

24-6902
No. _____

ORIGINAL

Supreme Court, U.S.
FILED

JAN 15 2025

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

In Re Sefe A. Almedom A705 623 — PETITIONER
(Your Name)

ON PETITION FOR A WRIT OF HABEAS CORPUS

PETITION FOR WRIT OF HABEAS CORPUS

Sefe A. Almedom A705 623

(Your Name)

Box 57, A705 623, 3/D 30-B

(Address)

Marion, Ohio 43301-0057

(City, State, Zip Code)

1 (740) 382 5781

(Phone Number)

QUESTION(S) PRESENTED

- 1.] According to Federal Law, the U.S. Constitution And State Statutory Laws, Does The State Supreme Court Of Ohio have More Power And Authority than The U.S. Supreme Court?
- 2.] When The United States Supreme Court Rule that a State Statute is Unconstitutional On Its Face. Can The State Supreme Court Of Ohio Revive that Unconstitutional Statute and make it Active Again?
- 3.] When The United States Supreme Court Rule that a State Sentence is Unconstitutional On Its Face. Can The State Supreme Court Of Ohio Revive that Unconstitutional Sentence and make it Active Again?
- 4.] When The Legislature Abrogate, Expung, Repeal And/Or Rescind Ohio Statutory Laws And/Or Statute. Can the Courts totally disrespect Legislature Authority, as well as the U.S. Supreme Court's Decision, an Rule as they see fit?
- 5.] When The State Supreme Court Of Ohio Act Contrary to Federal / State Constitutional Law. Would this constitute Political Fraud Upon The Court And/Or Fraud Upon The Court?
- 6.] Carefully Review EXHIBIT "F" Where this has happen on the face of The State Supreme Court Of Ohio's Entry August the 16th/17th, 1978. Political Fraud Upon The Court, and Must be Vacated based on The Federal Court's Inherent Power explained hereafter, to wit;
- 7.] The Inherent Power of The Federal Courts is to Investigate Action as to whether a Judgment was Obtained by "FRAUD!" is beyond Question. SEE: HAZEL-ATLAS GLASS COMPANY VS HART-EMPIRE COMPANY, 322 U.S. 238, 88 L.Ed 1250, 64 S.Ct. 977. The Power to Unearth such a Fraud is the Power to Unearth it Effectively.
- 8.] Every Element of the Fraud here disclosed Demands the Exercise of the Historic Power of Equity to Set Aside Fraudulently Begotten Judgment. A Deliberately Planned And Carefully Executed Scheme to Defraud not Only these common people of their Substantive And Procedural Federal And State Constitutional And Statutory Rights that "is" Protected by Federal Law, The U.S. Constitution, Laws and Treaties of the United States in the Instant Case In Chief.
- 9.] Case Authority from The United States Supreme Court Or The Court Of Appeals, Federal Courts are bound, Under the Doctrine of Stare Decisis, to follow Chief Justice, Burger's Decision in LOCKETT VS OHIO, 98 S.Ct. 2954 as Unconstitutional

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

<u>HARTUNG VS THE PEOPLE,</u> 22 N.Y. 95	4, 10
<u>CALKINS VS STATE,</u> 14 Ohio St. 222	4, 10
<u>EX PARTE ROSENBLATT,</u> 19 Nev. 439	5, 10
<u>IN RE MEDLEY,</u> 134 U.S. 160	5, 10
<u>STATE VS ALLEN, SUPREME COURT OF WASHINGTON,</u> 14 Wash. 103	5, 10
<u>STATE VS HIGGINS,</u> 51 S.C. 51	5, 10
<u>EX PARTE HOLLMAN;</u> 79 S.C. 9	5, 10
<u>EX PARTE UNITED STATES,</u> 242 U.S. 27	5, 10
<u>STATE EX REL. OHIO ACAD. OF TRIAL LAWYER VS SHEWARD,</u> 86 Ohio St. 3d 451	7, 10

