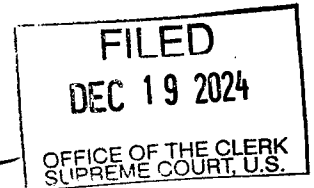


No. 24-6833

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



January Term, 2025

Nicholas S. Davis — PETITIONER
(Your Name)

vs.

United States of America — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Eighth Circuit Court of Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Nicholas S. Davis
(Your Name)

P.O. Box 4000, FMC
(Address)

Rochester, MN 55903
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

DJES the Jailhouse Legal Assistant
qualify as a counsel to file a motion
for a semi-annual discharge hearing pursuant
to title 18 USC 4247(h) when the counsel of
record refuses to file this type of motion.

CONTENTS

1. Contents
2. Statutory Provisions and Authorities Cited
- 3.F Federal Question
4. Reason why writ should be granted
5. Motion for Leave to file supplemental appendix
6. Motion for Semi-Annual Discharge Hearing
7. Court Order dated 7/29/2024
8. Report and Recommendation
9. Report and Recommendation
10. Court order dated 10-28-2024
11. Petition for Writ of Mandamus dated 11/7/2024
12. Judgment dated 12/10/2024
13. Revised Judgment dated 12/10/2024

STATUTORY Provisions Cited

1. Title 18 U.S.C. 4246(d)
2. Title 18 U.S.C. 4247(g)
3. Title 18 U.S.C. 4247(h)
4. Title 28 U.S.C. 1331
5. Title 42 U.S.C. 1985

RULES CITED

1. Rule 12 of the FRCivP
2. Rule 54(c) of the FRCivP
3. Rule 59 of the FRCivP
4. Rule 21(a) of the FRAP
5. Rule 3 of the FRAP
6. Rule 4 of the FRAP

CASE CITED

1. Stanley Yazzie, 8th Circuit Court of Appeals
2. Jon Blackhawk, 8th Circuit Court of Appeals
3. Springstein, Eastern District of North Carolina

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 ~~B~~ F 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☒ is unpublished.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☒ is unpublished.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.

IN THE
UNITED STATES SUPREME COURT

DECEMBER TERM, 1920244

8th Circuit Court of Appeals

Docket NO.

24-3322

Western District of Missouri

Docket No.

6:11-cv-03482(MDH)

PETITION FOR A WRIT OF CERTIORARI

Nicholas Davis,
PETITIONER

-v-

United States of America,
RESPONDENT

)
(
)
(
)
(
)

HONORABLE COURT,

JURISDICTION

Comes now, petitioner hereinafter "Davis" in pro se and by way of the Jailhouse Lawyer Victor B. Perkins, Registration Number #08783-039 with Petition for a Writ of Certiorari after dismissal of Appeal in the Eighth Circuit Court of Appeals whom, did Grant In Forma Pauperis Application to be allowed to proceed with Civil Action without prepayment of Court Costs and fees pursuant to Perkins v Hedricks, 340 F.3d 582, 583(8th Cir. 2003), whereof, Petition for a Writ of Certiorari is pursuant to Rule 14 of the United States Supreme Court Rules and the Prisoner's Litigation Reform Act, in which, jurisdiction and adjudication is invoked upon the United States Supreme Court.

STATEMENT OF WRIT

Davis, comes now, with contention(s) in Statement of Writ of Certiorari that in contest to the judgment of the Eighth Circuit Court of Appeals and the Report and Recommendation of the Magistrate with contests the true facts that Davis did not produce nor submitted his original Motion for the Statutory Provisioned Semi-Annual Discharge hearing under 4247(h) and (g) he sworn by Power of Attorney and written affidavit that Jailhouse Lawyer Victor B. Perkins did in Fact produced and submitted Motion for Discharge Hearing on behalf of Davis.

STATEMENT OF FACTS

Davis, contend in Statement of Facts in Petition for Writ of Certiorari that he did not produce nor submitted document "Entitled" "Motion for Semi-Annual Discharge Hearing pursuant to Title 18 U.S.C. 4247(h) and (g)" motion unimpaired" which is contested that he did produce and submitted the Motion himself into the Lower Courts, but, rather he gained the support of the jail house lawyer Victor b. Perkins registration number 08783-039 whom, is a well known and experienced jailhouse lawyer to be his power of attorney to produce that document which should by law be accepted as Yazzie and Blackhawk's both were accepted by the Eighth Circuit Court of Appeal within the last five years and produced by Perkins whom, is recognized in the Eastern District of New York, the 2nd Circuit Court of Appeals, the Eastern District of North Carolina, the Fourth Circuit Court of Appeals, the Eastern and Western District of Michigan, the Sixth Circuit Court of Appeals, the seventh Circuit Court of Appeals, the Eastern District of Missouri, the Western District of Missouri, the Southern District of Iowa, the District of Minnesota and the Eighth Circuit Court of Appeals as well as the United States Supreme Court of ten occasions, The Superior Court of Michigan that District of Columbia and the Circuit Court of Columbia of himself since 1985 being over 100 cases and 50 of others..

RELIEF SOUGHT

Davis, seeks in Relief Sought that the United States Supreme Court do GRANT his Petition for Writ of Certiorari by remanding Petition to the Lower Courts for a Discharge Hearing with instructions.

CONCLUSION

ACCORDINGLY and UNPRECEDENTED Davis prays that his Petition for a Writ of Certiorari do be GRANTED and/or APPROVED as a matter of Civil and Constitutional Amendment Rights in accordance to the Due Process of the Law Clauses of the First, Fifth and Sixth Constitutional Amendment, Title 4247(h) and (g), 28 U.S.C. 1331 and 42 U.S.C. 1985 now before the United States Supreme Court for deliberation and review.

respectfully submitted,

Nicholas Sean Davis

Nicholas Davis
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P.O. Box 4000
Federal Medical Center
Rochester, Minnesota 55903

Dated: December 18, 2024