

No. 24-5828

ORIGINAL

**IN THE  
SUPREME COURT OF THE UNITED STATES**

**STANLEY LORENZO WILLIAMS - PETITIONER**

**vs.**

**STATE OF NORTH CAROLINA, et al - RESPONDENT(S)**

**ON PETITION FOR A WRIT OF CERTIORARI TO  
THE UNITED STATES COURT OF APPEALS SITTING AS THE FOURTH  
CIRCUIT. :**

**PETITION FOR WRIT OF CERTIORARI**

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## **CONSTITUTIONAL QUESTION PRESENTED**

**Q,**

*Does Amendment XIV To The United States Constitution Equal Protection Clause Constitutionally Impermissible Prohibits all States not limited to and including The State Of North Carolina from imposing a [Lifetime-ban] on the second ll amendment right to keep and bear arms.*

*In other words, [section 14-415.1] of North Carolina General Statute has [Now] become bad law and unconstitutional written on its face, to be sure, upon a [New set of facts], having failed to provide [felons] with any constitutional safeguard protections to defend themselves against the january 06, 2021 free, unprosecuted and violent insurrectionists and, as such, having arbitrary enacted and maintains a law that treat some differently than others who are similarly situated in light of an ongoing and imminent [nuisance] of [threatened injury] being imposed against felons due to no fault of their own. ?*

## **QUESTION(S) PRESENTED**

**Q,**

*"Whether the fourth circuit court of appeals [July 9th, 2024] Judgment is in error, having based and rested its [conclusion] upon an outright [manifest injustice], whereas here, it identified the correct governing legal rule, and reviewed the case on its merits, then, failed its obligation to law, having [departure] where it concluded that the district court did not ['abused its discretion'] and affirmed the judgment [contrary to] this court's prior and recent rulings.'*

*To wit, the [reviewing panel] limited its [reviewing scope] to the issues raised in the [informal brief] having relied on the court's [Rule.34(b)] meaning that, the court reviewed the matter upon the [merits].*

*Then, thereafter [departure] from a normal standard practice review, to be sure, it reached a conclusion [contrary to] the governing laws, resulting in the deprivation of a fair hearing that which denied the petitioner/ appellant of a [meaningful access] to court.*

*Therefore and accordingly, that court erred in law and should be reversed.*

### **LIST OF PARTIES**

*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. The State Of North Carolina  
512 Salisbury Street  
Raleigh, North Carolina 27699*
- 2. North Carolina General Assembly  
16 West Jones Street  
Raleigh, North Carolina 27601*
- 3. New Hanover County Sheriff Office  
230 Government Center Drive  
Wilmington, North Carolina 28403*

### **RELATED CASES**

*There are no known related cases as to this matter per se.*

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## TABLE OF AUTHORITIES CITED

### CASES

- 1.) CSX Transp., Inc. 616 F.3d,380,385 n.2 (4th Cir. 2010). (quoting)  
Hutchinson v. Staton, 994 F2d. 1076 1081 (4th Cir.1993)..... pg. 12
- 2.) Monroe v.Pape, 365 U.S. 167 (1961).....  
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- 3.) Lynch v. Household Finance Corp. 405 U.S. 538 (1972)..... pg. 14
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..... pg. 14
- 5.) Chapman v.Houston Welfare Right Org. 444 U.S. 600 (1979)..... pg. 14
- 6.) Maine v. Thiboutot, 448 U.S. 1 (1980)..... pg. 14
- 7.) District of Columbia v. Heller, 554, U.S.570,128 S.Ct 2783, 171,  
L.Ed 2d 637 (2008)..... pg.14
- 8.) McDonald v.Chicago ...130, S.Ct. 3020, 177 L.Ed 2d 894, 929  
(2010).....pg.14
- 9.) U.S. v. Chester, 628,F. 3d 673,674 (4th Cir. 2010)..... pg. 14
- 10.) Morrison v.Garraghty, 239 F.3d 648, 654 (4th Cir.2001)..... pg. 15
- 11.) Jackson v. Lightsey, 775 F.3d 170, 177 (4th Cir. 2014)..... pg. 9
- 12.) United States v. Taylor , 54 F. 4th 795, 802 (4th Cir 2022)..... pg. 9
- 13.) Elijah v. Dunbar 66 F. 4th 454, 460 (4th Cir. 2023)..... pg. 9