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
<u>AARON VS STATE,</u> 40 Ala. 307	5, 1
<u>APPRENDI VS NEW JERSEY,</u> 530 U.S. 466	7
<u>BELL VS OHIO,</u> 99 S.C.E. 2977	6
<u>BROWN EX PARTE,</u> 1936 Ohio Misc. LEXIS 1087	5
<u>CALKINS VS STATE,</u> 14 Ohio St. 222	4, 10
<u>EX PARTE HOLLMAN,</u> 79 S.C. 9	5, 10
<u>EX PARTE ROSENBLATT,</u> 19 Nev. 439	5, 10
<u>HARTUNG VS THE PEOPLE,</u> 22 N.Y. 95	4, 10
<u>LOCKETT VS OHIO,</u> 98 S.C.E. 2954	6
<u>STATE VS ALLEN,</u> 14 Wash. 103	5, 10
<u>STATE VS HIGGINS,</u> 51 S.C. 51	5, 10
<u>STATE VS JOHNSON,</u> 2020-Ohio-2947	5
<u>STATE VS STANSSELL,</u> 2022-Ohio-203	5
<u>STATE EX REL. ACADEMY OF TRIAL LAWYERS ET AL. VS SHEWARD, JUDGE, ET AL.,</u> 86 Ohio St.3d 451, 715 N.E.2d 1062, 1999 Ohio LEXIS 2580 ..	7, 10
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APPENDIX F

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF HABEAS CORPUS

Petitioner respectfully prays that a writ of habeas corpus issue.

OPINIONS BELOW

For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix E to the petition and is

reported at _____ N/A ; 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 D to the petition and is

reported at _____ N/A ; 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 _____ N/A ; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the Tenth District Court Of Appeals court appears at Appendix B to the petition and is

reported at _____ N/A ; 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 Oct. 10, 24.

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: N/A, and a copy of the order denying rehearing appears at Appendix N/A.

An extension of time to file the petition for a writ of certiorari was granted to and including N/A (date) on N/A (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 Sep. 14, 16. A copy of that decision appears at Appendix .

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

An extension of time to file the petition for a writ of certiorari was granted to and including N/A (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.) According to: THE EXECUTION AND RETURN OF WRIT PURSUANT TO O.R.C. §2725.12. It clearly states: The Officer or Person to whom a Writ Of Habeas Corpus is directed Shall convey the Person Imprisoned Or Detained, and Named in the Writ, before the Judge Granting the Writ, Or, in Case of His Or Her absence Or Disability, before some other Judge of the same Court. On the day Specified in the Writ said Officer Or Person Shall make Due Return of the Writ, together with the Day and the Cause of the Caption and Detention of such Person according to its Command, for which is ever PRAYED.

2.) Further, according to: RETURN MUST BE SIGNED AND SWORD TO PURSUANT TO O.R.C. §2725.15. It firmly articulate: The Return Or Statement referred to Section §2725.14 of the Revised Code Shall be Signed by the Person who makes it, and Shall be Sworn to by Him Or Her, unless He Or She is a Sworn Public Officer and make the Return in His Or Her Official Capacity, for which is ever PRAYED.

3.) Further, according to: DISCHARGE OF PRISONER PURSUANT TO O.R.C. §2725.17. It directlly dictates: When the Judge examined the Cause of Caption and Detention of a Person brought before Him Or Her as provided in Section §2725.15 of the Ohio Revised Code, and is satisfied that such Person is Unlawfully Imprisoned Or Detained, He Or She Shall forthwith Discharge such Person from Confinement. On such examination, the Judge may disregard matter of form Or Technicalities in any Mittimus Or Order of Commitment by a Court Or Officer Authorized by Law to Commit, for which is ever PRAYED.

4.) Moreover, according to: FORFEITURE BY CLERK TO REFUSAL TO ISSUE WRIT PURSUANT TO O.R.C. §2725.21. Clearly explain: That a Clerk of a Court who Refuses to Issue a Writ Of Habeas, after an allowance of such Writ and a Demand therefore Shall Forfeit to the Party Aggrieved the Sum of Five Hundred Dollars, for which is ever PRAYED.

5.) In sum, according to: FAILURE TO OBEY WRIT PURSUANT TO O.R.C. §2725.22. Explicitly authorizes: No Person to who a Writ Of Habeas Corpus is Directed Shall Neglect Or Refuse to Obey Or make Return of it according to the Command thereof, Or make a False Return, Or upon Demand made by the Prisoner, Or and Person on his Behalf, Refuse, to Deliver to the Person Demanding within Six Hours after Demand therefor, a True Copy of the Warrant of Commitment and Detainer of the Prisoner, for which is ever PRAYED.

The State of Ohio Official have done everything but accepted Respected, Obey'd Or Enforce the Law in this Case In Chief.

