

No. _____

24-7331

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
DEC 19 2024
OFFICE OF THE CLERK
SUPREME COURT, U.S.

JEREMIAH FARMER — PETITIONER
(Your Name)

vs.

UNITED STATES of America — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. court of Appeals for the seventh circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Jeremiah Shane Farmer
(Your Name)

U.S. Penitentiary Max, P.O. box 850
(Address)

Florence, CO, 81226
(City, State, Zip Code)

None
(Phone Number)

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QUESTION(S) PRESENTED

Whether Article III's standing requirement of causation requires a finding of the jurisdictional element of federal crimes, in order for the federal crimes to be offenses against the United States within the plain-text meaning of 18 U.S.C. § 3231?

whether, circuit court erred when a clerk invoked the statutory authority of 28 U.S.C. § 2253 (CX1XB), to require a certificate of appealability to appeal the denial of the appellant's Article III motion, but 28 U.S.C. § 2253 (CX1XB) only authorized the clerk to require a certificate of appealability to appeal the denial of a 28 U.S.C. § 2255 motion, which means that the clerk acted beyond that statutory authority conferred by 28 U.S.C. § 2253 (CX1XB). The clerk also misapplied 28 U.S.C. § 2253 (CX1XB), for the purpose of depriving the appellant of appellate review under 28 U.S.C. § 1291, but the statutory authority under 28 U.S.C. § 1291, created a statutory right for the appellant to receive review of the denial of his Article III motion that was filed under Case No. 2:15-cr-72 as (i) a continuation of the criminal case.

(i)

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

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OTHER

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☒ is unpublished.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 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.

JURISDICTION

☒ For cases from federal courts:

The date on which the United States Court of Appeals decided my case was SEPTEMBER 18, 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: NOVEMBER 5, 2024, 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). And 28 U.S.C. § 1291
Appellant Mr Farmer direct appeal was
denied under jurisdiction to 28 U.S.C. § 1291

☐ 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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

18 U.S.C. § 3231 7

18 U.S.C. § 1962(d) 7, 8

21 U.S.C. § 846 7, 8

Article III of U.S. constitution ... 5, 6, 8

Article I, Section 8, Clause 18 of U.S. Constitution 6, 7

28 U.S.C. § 81-132

STATEMENT OF THE CASE

In this case, the Respondent claimed an injury in fact, by claiming that the Petitioner's conduct affected interstate commerce, but there was no finding that the Petitioner's conduct affected interstate commerce, therefore, Article III's standing requirement of causation was not satisfied, due to the Respondent failing to establish legislative authority, which made the controversy ongoing.

Circuit Court case No. 24-2299 Article III motion [DE 9] on 07/30/2024 the clerk of Court consolidated my Article III motion ~~no~~ 24-2299 and Certificate of appealability 24-2002. This is a civil case No. 24-2002 and criminal case No. ~~24~~ 24-2299 legally cannot be consolidated with each other in fact the circuit court decline to hear Article III motion No 24-2299 because the certificate of appealability No 24-2002 was denied.

REASONS FOR GRANTING THE PETITION

- (1) The three requirements to establish Article III standing are injury in fact, causation, and redressability.
- (2) These requirements together constitute the "irreducible constitutional minimum" of standing, *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560 (1992), which is an "essential and unchanging part" of Article III's case-or-controversy requirement, *ibid*, and a key factor in dividing the power of government between the courts and the two political branches, see *id.*, at 559-560.

(3) "The Article III judicial power exist only to redress or otherwise to protect against injury to the complaining party." *Worth v. Seldin*, 422 U.S. 490, 529 (1975), and *Sierra Club v. Morton*, 405 U.S. 727, 734-735 (1972).

(4) Article III judicial power exist only when there is a finding of an actual injury against the United States of America, as required by Article III, and Article I, Section 8, Clause 18, of the United States constitution.

(5) The Necessary and Proper Clause required the finding of a nexus between the substantive elements of 18 U.S.C. § 1962(d), and a jurisdictional element, as well as a finding of a nexus between the substantive elements of 21 U.S.C. § 846, and a jurisdictional element, in order for them to be "offenses against the laws of the United States" within the plain-text meaning of 18 U.S.C. § 3231.