## STATUTES AND RULES

*FRCP : section(s) 28 U.S.C.1343 (3), 42 USC 1983 and 28 USC 636(b)(1) in conjunction with Rules 59(e), 60, and 72*

*Fed. R. App. P. 41 and 34(b)*

*NCGS Chapter 1A-1 et seq.*

*NCGS Chapter 14 Section 415.1*

## OTHER

*"Rule Four"*

*U.S. v Zacckey Rahimi No. 22-915 Argued November 7, 2023-Decided June 21, 2024*

*Williams v. North Carolina, No.7 : 21-cv-00104-M (E.D.N.C. Nov.23, 2023 & July 14, 2023) (unpublished)*

**IN THE  
SUPREME COURT OF THE UNITED STATE**

**PETITION FOR WRIT OF CERTIORARI**

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

**OPINIONS BELOW**

*The opinion of the United States court of appeals at Appendix G to the petition reported at Williams v. North Carolina, No.7:21-cv-00104-M (E.D.E.N.C. Nov.23, 2023 & July 14, 2023) and is (unpublished).*

**JURISDICTION**

*The date on which the United States Court of Appeals reviewing panel decided petitioner's case was [July 09, 2024] and, No petition for rehearing was timely filed in my case.*

*Therefore, the [Jurisdiction] of this [Court] is hereby invoked under 28 U.S.C 1254 (1), and pursuant to 28 U.S.C. 1343(3), Section 42 U.S.C 1983, Section 42 U.S.C 1988, and Chapter 14 [Section 415.1] of North Carolina General Statute in conjunction with amendments 1st, 2nd, 5th, 6th, and 14th to the United States Constitution.*

## **CONSTITUTIONAL AND STATUTORY PROVISION INVOLVED**

### *Constitution Amendment(s) :*

- *Amendment I*
- *Amendment II*
- *Amendment V*
- *Amendment VI*
- *Amendment XIV*

### *Statutory Provision(s) :*

- *28 U.S.C. 1343(3)*
- *28 U.S.C. 1254(1)*
- *28 U.S.C. 636(b)(1)*
- *42 U.S.C. 1983*
- *42 U.S.C. 1988*

### *NCGS :*

- *Chapter 14 Section 415.1*
- *Chapter 15A - Section 1022*
- *Chapter 15A- Article 58*



## STATEMENT OF THE CASE

*In an initial matter, the Petitioner specifically points out to this court, his motion for appointment of counsel still remains outstanding in the ["district court"].*

*Even after having raised the matter before the appeals court. Whereby, the Petitioner asserts that had [counsel] been appointed there exists a [likelihood] that the outcome would have been different, to wit, counsel could have and most likely would have properly raised an "abuse of discretion" claim.*

*Stanley Lorenzo Williams, [petitioner] appealed the district court's order accepting the recommendation of the magistrate judge and denying relief on Williams' 42 U.S.C. 1983 complaint and denying [Plaintiff's] Fed R. Civ. P. 59(e) motion to alter or amend the judgment.*

*The reviewing panel limited its review to those issues raised in Williams' informal brief, having relied upon 4th Cir. Rule 34(b) see also *Jackson v. Lightsey*, 775 F.3d 170, 177, (4th Cir. 2014), from which it found and concluded that the district did not 'abuse its discretion' in declining to alter or amend the judgment, relying upon *United States v. Taylor*, 54. F. 4th 795, 802 (4th Cir. 2022) (providing standard). As such, the below [reviewing panel] erred in law where it affirmed the district court judgment prior to addressing all the issues as set out in the informal brief, to be sure, there was/is no mention or discussion of the issue surrounding 'objection issues.(28 U.S.C. 636(b)(1).*

*(A) a judge may designate a magistrate judge to hear and determine any pretrial matter...except a motion for injunctive relief, for judgment on the pleading, for summary judgment, to dismiss or...'*

