

No. _____

24-5989

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED

SEP 08 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

DOUGLAS FLOURNOY — PETITIONER
(Your Name)

VS.

Tripp FITZNER — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

DOUGLAS FLOURNOY
(Your Name)

P.O. Box 426 M4 25B
(Address)

OGLETHERPE GA 31068
(City, State, Zip Code)

478-331-4916 LV MSG
(Phone Number)

QUESTION(S) PRESENTED

(1) DID COURT OF APPEALS AND THE SUPREME COURT OF GEORGIA ABUSE THEIR DISCRETION BY DISMISSING THE APPEAL REFERENCE # A24A0250 BY REFUSING TO ENTERTAIN THE MERITS OF THE APPEAL.

(2) SHOULD INCARCERATED INMATES OFFENDERS, BE GIVEN ADDITIONAL TIME TO RESPOND OR ACT TO REQUEST FROM THE COURT OF APPEALS. DUE THE FACT THAT UNITED STATES MAIL IS THE ONLY AVENUE FOR COMMUNICATION. (20) TWENTY DAYS IS NOT ENOUGH WHEN TURN AROUND TIMES CAN BE 10 PLUS DAYS.

(3) WAS THERE AN ISSUE WITH THE DELAYED MAIL IN THE STATE OF GEORGIA AND U.S. MAIL DURING TIME IN QUESTION. "HAVE PROOF"

SHOULD THE COURT OF APPEALS HONOR DEFENDANTS REQUEST FOR A TIMELY FILED REQUEST FOR AN EXTENSION TO FILE BRIEF BUT MISTAKENLY FAILED TO INCLUDE CERTIFICATE OF SERVICE BUT DID NOT ANSWER RESPONDENT. A TIMELY CORRECTIVE LETTER WAS MAILED BUT WAS NOT RECEIVED UNTIL AFTER DISMISSAL

WHAS DEFENDANTS CONSTITUTIONAL RIGHTS VIOLATED ?

(4) WAS U.S. MAIL AT FAULT ? "MATTER BEYOND CONTROL"

LIST OF PARTIES

~~DP~~
~~✓~~ 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:

SUPREME COURT OF GEORGIA, COURT OF APPEALS
OF GEORGIA, SUPERIOR COURT OF JEFFERSON COUNTY CASE
CR 16-00076 & CR ~~18-00026~~ 18CR00026, KELLY WEATHERS,
ADA MIDDLE DISTRICT GEORGIA, JUDGE ROBERT S REEVES
SAME DISTRICT AS D.A.

RELATED CASES

CASE # 16CR00076 AND 18CR00026
DIRECT APPEAL TO COURT OF APPEALS CASE NO A24A050
SUPREME COURT OF THE STATE OF GEORGIA S24C0418

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July 11 2024

APPENDIX B PAGE # 20 Denied Petition For Certiorari May 14 2024 Pg 20
At Cert From Case # A24A0250

APPENDIX C PAGE # 21 Court of Appeals of The State of Georgia Pg 21
order of ~~Denial~~ Dismissal SEPT 27, 2023

Exh. APPENDIX D PAGE # 22 Notice of Docketing Date of Reception Sept Pg 22
12 2023 to Mail Room Macan State

APPENDIX E PAGE # 23 Is The Actual Motion For Extension That was Pg 23
Initially stamped RECEIVED to The State Court of Appeals on Sept 18 2024
7 seven Days before Deadline. But returned stamp x out Recd back (9/26/23)

APPENDIX F Document Return Notice For Briefs or motions SEE STAMP

Exhibit # 1 IS ALSO APPENDIX D Pg 22

Exhibit # 2 IS ALSO APPENDIX E Pg 23

Exhibit # 3 IS ALSO APPENDIX F Pg 24 - It's The Actual Court

of APPEALS Document Return Notice For Briefs or motions
DATED September 19, 2023 6 Days before Due Date but was
not RECEIVED to me Here At Prison until Sept 26 no IDEA That
Certificate of Service was not in envelope until then The VERY NEXT
Day It was Dismissed Sept 27 No time to Respond

US MAIL IS THE REASON

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Jones VS U.S. Postal SERV. 488 F. SUPP 3d 103

Plaintiffs seek declaratory relief and preliminary injunction mandating that the Postal Service take certain actions to ensure the timely delivery of their mail.

