

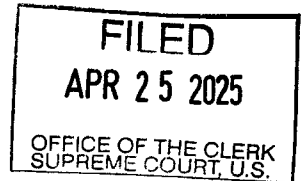
24-7494

No. _____

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES



Jesse Lavadis Crawford Et Al — PETITIONER
(Your Name)

vs.

County of Kent — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Michigan Supreme Court

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

PETITION FOR WRIT OF CERTIORARI

Jesse Lavadis Crawford

(Your Name)

512 Adams St S.E.

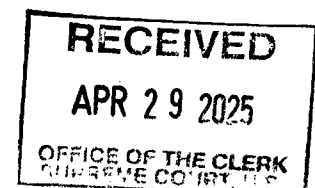
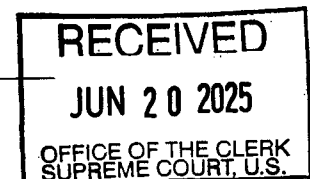
(Address)

Grand Rapids, Michigan 49507

(City, State, Zip Code)

(269) 509-2837

(Phone Number)



QUESTION(S) PRESENTED

1

ARGUMENT

Whether there was a "Palpable-Error" by which the court and the parties have been misled and a different disposition will result by a correction of the error? (See MCR 7.311(G) referencing MCR 2.119(F)(3))

2

What test must a Circuit Court apply when determining whether and when a Post-Deprivation hearing is required Under the Due Process Clause?

3

The Amount of assets seized is "Disproportionate than the amount of money received During the course of the alleged drug transactions!"

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:

There are Six-(6)-parties to this action. These parties include:

1. County of Kent; 2). \$5, 960.00 US Currency; 3). \$248.00 US Currency

4). 2003 Chevrolet Venture Van, 5). One-(1)-Black iPhone; and

6). Jesse Lavadis Crawford, Owner. Since all the other parties involve property that cannot be served or expected to defend, This case has always been entitled In Re Forfeiture of \$5,960.00 in the lower courts. See Michigan Court of Appeals No. 371492-G; Michigan Supreme Court Case No. 167730.

RELATED CASES

County of Kent V \$5,960 US Currency Kent County Circuit Court Case No. 23-009516-FC

In Re Forfeiture of \$5,960, Michigan Court of Appeals Case No. 371492

In Re Forfeiture of \$5,960, Michigan Supreme Court Case No. 167730

People V Jesse Crawford, Kent County Circuit Court Case No. 23-02626-FH;

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APPENDIX C	Decision of State Court of Appeals Dated, August 6, 2024 "Denying Petitioner's Request for Rehearing;
APPENDIX D	Decision of State Supreme Court, Dated January 31, 2025 "Denying Petitioner's Application for Leave to Appeal.
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TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Culley V Marshall, US Supreme Court Case No. 22-585 601 US 1 (2024)

Farretta V California 422 US 806 (1975)

Kentucky V Stincel, 482 US 730 (2014)

Timbs V Indiana US Supreme Court Case No. 17-1091 586 US__ (2019)

STATUTES AND RULES

MCL 5.751

MCL 49.53;MSA 5.751

MCL 600.4831;MSA 27A.4831

MCR 7.311(G)

MCR 2.119(F)(3)

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 _____ 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 E 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 Michigan Court of Appeals court appears at Appendix C 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 1-31-2025.
A copy of that decision appears at Appendix __E__.

☐ 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

14TH AMENDMENT

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Amendment Seven

"In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any court of the United States, than according to the rules of the common law."

FIRST AMENDMENT

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

STATEMENT OF THE CASE

This case stems from the Trial Court's failure to provide the owner "Jesse Lavadis Crawford" with a "Notice to Appear" at the Settlement conference!

At the time that this "Complaint for Forfeiture" was filed in this case, Mr. Crawford was serving a sentence of Six-(6)-Months in the Kent County Correctional Facility. So, Mr. Crawford received "Personal" service of the "Summons And Complaint" on October 4, 2023 at the Kent County Correctional Facility.

Mr. Crawford filed an "Answer to the Complaint" on October 23, 2023, at the Kent County Correctional Facility.

