second Circuit  
of New York THURGOOD MARSHALL U.S. COURT HOUSE  
40 FOLEY SQUARE, NEW YORK, NEW YORK 10007.

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- 3). ABRAMS v. UNITED STATES 250 U.S. 616
- 4). GILLOW v. NEW YORK 268 U.S. 652
- \*5). BRITT v. LEGAL AID SOC'Y 95 NY 2d 413, 447
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- \*17). UNITED STATES v. MAURO 436 U.S. 340
- \*18). NEW YORK STATE RIFLE & RISTOL ASSOCIATION INC v. BROWN 142 S Ct. 211
- \*19). KIPKE v. MOORE 2023 U.S. Dist LEXIS 194934
- \*20). UNITED STATES v. BASS 404 U.S. 336, 339
- \*21). MCDONALD v. CITY OF CHICAGO 561 U.S. 742
- 22). PEOPLE v. DELGADO 281 A.D. 2d 556
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- 29) Drago v. King 283 A.D.2d 603 People v. Kniffin 176 A.D.3d 1601, 1602, 111 N.Y.S.3d 477 [4th Dept. 2019]
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- § 2241 CPL 210.05 "Continued"  
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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 F to the petition and is

☒ reported at CASE NO. 24-54, 2nd Circuit of NY; 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 F to the petition and is

☒ reported at 1:23-CV-10522 (LTS); 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 CASE# CR-013906-21BX Incl #70616-21; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

The opinion of the US Dist Courts Southern Dist of New York court appears at Appendix F to the petition and is

☒ reported at 1:23-CV-10522 (LTS); 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 pending - now. PLACED into petition. 07/13/2024

☐ 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 April 28<sup>th</sup> 2023.  
A copy of that decision appears at Appendix F.

☒ A timely petition for rehearing was thereafter denied on the following date: DECEMBER 5<sup>th</sup> 2023, and a copy of the order denying rehearing appears at Appendix D.

☐ 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

- 1) N.Y. Const Right Under N.Y. Const Art 1 § 6 to Be Prosecuted By an Indictment Filed By a Grand Jury.
- 2) 6th & 14 Amendments USCA Const. Rights to a Speedy trial
- 3) Art VI of the Constitution provides that the Laws of the United States shall be the Supreme Law of the Land.
- 4) U.S. Const Amend 14 § 1 and N.Y. Const Art 1 § 11
- 5) U.S. Const Amend 14 and N.Y. Const Art 1 § 6
- 6) 6th Amend USCA Const. Confrontation Clause
- 7) 1st and 2nd Amendments USCA Const Due Process Clauses and Rights to Bear Arms.
- 8) 6th & 14th Amendments USCA Const Right to Effective Assistance of Counsel.
- 9) 1st Amend USCA Const Rights to Freedom of Speech and Expression.
- 10) 8th Amend USCA Const Rights not to be cruelly and unusually punished.
- 11) 4th and 5th Amendments USCA Const Rights not to be illegally seized, coerced, or property stolen or to be held for Ransom.
- 12) 14th Amend USCA Const Rights against the use of Sedition to be performed as a kidnapping tool.
- 13) Supremacy Clause U.S. Const Art VI
- 14) Right to Writ Guaranteed By the Constitution, Art I cl. 2 § 9

## STATEMENT OF THE CASE

D. Bronx Supreme Court, Criminal Term Part 28 Justice  
Margaret L. Clancy Case No# CR-013906-2BX Ind. #70616-21

2) The 1700 Block of Townsend Ave, Bronx New York 10453 is  
a SECURE BLOCK. It has two Argus NYCHA Controlled Police  
Cameras covering it. One camera at the end of the 1600  
Block and another at the 1700 end. Both cameras  
view the entire 1700 Block of Townsend Avenue.

3) 1765 Townsend Ave is a newer building built within  
the last 15 years. It has cameras installed everywhere.  
Two in each hallway, one at each stairwell entrance to each  
floor, 4 on the front of the building, 8 covering the back  
aged in parking lot. I've had a lease there since  
August of 2016.