(6) In this case, the Respondent did not establish legislative authority, by way of a finding of injury-in-fact to the Respondent, because there was never a finding that the Petitioner's conduct affected interstate commerce, as required by the Necessary and Proper Clause, Lopez, and Morrison.

(7) Therefore, the controversy is ongoing because no facts were given to the factfinder from which the existence of the jurisdictional element of 18 U.S.C. § 1962(d) and 21 U.S.C. § 846 could be determined, and as a result, there was no finding of an actual injury to the complaining party, as required by Article III's case-or-controversy requirement.

(8) A writ of mandamus with the issues of civil No. 24-2002 certificate of Appealability and Article III No. 24-2299 cannot legally be consolidated and circuit court never heard the Article III motion 24-2299 from criminal Case No. 24-15-cr-00072-PDS mandamus pursuant to 28 U.S.C. § 1651(a) was denied on October 9, 2024.

(9) The Appellant filed an Article III motion to resolve an ongoing controversy, Under case No. 24-15-cr-00072-PDS, on June 19, 24, in the United States District Court for the Northern District of Indiana. The district court denied the appellants Article III motion on July 8, 2024, and —
8.

On July 16, 2024 the appellant filed a notice of appeal and in light of the court's final order on September 18, 2024 Article III Motion No. 24-2299. Petitioner then filed a writ of mandamus this to was denied on October 9, 2024.

Moreover, once on appeal, A clerk invoked the statutory authority of 28 U.S.C. § 2253(C)(1)(B), to require a Certificate of appealability to appeal the denial of a 28 U.S.C. § 2255(a) motion, which means that the clerk acted beyond the statutory authority conferred by 28 U.S.C. § 2253(C)(1)(B).

The clerk also misapplied 28 U.S.C. § 2253(C)(1)(B), for the purpose of appellate review under 28 U.S.C. § 1291, but the statutory authority under ~~28 U.S.C. § 1291~~ 28 U.S.C. § 1291, created a statutory right for the appellant to receive review of the denial of his Article III motion that was filed under case No. 24-15-cr-00072-pps as a continuation of the criminal case.

- (10) Only two judges Michael B. Brennan and Michael Y. Scudder denied both the civil case No. 24-2002 certificate of appealability and criminal case No. 24-2299 Article III motion and there was no third judge as required by circuit court rules.

See attached exhibit A showing that only 2 judges denied petitioner's appeals
See this on next page.

(9)

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Jeremiah Farnes

Date: _____

(92)

(DECLARATION
AFFIDAVIT)

I Jeremiah Shane Farmer swears under
the penalty of perjury and laws of the
United States that all said is true
on this March 18 2025 Copy was mailed
to Supreme Court via U.S. postal service.

Pursuant to 28 U.S.C. § 1746

Respectfully Submitted
/s/ Jeremiah S. Farmer

RELIEF REQUESTED

petitioner motion should be granted
when using the rule of law.

CERTIFICATE OF SERVICE

I the hereby undersigned Jeremiah S Farmer
has forwarded this motion petition
for writ of certiorari to U.S.
Supreme Court on 10/01/2024 using via
U.S. postal mail service.

Respectfully Submitted
/s/ Jeremiah S. Farmer

Jeremiah S. Farmer
U.S. Penitentiary #002
P.O. Box 8500
(43) Florence, Co 81226

AFFIDAVIT/DECLARATION

I Jeremiah Shane Farmer, pro se, hereby
swears under the penalty of perjury
and laws of the United States that the
foregoing is true and correct to the
best of my ability pursuant to
28 U.S.C. § 1746 for this (MOTION FOR
LEAVE TO PROCEED IN FORMA PAUPERIS and
PETITION FOR A WRIT OF HABEAS CORPUS)
On this day 18th of Nov, 2025

Respectfully Submitted
/s/ Jeremiah S. Farmer
Jeremiah S. Farmer
#116931-027
U.S. Penitentiary Box
P.O. Box 8500
Florence, CO
81226

(14)