

24-6458

No. \_\_\_\_\_

ORIGINAL

FILED

DEC 23 2024

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

David C. LeHear — PETITIONER  
(Your Name)

vs.

Federal Bureau of Investigation <sup>govern</sup> RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

second circuit of appeals  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

David C. LeHear  
(Your Name)

P.O. Box 879  
(Address)

ayer, MA 01432  
(City, State, Zip Code)

\_\_\_\_\_  
(Phone Number)

Questions  
23-cv-309

1. When a grand jury claims no probable cause is it an undisputed fact on a false arrest?
2. Can Due Process of law be affected by false arrest"
3. Can a false charge be an abuse of process?

## 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

*Chiaverin v City of Napoleon, 1445 Ct 1745*

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## TABLE OF AUTHORITIES CITED

### CASES

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*Chiavern v City of Napoleon, 144 S.Ct. 1745*

### STATUTES AND RULES

### OTHER

*False arrest*

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☒ is unpublished.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 \_\_\_\_\_ 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☒ is unpublished.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☐ is unpublished.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☐ is unpublished.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 September 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).

CONSTITUTION AND STATUTORY PROVISION INVOLVED  
23-cu-309

1. Due process
2. Unlawful search and seizure
3. equal protection
4. Title 28 United States code 144



Statement of Case  
23-cv-309

The issue stems from a false arrest that an FBI agent,--Randall E. Garver had made in which due to a recent decision in the supreme court, that being *Chiaveri v. City of Napoleon*, 144 SCT 1745 a charge that was with such is irrelevant to the matter since the grand jury had stated there was no probable cause.

Title 18 United States Code 2423(b) was Transport of a Minor in which had stated to violate one must travel thru interstate commerce to engage in illegal sexual activity.

In Which the very little evidence that the government had was no such thing. They even had to call back the agent Randall E. Garver that had testified which had no part in what was claimed and had only given hearsay evidence nothing direct.

The Matter are about all the torts and an additional on that the petitioner didn't think of at the time of the filing since was caution on Bivens Fourth Amendment cause of action.

The only thing needed is to remand it back pursuant to *Chiaveri V City of Napoleon*, 144 SCT 1745 for stating a claim that is void since it has merit.

Reasons to grant Petition  
23-cv-309

This court had reason only had made it clear that a charge that no probable cause can be affected by the grand scheme of things. This was in case *Chiaverini v City of Napoleon*, 144 S.Ct. 1745 in which since had no probable cause of the facts that was claimed.

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

  
\_\_\_\_\_

Date: December 14, 2024