4) Although I'm in the political and business field, I used  
the apartment as my home office. I never conducted any  
physical appointments out the address I'd meet people at  
in public places. I kept all my files and file cabinets in  
the closet. If you'd enter the kitchenet apartment  
you'd never know that I was a political candidate or  
corporation owner, because I never left files sitting  
out. It seemed as though I was a regular single  
male who lived like a college student.

5) Very few people knew that Rafael Jones that Black  
male was Rafael Jones Sr., Hispanics in the Bronx,  
are prejudice against African Americans and  
only deal with their own kind. That worked  
out in my favor, because I don't talk to people,  
people have prejudices, I only talked to  
humans, "They understand".

#6). My main social circle was letters to Senator Julie E. Adams. I wrote her about the Gay Rights Bill. At which time I stated these facts. All men have their rights under the 14th Amendment, All women have their rights under the 19th Amendment, All animals have rights under the 8th Amendment, what species of life did our forefathers not plan for? We're all humans we have human rights. The Gay Rights Bill was struck down on the floor. A lot of people were angry.

1). I received an award in my mailbox from Congress. An Mr. Mark Moody stating I raised the question that resulted in the repeal of Roe v. Wade (1971). "Not thinking"! I placed it on my twitter and Facebook page. That's when my twitter account got hacked, and I never was able to recover the page. Someone then posted a picture of a briefcase full of money and some gay male.

Came to think about it, and all the facts afterwards it was Danielle Collo the Hispanic Bronx District Attorney who had me attacked and tried to murder me! Her false and probable cause statement she wrote to attempt to make it seem as though I was a drug dealer. See: Appendix D #2.

The two police officers who states witness paid Bribe money's to on December 5th, 2023 made hearing log for IDEON CASE CR-013906-21BX Indictment no# 70616-21. Are Hispanic, states witness is Hispanic, and the Dist Attorney who falsified courts documents on this case is Hispanic.

Even the attorney who tried to obtain an eviction in Bronx Civil Courts is Hispanic.

#8) All of a sudden I started to get physically assaulted. All of the attackers were Hispanic males. A group of Hispanic males attacked me and stabbed me fracturing my hipbone, robbed me for my cellphone and door keys.

9) Upon returning from the hospital I purchased a surveillance system, door camera, changed my door locks, purchased a knife proof vest, a tazer gun, and applied for a gun permit.

10) 2 days later 46th Precinct Police Officer Christina Neeland rings my doorbell, as I opened the door, she immediately handcuffs me, rips off the door camera gun. Then leaves.

Note: This is about two weeks before the Sept. 14th, 2021 attack to where I'm charged and detain on to this date. And my tazer gun is now placed on the same items taken on search warrant issued Sept 14th, 2021.

11) I just arrive back to New York the morning of September 14th, 2021. I leave out to go and purchase a cup of coffee and a cigarette. I exit the Bodega and decided to walk around the full block to finish my cigarette, because I reside in a non smoking building.

#12) Upon reaching the top of my block at the 1700 Hundred Block of Townsend Ave. A unidentified Spanish male pulls up in a Cherokee Black SUV Jet Black tinted windows, double parks and:

(continued)  
Runs onto the sidewalk behind me with a  
Black Bag. "Next" he reaches into the Bag and  
pulls out a Gray light colored Cobble Stone Brick  
throws it, and it strikes me in my upper  
Back and Neck Area. I never fired a shot I was  
and my actions Justified and do not constitute Crime.  
#13) Still with the cup of Coffee in my hand I  
then reached for my handgun under my  
shirt, attached holster to my knife proof vest  
and drew out my 380 handgun. Although  
I didn't have a live round in the chamber,  
I pointed it at him. He Adam Rosazio Mejia  
still did not see or noticed I'd drew my Fire  
arm. He still threw a second Cobble Stone, I  
had to Dodge before he realized I had a gun.  
"Next" He fled out into the street behind the  
SUV he Hopped out of. Time was around 8:05 AM.