The parties were "unable" to reach a resolution following written negotiations in December 2023.

Meanwhile, Mr. Crawford was released from the "Kent County Correctional Facility" on December 19, 2023.

After his release, the Trial Court scheduled at least Two-(2)-Settlement Conferences but Mr. Crawford did not appear because the trial court sent these notices to him at the "WRONG" address — (The Kent County Correctional Facility) instead of his home address — (512 Adams Street S.E. in the City of Grand Rapids, Michigan). Further, the Mailroom "Returned" this mail to the Trial Court who did not forward this mail to Mr. Crawford at his Home address.

On May 30, 2024, The Trial Court Granted the County's "Amended Motion and Order for Entry of Default Judgment.

Once again, Mr. Crawford was not present at the hearing that led to the Trial Court's decision because he was "Not" served with a Notice to appear at the Hearing."

On May 31, 2024, Mr. Crawford filed a "Motion to Set-Aside Default Judgment" after he called the Clerk and asked about the status of his case, and a Hearing was set for June 21, 2024, at 8:30 am.

At the conclusion of the above-noted hearing, the Trial Judge stated the following:

The Court: Sir, I've made my ruling. Your remedy at this point in time is to take it to the Court of Appeals. Okay?

Mr. Crawford: Okay.

The Court. Good luck to you.

Mr. Crawford. All right.

(See "Motion to Set-Aside Default Judgment, Page #4, attached). (Appendix "B")

Following the Trial Court's instructions, on July 1, 2024, Mr. Crawford filed his "Claim of Appeal and supporting documents in the Michigan Court of Appeals. (See letter from the Michigan Court of Appeals, attached).

On August 6th, 2024, the Court of Appeals entered an Order, which states in pertinent part, as follows:

"The Claim of appeal is "Dismissed" for lack of Jurisdiction." (See Appendix "C" attached)

On August 26, 2024, Mr. Crawford filed a Motion for Reconsideration of the aboved-noted Order but the Michigan court of Appeals "DENIED" this Motion on September 17, 2024. (See Appendix "D" attached)

Mr. Crawford then filed an "Application for leave to Appeal" the August 6, 2024, order of the Michigan Court of Appeals but the Supreme Court "DENIED" the Application on January 31, 2025. (See In Re Forfeiture of \$5,960, Appendix (E) attached).

REASON FOR GRANTING THE PETITION

I.

ARGUMENT

THE WAS A "PALPABLE-ERROR" BY WHICH THE COURT
AND THE PARTIES HAVE BEEN MISLED AND A DIFFERENT DISPOSITION
WILL RESULT BY A CORRECTION OF THE ERROR. (See MCR 7.311(G)
REFERENCING MCR 2.119(F)(3).

During the course of the Hearing on Mr. Crawford's "Motion to Set-Aside Default Judgment, the trial Court stated, the following:

THE Court: Sir, I've made my ruling. Your remedy at this point in time is to take it to the Court of Appeals. Okay?

Mr. Crawford: Okay.

The Court: Good luck to you.

Mr. Crawford: All right.

(See "Motion to Set-Aside Default Judgment, Page #4, Appendix (B), attached).

Following the Trial Court's instructions, on June 1, 2024, Mr. Crawford filed a "Claim of Appeal and supporting documents in the Michigan Court of Appeals. However, on August 6, 2024, the Michigan Court of Appeals, issued an "Order" denying Mr. Crawford's Claim of Appeals for the "Lack of Jurisdiction and other reasons. (See Copy of the Court of Appeals decision attached) (Appendix (C)).

Mr. Crawford contends that Michigan Court of Appeals decision "Conflicts" with the Trial Court's Order because the Trial Judge himself advised Mr. Crawford (A Pro Se proceeding litigate) to appeal his decision to the Michigan Court of Appeals. (See Hearing on "Motion to Set Aside Default Judgment Page #4, Appendix (B) attached.