*In other words, [consent] of the parties is a [must] pursuant to [28 USC 636(b)(1) if the magistrate judge reviews the matter for judgment on the pleadings, as done,see,'district court order & judgment' at Appendix-G.*

## **REASON FOR GRANTING THE PETITION**

*There exist a plethora of reasons for granting this foregoing [petition], not only because it presents issues of importance beyond the particular facts and parties involved, however, it also presents a grave issue surrounding the [founding fathers] [intent] as to the enforcement of [amendment II] to the united states constitution.*

*Nevertheless, for arguendo, I am...only going to bring forth four (4) at this time.*

- *(One) : The "United States Supreme Court" is the [highest court] in the [Land], because the [Superior Court] has yet to be installed at this time, meaning that, this court's obligation to law, is the people's [Last hope] as to a truth guideline forward.*
- *(Two) : To finally answer the [state(s)'] ongoing [second amendment] [mixed questions] of [facts and law], as to whether, it can continue arbitrarily enforcing a [Lifetime-ban] on [Felons'] second amendment right to keep and bear arms.*
- *(Three) : To address the [ambiguous] issue between [Federal rule civil procedure 72 (b)(1)] and [statutory provision 28 U.S.C.636 (b)(1)] where one requires [consent] and the other does not, to wit, question being, in cases such as this the [benefit] from the ambiguity, go to who ?*
- *(Four) : The [reviewing panel] rests its [findings & conclusion] upon a manifest injustice], to be sure, it [rendered & mandated] a decision [contrary to] this court's percent as set out in Rahimi, two-weeks (2) after this court's ruling and decision.*

*Whereby, the [petitioner] believes and steady maintains that [had not] the reviewing panel [departured] from the standard [scope review] and,[failed] its [obligations to law], the [outcome] to its [conclusion] would have been different, as proof, this court decision as set out in Rahim, supra , would*

have applied and a ['finding] of a continuation of ['dangerousness'] would have been a [requirement] upon any final court's conclusion of law, meaning that, that reviewing panel committed [reversal error] and [manifest injustice] when it review the [merits], inlight of [Rahimi] supra. Then, entered a [conclusion] [contrary to] this court standing of review as set by Rahimi, supra, indeed.

Therefore, since the [Fourth circuit] court of appeals fold its [hand] upon [this court'] rulings [reversing] on the [Fifth circuit] court of appeals opinion which having relied on the [Ninth circuit] court of appeals in an attempt to reach an understanding from this court of the [founding fathers] intent, as to how the [States] can continue imposing a [Lifetime ban] on [felons]' second ll amendment rights and protections to keep and bear arms. Accordingly, as this court can see, its [discretionary powers] are needed in correcting a [wrong] to [right].

### CONCLUSION

In conclusion, the petition for writ of certiorari should be [granted], because this [case] is [extraordinary], having presented [this court's] unresolved and ongoing [mixed questions] of [facts and laws] as it related to the [enforce-ment] of the [second ll amendment] to the united states [constitution] which need this court's [guidance] hands to redress.

Thus, [No] below appeals court [three judges] panel or [en banc] can define [this court's] justification for its [silent] to the [Lifetime-ban]...which are being unconstitutional imposed by the [states] against felons.

In other words, this court's [discretionary power] is not only needed but, moreso, it is [continually] being [requested] by the (4th), the (5th,) and the (9th,)circuits court of appeals & [now] here [outright] by the [petitioner] to redress, a clearly shown [manifested injustice], to wit, the [constitution] is not been equally applied to citizens and all born persons of the united states, to be sure, the state of [North Carolina] imposes a [Lifetime ban] versus a [Limitation ban] on labeled [felons] second ll amendment right to

defend themselves by way of [Guns] even in light of a [New set of facts], unlike any other [alleged] violent people.

Simply put, [felons] share no [1st] nor [2nd] amendment rights to defend themselves as the jan 6 [Gotaways].

Whereas here, the [petitioner] steady maintains that [had not] the reviewing panel and [below courts] failed it [obligation to law] there exist a [likelihood] that the [outcome] of the appeal [conclusion] would have been different, to wit, the [judgment] in [question] would have been [alter or amend] to speak the [truth] insofar as applicable :

[T]he record makes clear that the [district court] in and of itself having [out right] committed both [plain error] and [reversible error] where it identified the correct governing legal principle and the error but, failed to or did not apply said standard to the judgment in question.