**STATEMENT OF THE CASE
& RULE 20.4(A) STATEMENT**

There are Three Solid Grounds for a Writ Of Habeas Corpus 1) No Jurisdiction, 2) An Unconstitutional Sentence Or 3) a Void Judgment Due to an EXECUTIVE ORDER as in this Case for GRANTING a Writ Of Habeas Corpus Pursuant To 20.4 (1) The Petitioner Must have a Clear Substantial Federal and State Constitutional and Statutory Right for the Release sought, after an EXECUTIVE ORDER Abrogating prior Sentencing Statutes making them VOID! (2) The Respondent have a Clear Substantive Federal/State Constitutional and Statutory Duty to Acknowledge, Accept, Obey and Enforce Constitutional and Statutory Law. And (3) Petitioner has no other legal avenue to Remedy or Correct his Void and Unconstitutional Sentences Due to an EXECUTIVE ORDER

to wit;

1.] First of all see EXHIBIT "1" Where an EXECUTIVE ORDER was ISSUED concerning "FELONIES-SENTENCING EFFECTIVE UNTIL JULY 1ST, 1996." Abrogating Aggravated Murder - Minimum Life, Maximum Death, Life Without Parole and Murder - Minimum 15, Maximum Life, was all EXPUNGED, REPEALED / RESCINDED. Furthermore, under the New Law Senate Bill II, there is No Death Sentence, Life Without Parole Or 15 Ect. to Life in the State of Ohio. And, Under these Abrogated prior Expunged provisions the State is Operating Without Statutory Jurisdiction in the Instant Case In Chief. SEE: HARTUNG VS THE PEOPLE, 22 N.Y. 95. Also SEE: CALKINS VS STATE, 14 Ohio St. 222, for which is ever PRAYED.

As this Chart Illustrates, the Sentences Under the New Law are Significantly Shorter than the Range of Sentences that Existed previously, for which is ever PRAYED.

2.] Review EXHIBIT "1" at the top, where the New Law was Enacted into Law concerning "FELONIES, GENERALLY EFFECTIVE 7-1-96." Does Not Authorize Life Without Parole Or 25 To Life, where the State was Lacking Personal Or Subject Matter Jurisdiction to Impose such a Sentence. SEE: STATE VS JOHNSON, 2030-Ohio-2947, is self explanatory on the face of the Records. SEE: AARON VS STATE, 40 Ala. 307. Likewise SEE: EX PARTE ROSENBLATT, 19 Nev. 439, for which is ever PRAYED. SEE: IN RE MEDLEY, 19 Nev. 160.

3.] Further see the "TABLE OF PENALTIES" Where an EXECUTIVE ORDER AMENDED the First Degree Felony from a Ten (10) Year Maximum Sentence to a Eleven (11) Year Maximum Sentence. Which Clearly Does Not Authorize Ohio State Courts to Impose Life Without Parole Or 25 To Life. Confirming that the Petitioner's Alleged Sentence, Life Without Parole and 25 To Life are Void; Sham Legal Process, No Sentence At All, Erroneous And/Or Unconstitutional Sentence and Unenforceable, in the Instant Case In Chief. SEE: STATE VS ALLEN, 14 Wash. 103 desided by the Supreme Court Of Washington. Also SEE: STATE VS HIGGINS, 51 S.C. 51, for which is ever PRAYED.

4.] Finally, SEE: STATE VS STANSELL, 2022-Ohio-203. Clearly States: That since the Petitioner was Not Classified as a Sexually Violent Predator, his Sentences was VOID! Speak Volume in this Case. SEE: EX PARTE HOLMAN, 79 S.C. 9. See also: BROWN EX PARTE, 1936 Ohio Misc. LEXIS 1087, for which is ever PRAYED. SEE: EX PARTE UNITED STATES, 242 U.S. 27.