Further, prior to the Hearing on Petitioner's "Motion to Set-Aside Default Judgment, On May 28, 2024, I received a copy of a "Motion for Entry of Default Judgment" that was filed by the Prosecutor "Daniel J. O'Hara, on May 23, 2024. In this Motion the Prosecutor alleges that, "On May 23, 2024, Honorable Mark A. Trusock held a Scheduling conference in this matter. Jesse Crawford failed to appear. Notice of the status conference was sent to Jesse

Crawford at his address on file with the Court. Due to Jesse Crawford failing to appear at his scheduling conference, he has failed to defend this action as provided by the Michigan Court Rules (MCR 2.603), and the County of Kent is entitled to an Entry of Default against Jesse Crawford."

The above-noted allegations are "FALSE" because:

1. I never received a "Notice" or a "Copy" of the "Scheduling-Conference" so I had no idea that I had to appear in court or that my appearance was necessary;
2. Notice was never mailed or hand delivered to me by either the Prosecuting Attorney or the Trial Court; and
3. The Trial Court sent the Notice to appear at the "Settlement-Conference" to me at the "WRONG" address - (The Kent County Correctional Facility) instead of my home address - (512 Adams Street S.E. in the city of Grand Rapids, Michigan.

Note: I did not appear or answer because I never received a "Notice" or a "Copy" of a Scheduling Conference so I had no idea that I had to appear in Court or that my appearance was necessary. I showed-up to all my other Court dates so why would I not show-up and claim or fight to get possession of my own property?

Mr. Crawford was not present at the Hearing that lead to the Trial Court's decision and was therefore "Unable" to introduce any evidence in his defense "ALL" because he was not served with a "Notice to Appear at the Scheduling Conference. A pro se (pro per) litigant has the right to be present at any court proceeding where their adversary's counsel is present and is allowed to speak at the proceedings. *Faretta V Cal*, 422 US 806 (1975); *Kentucky V Stincel*,

The failure of the Court to provide Mr. Crawford with a "Post-Deprivation-Hearing" violated his Rights under the Eight and Fourteenth Amendments. (See *Culley V Marshall*)

601 US 1 (2024) MCL 5.751; MCL 49.53; MCL 600.4831; MCL 27A. 4831

Further, The United States Supreme Court "SHOULD" Reverse the Lower Court's Decision, in this case because , the Default Judgment resulted in a Complete "DISMISSAL" of this action and "ALL" of the property seized by the County Sheriff's belonging to Mr. Crawford can now be "DISPOSED" of by the Kent County Sheriff's Department without providing Mr. Crawford his Constitutional right to a Trial by the Court and/or Jury. (See Const Amend 7)

The Administration of Justice should not "CONDONE" such "SHAM" proceedings that have no basis in constitution or Statutory Law.

This court should "VACATE" the Lower Court's decision and "REMAND" this case for Trial.

2.

ARGUMENT

WHAT TEST MUST A CIRCUIT COURT APPLY WHEN DETERMINING
WHETHER AND WHEN A POST-DEPRIVATION HEARING IS REQUIRED
UNDER THE DUE PROCESS CLAUSE?

On March 2, 2023, Jesse Crawford was pulled over by police while driving a car registered to his mother Shirley Moody. He was ordered out of the vehicle, (a Chevrolet Venture Van), and detained for the search warrant execution of a house belonging to his fiancée located at 1351 Broadway Ave NW in the City of Grand Rapids, Michigan.

At the time of his arrest Detective Dean located an iPhone in a black case on Jesse Crawford's person and Two-(2)-Hundred-forty-eight dollars U.S. Currency in Jesse Crawford's pocket.

During the search of the house Detective Dean located a digital scale that field tested positive for cocaine, a dealer end baggie with cocaine residue, and approximately 12-grams of suspected psilocybin mushrooms.

In the bottom left drawer, he located two-sandwich baggies of cocaine. In the same drawer, detective Fox located Five-thousand-nine-hundred sixty-dollars in U.S. Currency.

After the search of the apartment, Jesse Crawford was placed under arrest and charged with both possession and delivery of a controlled substance.