#14) By 8:15 the police officer Christine Neeland and  
Grollen had arrested me and taken me to the 46th  
precinct. I was then taken to the Hospital due to the  
injuries sustained from Adam Mejia Attack.

#15) On September 1st, 2021 the next day I was  
arraigned and Attorney Charles Swartz appeared.  
But was not the Court appointed assigned Attorney  
Eli Moore was. At arraignment I stated on Court  
Record that I wanted to testify at Grand Jury  
and I'm not waiving it. I next was Remanded  
to Rikers Island on a \$450,000 Bail. Charles Swartz  
illegally emailed the District Attorney Danielle Goll  
and told her he waived my Grand Jury!

16) I Filed Pro Se motion of Discovery For Both Argus Cameras that Video tapped the attack on September 14th, 2021. They did not get logged until May 10th, 2023 After the Investigator logged video of states witness Adam Rosazio Mejia that impeaches his testimony and proves the District Attorney Danielle Ciollo fabricated the whole case file on Indictment NO# 70616-21.

17) By Nov. 4th, 2021 Eli more was found to be by Courts poor and ineffective assistance of Counsel for failing to hold Grand Jury. "Next", Margaret Chancy appointed her personal friend as my Counsel Bruce Klein. From Nov. 2021, 2022 all the way up to June 8th, 2023 stated on Court records repeatedly, that the United States Supreme Court laws are not followed in her courtroom, that the Appellate Division of New York 1st, 2nd, 3rd & 4th Department don't exist and she do not abide by or follow any Federal laws. "Unquote"...

18) The Indictment NO# 70616-21 was dismissed on April 18th, 2023, I was not told by Attorney Bruce Klein or ever released from custody. They resubmitted the same indictment on April 28th, 2023 without so much as a heard Grand Jury hearing.

19) The logged the videos on May 10th, 2023 then canceled the Dunaway hearing preventing the assault video from being played in Courts.

## Statement of Case (Continued)

20) From November 4th, 2021 All the way up to April 2023 Despite my Health Care Proxy, The Courts continued to ORDER 730 mental Health evaluations without ever Contravening Finding on the PAPERWORK with Conflicting Dates etc.

Not one time has procedural Due Process ever been followed by or my Rights in Courts, my assigned Attorney never Filed any motions or on record raised any objections. Justice Margaret - Clancy stated aloud on Court Record and I quote "I'm going to abort you!" unquote " After their frauds I began filing prose motions for Records.

I Filed a § 2241 Habeas Corpus Petition in the United States District Courts, Southern District of New York Case No# 1:23-cv-10522-LTS. To challenge this illegal State Detention on an unsigned and uncertified Indictment to where the video of the charged crime impeaches the States witness testimony and proves that the District Attorney fabricated the probable cause statement and Indictment information.

D. The United States District Judge who's a Gay Female illegally Dismissed 5 of my Habeas Corpus Petitions under the Prison Litigation Reform Act three strike Rules, Issuing three strikes, in which is incognizable on Habeas Petitions. NOTE: All laws listed were quoted at some point in this 33 months detention in my prose motions.

## Statement of Case (Continued)

2) I was ORDERED to SEEK A Certificate of Appealability From the United States District Court of Appeals For The Second Circuit of New York. Appeals Case NO# 24-54.

3) The United States District Judge who I'm seeking this Certificate of Appealability From OFFICE is not located at 500 Pearl Street the U.S Dist Courts Building. It's located in the Dist Courts of Appeals Building and BEFORE my Appellate Briefing can go in front of the panel, she (LTS) the District Judge must answer the motions filed on the Appellate Briefing. In which was filed back in February 2024. But no response yet.

4) The Court Clerk Warren Perty of the Dist Court of Appeals Second Circuit is a Gay male who's Holden my petition Filings From EVER Being Submitted. And know these women extremist and Gays are going after Supreme Court Clerk Lisa Nesbitt to prevent Courts From receiving and hearing this petition.