MEMORANDUM IN SUPPORT OF AN EXTRAORDINARY WRIT

This Memorandum will Establish And Demonstrate how these Petition(s) will Aid the Appellate Court's Jurisdiction in the

Court's Understanding and Applying Case Law Precedents Ruled by this Court. Here Warrant the Exercises of this Most Honorable Tribunal's Discretionary Powers. When an Adequate Remedy Or Relief cannot be obtained in any other Form Or From any of the Lower Courts. See FELONIES-SENTENCING EFFECTIVE UNTIL JULY 1ST, 1996. Where the Death Penalty, Life Without Parole, and all other Life Sentences have been Abrogated, Expunged, Repealed And/Or Rescinded. See attached the New Controlling Sentencing Guidelines, that they Refused to Acknowledge, Accept, Honor, Obey Or Enforce, according to Ohio Statutory Law. Instead they have Sentenced Petitioner Under None Existing Laws, that was ABROGATED, EXPUNGED, REPEALED AND RESCINDED. That the Lower Courts, Court Of Appeals, The State Supreme Court Of Ohio, The U.S. Federal District Court, And The Sixth Circuit Court Of Appeals has all Refused to Acknowledge, Accept, Honor, Obey Or Enforce in the Instant Case In Chief.

The United States Supreme Court Ruled that Ohio's Sentencing Statutes §2929.03 And §2929.04 was Unconstitutional on their Face, that the SENTENCE was UNCONSTITUTIONAL.

However, the State Supreme Court Of Ohio Refused to Obey, Acknowledge, Accept, Honor Or Enforce this Court's Decision, by Saying: The Court coming now to consider the Judgment of The Supreme Court of the United States in the Cases of LOCKETT VS OHIO and BELL VS OHIO, and in Conformity with the Mandate Issued on the basis thereof, Affirming the Death Sentence of each of the Defendants Named therein, are hereby Modified and

the Death Sentence of each Defendants is Reduced to Life Im-prisonment. See EXHIBIT A Further, Review this MEMORANDUM DECISIONS Where this Court used LOCKETT VS OHIO, to Strike Down other State's Sentencing Statutes also as UNCONSTITUTIONAL. See EXHIBIT B As it is, The United States Supreme Court Rule-d that to Reprieves Or Commutations, and Pardons, belongs to the EXECUTIVE Alone. NOTE (a) Made it clear that ONLY the STATE GOVERNOR has the Power And Authority to Reprieves Or Commutation Or Commute a State Court's Sentence and Not the State Supreme Court Of Ohio in LOCKETT VS OHIO, as brought to this Court's Attention.

Furthermore, see APPRENDI VS NEW JERSEY, 530 U.S. 466, 120 S.Ct. 2345 (2000), that Only the Jury Recommendation can In-crease a Defendant's Sentence. However, Ohio General Assembly Enacted Statutes giving the Courts in Ohio the Power/Authority to do Facts Finding And Sentence Defendants to Consecutive Cants CONTRARY TO LAW base on APPRENDI. That Ran from 2000 to 2006, Six (6) Years before, Ohio was Forced to Rule those Statutes was UNCONSTITUTIONAL.

Appended herewith is a Copy of the Judgments Or Orders con-cerning the aforemention Writ Of Habeas Pursuant to 20.4 The Writ Of Habeas Corpus Pursuant To 20.4 IsIncomplaincc with Rules 20.4 SEE: O TRIAL LAWYER VS SHEWARD, JUDGE, 86 Ohio St.3d 451.

Also find attached a Motion For Leave To Procced In Forma pauperis, Signed by the Petitioner in complaince with Rule 33.

2(a) Plus a Declaration Of Indigency as required by the Rules of this Court should be accepted and considered as prescribed by Federal and State Constitutional and Statutory Law, Sustained And Granted, for which is ever PRAYED.

CLOSING SUMMARY

Further, Ohio's Death Sentence was ABROGATED TWENTY EIGHT (28) YEARS AGO JULY 01ST, 1996. And, this Court is Aware that the State Supreme Court Of Ohio Willfully Deviate from Written Clearly Statutory Law, which is a Criminal Act according to 18 U.S.C.S. §242 is a Reconstruction Era Civil Rights Statute Making it Criminal to Act (1) "Willfully" and (2) "Under Color Of Law" and (3) "To Deprive A Person Of Rights Protected by the Constitution Or Laws of the United States, for which is ever PRAYED. See EXHIBIT D

Therefore, a Court may determine in a Habeas Corpus proceeding the Constitutionality of the Statute under which the Petitioner is Held and, if it proves to be Unconstitutional, DISCHARGE HIM, irrespective of the stage of the prosecution against him under the Statute, irrespective of whether he has been convicted, and irrespective of any other relief that may be available to him. As it is, the Statute here was EXPUNGED by and EXECUTIVE ORDER July 1, 96. AUTHORIZE Relief by Writ Of Habeas Corpus in this Case, for which is ever PRAYED.