On May 8, 2023, Jesse Crawford pled guilty to possession with intent to deliver cocaine in front of Judge Mark A. Trusock. He was sentenced on July 20, 2023 to Six-(6)-Months in the Kent County Correctional Facility. (See People V Jesse Crawford, Kent County Circuit Court Case No. 23-02626-FH)

In October 2023, Mr. Crawford was served with a "Complaint for Forfeiture of his property that was filed by the Prosecuting Attorney for the County of Kent under the provisions of MCL 49.153; MSA 5.751 and MCL 600.4831; MSA 27A.4831.

It should be noted here, that Jess Crawford received "Personal service" of the "Summons and Complaint" in October 2023, while he was incarcerated at the Kent County Correctional Facility and he filed an "Answer to the Complaint" on October 23, 2023, while he was incarcerated also.

In his answer to the Complaint for Forfeiture, Mr. Crawford stated the following: Paragraph # 23: The pleader Jesse Crawford admits that this money was his and that it was not obtained through any illegal drug sales. This money was obtained by 1). working at my job; 2) over \$15,000.00 that I won during the Month of February at draft King an On-Line Gambling Casino (MG). I also won \$6,000 on February 9, 2003, at the same Online Gambling Casino, and 3) I also was given \$2,200.00 on February 18, 2023 from my fiancée.

LEGAL CLAIMS/CONTENTIONS

1. The Vehicle that was driven by the Defendant, Jesse Crawfors was/is owned by his Mother Shirley Moody and should not be apart of this Civil In Rem Forfeiture proceedings;
2. The Money that I had in my possession was notobtained by drug sales or any other illegal activity;
3. The Iphone that I had in my possession is not subject to forfeiture because it was not used or intended to be used to facilitate an illegal drug transaction.

In order to seize someone's property through a "Civil" forfeiture proceeding, the person whose property is being taken must have "Actual Knowledge" of the alleged illegal activity and the person must have agreed to allow the activity to happen. See Culley V Marshall, U.S. Supreme Court Case No. 22-585; 601 US 1 2024.

3.

ARGUMENT

THE AMOUNT OF ASSETS SEIZED IS 'DISPROPORTIONATE THAN THE AMOUNT OF MONEY RECEIVED DURING THE COURSE OF THE ALLEGED DRUG TRANSACTION.

The Defendant Jesses Crawford was charged with Possession and Deliver of a "Small" amount of Cocaine to undercover officer's on Three-(3)-separate occasions. Howver, the total amount of drugs and money exchanged on each occasion was under \$50-dollars. Inspite of this, the Kent County Sheriff's Department has seized a Chevrolet Venture Van, \$5,960 Dollars U.S. Currency that was located inside of a Dresser Drawer, one-(1)-Iphone and the Money that Mr. Crawford had in his possession at the time of his arrest.

LEGAL CLAIMS/CONTENTIONS

A prominent case demonstrating a disproportionate asset seizure in relation to the drug transaction value is *Timbs v. Indiana*, US Supreme Court Case No. 17-1091; 586 US ? (2019).

In that case, the defendant Tyson Timbs pleaded in Indiana State Court to dealing in a controlled substance and conspiracy to commit theft. At the time of Timbs' arrest, the police seized a Land Rover SUV Timbs had purchased for \$42,000 with money he received from an insurance policy when his father died. The State sought Civil Forfeiture of Timbs' vehicle, charging that the SUV had been used to transport heroin. Observing that Timbs had recently purchased the vehicle for more than four times the maximum \$10,000 monetary fine assembled against him for his drug conviction, the trial court denied the State's request.

The vehicle's forfeiture, the court determined, would be grossly disproportionate to the gravity of Timbs' offense, and therefore, unconstitutional under the Eighth Amendment's excessive fines clause.

This decision was "upheld" by the United States Supreme Court in a "unanimous decision" where the Court held that "the Eighth Amendment's ban on imposing excessive fines applies to cities and states, and not just the federal government."

Mr. Crawford contends that this case is identical to what happened to the defendant in *Timbs* and therefore he should be entitled to the same relief given to the defendant in that case as well.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in dark ink, appearing to be "James H. [unclear]", is written over a horizontal line.

Date: 4/25/25