5) Upon Attorney Bruce Klein stating on Record that I owned a Securities and Exchange Commission Corporation. The sent psychiatrist By Bruce Klein attempted to extort me for money and attempted to coerce me into signing over my personal property being held By Courts over to Bruce Klein. Which has my Antitrust Fraud in Violation of 15 U.S.C.S Sec 404 The Sherman Act The Clayton Act

They ARE Holding People Hostage on Jurisdictionally  
& Defective Indictments they can not hold trials on!

### REASONS FOR GRANTING THE PETITION

Attempted MURDER NEW YORK In RE NEAGLE  
135 U.S. 1 Act Done in PURSUANCE OF A LAW  
OF THE United States, AND In Custody in  
Violation OF Constitution AND LAW OF THE  
United States.

### Justification

Entitled to Relief. REV. STAT § 753  
THE ACT OF CONGRESS, 4 STAT. 634 (1833)  
10 S. CT. 658<sup>xx</sup>, 34 L. ED. 55<sup>xxx</sup> 1890 U.S. LEXIS  
2006<sup>xxxx</sup>

TENNESSEE V. DAVIS 100 U.S. 257  
It was meant to remedy such threats of  
Criminals who should attempt to execute us.  
EX PARTE JENKINS, 2 WALL JR. 521

§ 753 RELEASE EX PARTE ROYALL, 117 U.S. 241, 247  
Right to Writ Guaranteed By the Constitution  
1 ART 1 CL. 2 § 9 EX PARTE YARBROUGH 110 U.S. 651

McLulloch v. Maryland 4 Wheat 316, 431.  
BOTILLER V. DOMINGUEZ 2 130 U.S. 238  
REV. STAT § 761

MAYO V. UNITED STATES 319 U.S. 441, 445  
WADE V. MAYO 334 U.S. 672  
OTTO V. THOMAS 173 U.S. 276.

## REASONS FOR GRANTING THE PETITION

"Quoting", Former President MR. George W. Bush when defining terrorism's definition. Where policies are not being followed, laws don't exist. There could exist only one thing in its place, and that's Terrorism! "Unquote". New York's state Constitution says in New York that no one can be arrested or tried, except by indictment signed by Grand Jury Foreman.

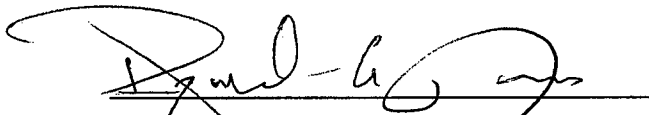
There running a scam in which turns New York City's courts into a rogue and fraudulent government. In an illegal act to ban handguns without Grand Jury Foreperson's signature, there-trial by jury, because indictments are jurisdictionally defective. By New York Penal Law 200.70(2) they can not give you a trial for just your being accused of, or held on. This taking citizens hostage. They're confiscating and banning handguns by charging citizens with criminal possession of firearms that were not used in crimes. That's sedition violates 18 USC 2384, 2385! page 2 of 2

IF THESE COURTS ALLOW NEW YORK  
STATE COURT OFFICIALS TO CONTINUE  
THIS PRACTICE OF CHARGING ITS  
CITIZENS WITH NON EXISTING CRIMES,  
AND HOLD THEM IN CUSTODY ON  
JURISDICTIONALLY DEFECTIVE INDICTMENTS  
CHARGED WITH CRIMINAL POSSESSION OF  
FIREARMS, WOULD BE AN ACT OF BANNING  
FIREARMS.

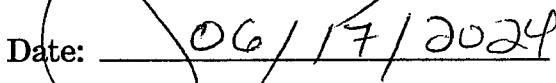
**CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daniel H. [unclear]", written over a horizontal line.

Date:

A handwritten date "06/17/2024" in black ink, written over a horizontal line.