CONCLUSION

For all the reasons articulated as a matter of Federal and State Substantial Constitutional and Statutory Rights, should

be Accepted in good faith, considered in a manner as prescribed by Federal and Statutory Law, SUSTAINED AND GRANTED, for which is ever PRAYED for in the Instant Case In Chief.

Respectfully submitted,


Sefe A. Almedom Pro Se
Box 57, A705 623, 3-D 31-B
Marion, Ohio 43301-0057

APPENDIX

- A THE SUPREME COURT OF THE STATE OF OHIO VOID ENTRY
- B MEMORANDUM DECISIONS CONCERNING LOCKETT VS OHIO
- C THE UNITED STATES SUPREME COURT'S DECISION PRECEDENT
- D THE UNITED STATES SUPREME COURT'S DECISION PRECEDENT

CERTIFICATE OF SERVICE

I, hereby Certify that a copy of Petitioner's memorandum In Support Of An Extraordinary Writ Of Habeas Corpus Pursuant To 20.4 was sent to the following parties Via Regular U.S. Ordinary Mail. to wit; The United States Supreme Court, Clerk's Of Court Office, 1 First Street, North East, Washington, D.C. 205-30-0001; And to: Ohio Attorney General's Office, Correctional Litigation Section, 30 East Broad Street, 23rd Floor, Columbus, Ohio OAGO-43215. This 28th day of February 20 25.


Sefe A. Almedom Pro Se
Box 57, A705 623, 3-D 31-B
Marion, Ohio 43301-0057

REASONS FOR GRANTING THE PETITION

Claims Upon Which Relief Can And Should Be GRANTED, to wit; Relief Should Be GRANTED. When the Statutes and Sentencing Guidelines were Abrogated and Expunged Twenty Eight (28) Years ago before the Petitioner was Arrested, Tried, Convicted Or Sentenced in compliance with: FELONIES-SENTENCING EFFECTIVE UNTIL 07-01, 1996. SEE: HARTUNG VS THE PEOPLE, 22 N.Y. 95; CALKINS VS STATE, 14 Ohio St. 222 / EX PARTE ROSENBLATT, 19 Nev. 439, for which is ever PRAYED.

Relief Should be GRANTED. When the Statutes/Sentencing Guidelines does not Authorized 25 To Life Or Life Without Parole, according to: FELONIES, GENERALLY EFFECTIVE 07-01-96. SEE: IN RE MEDLEY, 134 U.S. 160; STATE VS ALLEN, 14 Wash. 103 / STATE VS HIGGINS, 51 S.C. 51, for which is ever PRAYED.

Relief Should be GRANTED: When the State Of Ohio has Acted Lacking Wholly Subject Or Personal Jurisdiction to Operate without Statutory Provisions as established in the Instant Case In Chief. SEE: EX PARTE HOLLMAN, 79 S.C. 9; EX PARTE UNITED STATES, 242 U.S. 27 / STATE EX REL. ACADEMY OF TRIAL LAWYER VS SHEWARD, JUDGE, 86 Ohio St.3d 451, for which is ever PRAYED.

Therefore, the Petitioner hereby Supplicate this Most Honorable Tribunal, as a Law Abiding Citizen-Justice, and a Moral Public Servant, for Due Consideration according to Federal And State Constitutional And Statutory Law, for which is ever PRAYED accordingly, Respectfully submitted..

In complaince with Federal and State Constitutional and Statutory Law. Once The United States Supreme Court Ruled, that Ohio's Sentencing Statutes §2929.03/§2929.04 was Unconstitutional On Their Face. There was No Jurisdiction to Proceed. Moreover the State Supreme Court Of Ohio has Ruled. Once the General Assembly Abrogate Statutes Or a Court declares that Statutes was Unconstitutional. The General Assembly was without the power Or authority to Revive, Reinstate Or Reenact a Statute as in Ohio Trial Academy Lawyer Vs Sheward, Judge, as in the Cite to set this matter stright, for which is ever PRAYED.

CONCLUSION

For all the reason articulated within this Writ Of Habeas Corpus Pursuant to 20.4 should be consider and SUSTAINED.

The petition for a writ of habeas corpus should be granted.

Respectfully submitted,



Sefe A. Almedom A705 623

Date: February 28th, 2025