In other words, the below court erred in law when it identified a clear error, but failed to take the appropriate and necessary corrective action inlight of the governing laws.

To be sure, from the court's own language as set out in its [July 14th, 2023] order and decision, the court found that :

“ The Fourth Circuit has recognized three grounds for altering or amending an earlier judgment pursuant to Rule 59(e): “(1) to accommodate an interve-ning change in control of law (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or prevent manifest injustice” CSX Transp.,Inc 616 F.3d 380, 385 n.2 (4th Cir. 2010) (quoting Hutchinson v. Staton, 994 F.2d 1076 1081 (4th Cir. 1993).”

Whereby, the appellant even here continues to rely on the third of these to support his request for this court's order of reverse.

Thus, the petitioner/plaintiff believes and steady maintains that the District Court's July 14th, 2023 [order] and [decision] is in error, having committed clear error and created manifested injustice on its face when it [revisit] the matter and identified both the [error] and the [correct governing legal principles] but, for reasons best known to itself failed to or did not apply the

standard to the judgment in questioning, resulting in the denial and deprivation of the appellant/plaintiff's procedural and substantive due process right in violation of the 5th and 14th amendments to the united states constitution.

As proof, the court below [outright] used the language "[New set of facts]" in its July 14th [order and decision], and then decided not to alter or amend the earlier judgment the (same).

In other words, that court should have [granted] the movant [Rule 59(e) motion] as a matter of law, rather than [deny] because the earlier judgment was in error and, [still] remains [silent] to the mere mentioned ["New set of fact"]...is than not correct.?

However, as this [court] can clearly see, the [record] makes clear that, the [4th circuit] court of appeals [reviewing panel] consist of : [THACKER], [QUATTLEBAUM], and [RUSHING], Circuit Judges not only [failed] it [obligation] to [Law] but, also based and rested its July 9th, 2024 [opinion] and [conclusion] upon a [ false premise];

To be sure, pro se [objections] was of record at time of below court review and decision see, [appendix B] attached hereto, meaning that, that court committed [plain and reversal error] as well and which have created the [ground] and [stage] for [reversal], having, arbitrary [denied] & [deprived] the appellant of a [meaningful access to court].

Whereas here, the [petitioner] steady maintains that : [planittiff's [objection] was of [record] and [timely] filed, however, if, said objection was not or did not meet the court [standard], then, the [motion for appointment of counsel] should have been called into [question] but, has been outright [ignored] and or [overlooked] for those reasons best known to [reviewing panel] themselves.

Whereby, the petitioner believes that [had not] the courts [departure] from the correct standard of review and [had not] failed its obligation to law, the record would have been revealed that :

Section 1983 lawsuit is a legal claim alleging a civil rights violation on 42 U.S.C 1983.

These actions may be brought in state or federal courts; victims can pursue monetary damages or an injunction.

To prevail in a section 1983, the plaintiff must prove two critical points 1) a person subject the plaintiff to conduct that occurred under color of state law and 2) this conduct deprived the plaintiff of rights, privileges, or immunities guaranteed under federal law or the United States constitution. 28 U.S.C. 1343(3) the cause of action to which this jurisdictional grant applies is 42 U.S.C.1983, making liable and subject to other redress any person who, acting under color of state law deprives any person of any rights, privileges, or immunities secured by the constitution and laws of the united states, see, Monroe v. Pape, 365 U.S. 167, (1961) Lynch v. Household Finance Corp, 405 U.S. 538 (1972) Monell v. New York City Dep't of Social Services 439 U.S.538 (1978); Chapman v. Houston Welfare Right Org. 444, U.S. 600 (1979); Maine v.Thiboutot. 488 U.S. 1 (1980).

Here, the petitioner/plaintiff maintains that, having been labeled as a [felon] by the state of North Carolina gives him ["Standing"] to bring forth the law-suit against the above named defendants in both their individual and official capacities, and, that is, because the violation occurred under color of federal and state law.