The LEGAL ISSUES of MAIL DELAYS - COTNEY ATTORNEYS AND CONSULTANTS THE USPS DELAYS MAY CAUSE INCONVENIENCES FOR PERSONAL MAIL, but when they impact LEGAL documents and agreements you must DEFEND your rights.

WIDESPREAD PROBLEMS WITH U.S. MAIL SYSTEM COULD DISRUPT VOTING, ELECTION OFFICIALS WARN: SEP 11, 2024 The officials also said that repeated outreach to the Postal Service to resolve the issues had failed and the wide spread nature of problem

STATUTES AND RULES

18 USC Ch 83. POSTAL SERVICE U.S. CODE

U.S. TITLE 39 POSTAL SERVICE. THE POSTAL SERVICE SHALL HAVE AS ITS BASIC SERVICE FUNCTION THE OBLIGATION TO PROVIDE POSTAL SERVICE TO BIND THE NATION TOGETHER THROUGH

OTHER DOLAN V UNITED STATES POSTAL SERVICE, 546 U.S. 481 "2006"
POSTAL SERVICE V GREGORY (534 U.S. 1 (2001)) JUSTICE U.S. SUPREME COURT CENTER

LOCAL AND FEDERAL OFFICIALS CAUTION USPS TO ADDRESS ON GOING MAIL DELAYS DEC 17 2023 8 NEWS

MAIL DELAYS CAUSE GROWING CONCERNS AS USPS OFFICIALS FACE TOUGH QUESTIONS TODAY Feb. 25, 2021 NATIONWIDE DELAYS

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 _____ 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 _____ 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 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 APPEALS GA SUPREME 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.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

☐ 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 MAY 14, 2024 ~~JUNE 11, 2024~~.
A copy of that decision appears at Appendix ~~A~~ B.

☐ A timely petition for rehearing was thereafter denied on the following date: JUNE 11, 2024, and a copy of the order denying rehearing appears at Appendix A.

☐ 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

OCCA 16-14-6 (2021)

AMENDMENTS to The Constitution #^s IV, V, VI
AND XIV of The Constitution of The U.S.

28 US CODE 1257 STATE COURT; CERTIORARI

28 U.S.C. 1254

MANDUJANO VS OLIVA, 755 S.W.2D 512 TEX
APP 1988 NO 04-87-0047 C.V.

THOMAS Q LANGSTAFF US MAGISTRATE JUDGE PRICE V
DUGGER 5:22 CV-299 MTS

DAY V BERNARD 356 GA APP 558, 848 SE 2D 190 GA APP
2020).

EPPS V STATE 998 S.W.2D 419, 338 ARK 531 (ARK 1999)

GIDEON V. WAINWRIGHT 372 U.S. 335

KOVNER V WAINWRIGHT 374 U.S. 492 (1963)

EPPS V STATE 998 S.W.2D 419 338

AMBASSADOR CONEGE V GOETZKE, 244 GA 322, 260 SE2D 27 (1979)

AND GA Constitution ART I, SEC I, PARA. 1, 2 AND 14

STATEMENT OF THE CASE

On February 13 2019 IN 16-CR-0076 FOR AGGRAVATED

MOLESTATION AND OTHER CHARGES ALIAS WITH 18cr-00066 AGGRAVATED
SEXUAL BATTERY AFTER NUMEROUS ATTEMPTS TO HILLIT AND

ADDRESS THE MASSIVE DISCREPANCIES IN THE CASE. SUD

AS PROSECUTORIAL MISCONDUCT BOTH AT THE HANDS OF THE
DISTRICT ATTORNEY KEY WITNESSES, FOR (1) SPENDING TIME WITH

THE WITNESSES IN A PERSONAL LEVEL BEFORE DURING
AND AFTER TRIAL DEFENDANT PRODUCED TANGIBLE EVIDENCE

AT A MEETING RATED PHOTO OF DA WITNESSES AND ALL WITNESSES

AT A PUBLIC EVENT HOSTED ANNUALLY IN OCTOBER
EACH YEAR THE PHOTO WAS POSTED ON APRIL 2019. COURT JUDGE FAILED

TO SWEAR IN JURY AND BATTER BATTER DURING TRIAL. AND DA
WILL WELD EXCULPATORY EVIDENCE VIOLATE TO THE CASE. THE LIST CASES