While too, prior to the {"New Set of Facts"} being made available this [Court] held that the due process clause of the fourteenth amendment incorporates the second amendment rights recognized in District of Columbia v. Heller, 554 U.S. 570, 128 S.Ct. 2783, 171, L.Ed 2d 637 ((2008) and applies equally to the federal government and the states McDonald v. Chicago...130 S. Ct. 3020, 177 L.Ed 2d 894, 929 (2010).

Here, the court recognized the right of law abiding responsible citizens to use arms in defense of hearth and home" Heller, 554 U.S at 626 171 L.Ed 2d 678n, however, the [4th Cir.] court of appeals analyzed the second amendment rights of a defendant in U.S. v. Chester, 628, F. 3d 673, 674 (4th Cir 2010), inlight of the court in Heller, and having found that :

*"... The court concluded that it is unclear whether Heller suggested that... prohibitions of possession of a firearm by felon" historically understood to be valid limitations on the right to bear arm or did not violate the second amendment for some other reason" Chester, 628 F. 3d at 679"*

*In other words, the [4th Circuit] court of appeals makes [crystal clear] that [This Court] in Heller, fell to and/or did not make [clear] as to the reason for maintaining the [Lifetime-ban] versus a [Limitation-ban] on (felons) rights to defend [themselves] by way of arms.*

*Simply put, it appears that the below [Circuit courts] are in [disagreement] with this court the [Highest Court] in the land understanding or [inaction] of amendment II the United States constitution.*

*" Amendment II provides : A well regulated militia, being necessary to the security of a free state, the right to keep and bear arms, shall not be infringed" U.S. amend. II "*

*Thereby, these [27] words written by the [framers] does not [mention] nor [discuss] neither the [Lifetime-ban] or [Limitation-ban], moreover, the founding father's [intent] is spelled out pretty [clear].*

*Whereas here, it is [intended] for all humans including [felons] to be able to defend themselves against violence.'*

*Therefore, N.C. Gen, statute 14-415.1 [Gun law] violates the Equal Protection Clause of the fourteenth amendment.*

*The Equal protection clause provides that "[no] State shall...deny to any person within its jurisdiction the equal protection of the law." U.S. Const. Amend XIV.1 To succeed on an equal protection claim, a plaintiff must first demonstrate that he has been treated differently from others whom he is similarly situated and the unequal treatment was the result of intentional or purposeful discrimination,"Morrison v. Garrahty, 239 F. 3d 648, 654 (4th Cir.2001).*

*Accordingly, the petitioner steadily maintains that North Carolina [Gun law] treats him differently than the [free] and [unprosecuted] Jan.06, 2021 [violent Gotaways] the same [ones] which attacked the capitol because,*

those [ violent people] are allowed to keep and bear arms unlike felons.

Furthermore, the 4th Cir. [reviewing panel] or three [Judges] is not the correct [court] to perform the requested [relief] upon the [merits] because, to do so would [require] a [determination] of, the ongoing [issue & question] as to whether the [constitution] impose a [Lifetime-ban] against a [certain group] of people namely [felons] from keeping and bearing [arms] is not a [case by case] issue, rather instead they are one of the same just goes unresolved.

Thus, the [issues] in regards from the [4th Cir.], the [5th] and the [9th Cir.] is the same in each case, meaning that, said [issue] remains [unresolved] making this court's [discretionary power] necessary to [justify] its reason for remaining [silent] to an [outright] and [clear-violation] of the [amendment II] rights and protections, [moreover], and explain the [reason] or [reasons] as to why the [Highest Court] in the [Land] continue to [intentionally] failed its obligation to law.

Therefore and accordingly, will this court [now] redress its own created manifest injustice once and for all.

Lastly, this [petitioner] specifically point out to this [honorable] court I am...a layman at law and its procedure without any of obtaining counsel, legal knowledge etc., however, I believe that the below courts [inaction] and having [departure] from this court's [Standard of review] arbitrary denied and deprived the [appellant] of a ["meaning access to court"],resulting in the [deprivation] of the [plaintiff's] civil rights as related to [amendment II] protection, rights & protections both guaranteed and secured by the 14th amendment to the united states const- itution.

Whereas here, this foregoing case [now] before the court is [extraordinary] in many senses.

Whereby the petitioner now [reserved] the right to [amend] the additional number of remaining pages up to (40) as [prescribed] per [rule] by the guiding hands of [appointed counsel] :

One who can [investigate] and [explore] the [bifurcated-issues] in which the below courts [created] upon its [rubber stamp], having turned a [blind eye] to matter that brings forth [gave legal] substances..



Thus and although, the [4th Cir.] court of appeals failed it [obligation] to law its [conclusion]

Did revealed, and show the [bifurcate issues], as related to the continue [enforcement] of Chapter [14- Section 415.1], to wit, North Carolina [laws] as set out in Chapter [15A-Section 1022] and, Chapter [15A-Article 58], have [now] been called into [question], to wit, those [statutes] are [unconstitutional] written [as well] having provided [no provisions] to inform [defendants] of the [facts] relating to the [second amendment].

As proof, there exist no [Historical findings] where a [sixteen year old defendant] is informed that : upon [accepting] and [entering] a plea of guilt to any felony they automatically lose their [second amendment] right to defend themselves by way of [Gun] for [Life], which imposes also [Lifetime-ban] or [infringements] on the [first amendment] right to [vote] meaning that, [all] of North Carolina's prior and ongoing [plea bargains] can no longer be [considered] as being a [well informed choice].

To that end, the petitioner maintains that this [Lifetime] constitutional [punishment] is being [arbitrarily] upheld for [unclear] reason by the [highest court] in the land, to be sure, a number of the [circuit-courts] all ask the same questions :

“ who imposes this lifetime punishment ” ?

Because, [again] there exist [no] historical findings where such or said [punishment] or [ban] is imposed by a [judge] or [jury] meaning that, the ongoing matter is not a case by case [issue].

In other words, since the [incarcerations] has an [end date] and [no ban] was a part of the [sentencing condition] or [punishment] if you may then I agree with the [circuit courts] this [courts] reason for its [silent] to a clear violation of [amendment II] is [not clear] as to the (Lifetime-ban) versus a (Limitation-ban), however, the (petitioner) also understand (this court) reason for maintaining [safety] throughout the (country) but, that is no [justification] for not speaking the truth.

Whereas here, a [certain group] of [people] are being (labeled) as [felons] for the [sole purpose] to prevent [one] from [exercising] its [rights] to the 2nd amendment of the united states constitution.

Therefore the [petition for a writ of certiorari] should be [granted] because [no one] below [court] can [explain] nor [justify] the [reason] why [this court] the [highest court] in the [land] continue to [ignore] and [fail] its [obligation] to the ["rule of law"].

As proof, there exist [no language] set out in the [constitution] to prevent [felons ] from the right to [keep and bear arms], moreover, from amendment II teachings' [no one] has the [authority power] to impose a [Lifetime-ban] on the [Right] to defend [One Self] against [Volent] by way of [Gun] if,[Gun] is the way of [Life].

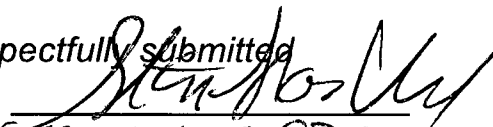
In accordance, ["enough is enough"] and ["we the people"] are entitled to a clear [understanding] as to this court [rationale] for not wanting the [blacks male] to keep and bear arms,[unless] this court [continue],to believe in and on the skin [pigmentation theory] :

"The [darker] the [skin pigmentation] the more [violent] the human is"

However, the [constitution] does not [prevent] no man from [defending] oneself by way of [gun] from [violent] but, because [this court] appears to [rely] upon the [solely discretion] of [skin pigmentation] the [black males] are being treated [differently] and labeled] as [violent people] to wit, namely [felons] to [excluded] a [specific group] from constitutional rights and protections guaranteed and secured by the [14th amendment] by the united states constitution, rightfully or wrongfully it doesn't matter because the [language] of [amendment II] does not [prevent] [felons] from the right to keep and bear arms, meaning that, [this court] explanation is once again is [now] being sought.

Respectfully submitted

Date:

  
10/10/2024