ON. M.A. FOR NEW TRIAL WAS DENIED JULY 24, 2023

FILED FINALLY NOTICE OF APPEAL AUGUST 18, 2023. GEORGIA COURT
AT APPEAL DISMISSED ON ~~AUGUST 18, 2023~~ SEPTEMBER 27, 2023

AFTER A NUMBER OF MOTIONS TO RECONSIDER PETITION CERTIORARI TO

GEORGIA SUPREME COURT WHICH WAS DENIED MAY 14, 2024. RAILRO

MOTION FOR RECONSIDERATION TO LEAD TO DENIAL ON JUNE 11, 2024

THE MATTER SET BEFORE THIS COURT IS DID COURT OF APPEALS
AT GEORGIA ABUSE ITS DISCRETION BY DISMISSING THE APPEAL

BEFORE WEIGHING THE MERITS OF THE CASE.

EXHIBIT #1 NOTICE OF DECISION SAYS IT ALL RECEIVED LATE
ISSUED SEPT 5 2023 RECEIVED SEPT 12 2023 SEE MACON STATE

PRISON MAIL ROOM STAMP.

SUBSEQUENTLY DEFENDANT SENT IN A TIMELY MOTION FOR AN EXTENSION
ON SEPTEMBER 14 2023 RECEIVED TO THE COURT OF APPEALS AND STAMPED

ON SEPTEMBER 18 2023 AT 3:15 PM BUT CROSSED OUT RETURNED

TO ME RECEIVED HERE AT PRISON SEPT 26 2023 SEE STAMP

UPPER RIGHT CORNER ~~SEE~~ EXHIBIT #3, 2. EXHIBIT #2

IS THE DOCUMENT RETURN NOTICE FOR BROTHERS OR MOTIONS

THIS MATTER IS A TEXT BOOK EXAMPLE OF FAILURE BY THE US
POSTAL SYSTEM AND THE ABUSE OF DISCRETION BY THE GEORGIA

COURTS

REASONS FOR GRANTING THE PETITION

This Petition For Certiorari Should be Granted For The Following Reasons To Restore The Confidence To The Public Of The Nations Judiciary That A Citizen Of This Country Are Guaranteed As A United States Citizen To A Fair And Just Trial Free Of District Attorneys And Justices Abusing Their Positions As Officers Of The Courts To Insure Judgements In Their Favor Regardless Of The Contrary Evidence And To Illuminate The Countless Flaws In The United States Postal System On State And Federal Levels.

And For Cases Not to be Dismissed Before The Merits Of The Cases Can be Examined by The Courts That The Defendants Rely Upon To Ensure That They have A Fair Chance Unbiased, Non Prejudicial Equal Protection Under The Laws Of These States And Country. That were Put Into Place Under The Constitution Of The United States Of America. I believe If the Merits Of This Case were Presented To Any Clear Thinking God Fearing Human Beings They would Agree That This matter Is Unfair And Unjust That Further Review Should Be Shown be Had or Done. For The Afore Mentioned Reasons I believe That This Certiorari Petition Be Granted. Truly Sincere Douglas Flannery

'Support" "God Bless You"

Foot Note I believe That The Efficiency Of The US MAIL Should be Considered On All Late And Delayed Mail Situations "Cases"

The Courts of Georgia mainly Georgia Supreme Court
Clearly Erred In Applying Such An Impenetrable
Test to Mr Flournoys Request to Reverse the Lower Courts
Abuse of Discretion In Dismissing This Case. This
Case Is Ideal For Addressing the Many Failures And
Short Commissions In The United States Postal System
This Petition Is An Ideal Vehicle To Use For Dispelling
The Lingering Confusion over the Scope of An Important
Constitutional Protection

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Douglas Flournoy

Date: October 23~~rd~~ 2024

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