

NO. 17 7594

THE SUPREME COURT OF THE UNITED STATES

Joan M Williams

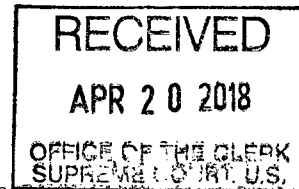
Petitioner

v

United States Fifth Circuit Court Of Appeals Respondent
et al

ON PETITION FOR WRIT OF CERTIORARI TO THE
UNITED STATES FIFTH CIRCUIT COURT OF APPEALS

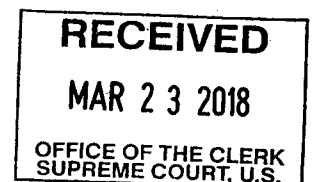
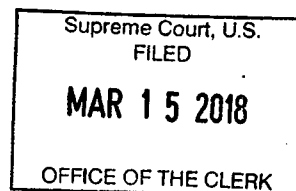
PETITION FOR REHEARING



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Date March 16, 2018

TABLE OF CONTENTS

Table of Authorities.....	ii
Petition for Rehearing.....	1
Factual and Procedural background.....	2,3,4
Reason for granting this Petition.....	5
Conclusion.....	6
Certificate	

TABLE OF AUTHOITIES

<i>Halbert v Michigan</i>	4
545 US, 605, 621 (2006)	
<i>Estelle v Gamble</i>	
429 US 106 (1976).....	4
<i>Erickson v Pardus</i>	4
551 US, 89, 94 (2007)	
<i>Haines V Kerner</i>	5
404 US, 519, 520-21 (1972)	
<i>Sydney Powell</i>	4
Quote (re NDC Dallas)	
<i>Cardinal Richelieu</i>	5
Quote	

PETITION FOR REHEARING

Pursuant to Supreme Court Rule 44 Petitioner respectfully petition this court for rehearing of its February 26, 2018 order denying the Writ of Certiorari in this case.

GROUND FOR REHEARING

Although this court almost never grant petitions for rehearing this case and its issues meets the rare exception.

A The issues presented was ignored by the District and Circuit courts {especially racial/ remarks/advice by Counsel}

B The Fifth Circuit Court of Appeals decision is contrary to its own and other circuits regarding relief or Coram Nobis to those who were not given effective assistance by counsel.

C This is a legal claim, reasonable, and legally rationale that the Supreme Court should address and should possible cure .

D The questions presented in this case is very important to be left unsettled, and will recur in an absence of definitive ruling.

This case clearly present questions with pressing need for rehearing .Petitioner seeks to vindicate her constitutional rights.

FACTUAL AND PROCEDURAL BACKGROUND

In November 2014 petitioner Joan Williams wrote to her sentencing judge Sydney Fitzwater in the Northern District Court of Dallas. Her letter was about a past conviction, the advices, and lack of advices from her court appointed attorney, her disabilities in life owing to a conviction she was coerced and tricked into by offers from a plea deal she unintelligently, unknowingly signed. She received a letter that the judge could not help. A few months later having been told by Kingston United States Embassy that she could not receive a waiver after fifteen years had past, in desperation she again wrote to the judge. Williams received a response, to petition for Writ of Coram Nobis . Having over the years reaching out to advocacy groups, Senators, USCIS. The Presidents office, Congress persons. Vacating by Coram Nobis was new to her, but she followed instructions to petition. With no legal training, funds for an attorney, and outside the United States it was and still is a challenge.

Attorney ineffective assistance:.

A advise, plea guilty so she can go home to her kids because a Texas white jury will give a black Jamaican a guilty verdict, that

would see petitioner receiving twenty years or more. This to the petitioner seemed a warning, and it made the petitioner very fearful , after all he was a part of the system , knew it well , and the inner workings of that district court...

B advise ,Petitioner as a first time offender will likely receive time served , if she will plea guilty and cooperate..

C advise,. Petitioner was told by counsel the District attorney was on vacation while she kept insisting on a new bail hearing the attorney never made this request ., but kept telling her she would get time served since she had no criminal history.

D No advise given to petitioner on the consequences that flows from a felony guilty plea by a Green Card holder who at this time also had her naturalization application in. Counsel failed to negotiate a fair and none prejudicial plea deal. .

E advise to petitioner after she got immigration consequences Info from a fellow inmate . Counsel states it was best not to renege on the plea deal she already signed, and he think she would have to be be sentenced to five years or more for any immigration consequence.

Williams has done everything pro se since seeking to be heard There are many issues in a guilty plea, not adequately advised, and coerced by the subtle warning of being black and Jamaican Williams went with the option of downward departure, time-served , promise of the witness protection program, and the letter to INS on her behalf

not to be deported .Petitioner received no part of the plea deal.

In *Halbert v Michigan* 545 US, 605, 621, (2006)

Navigating for the appellant without an Attorney assistance is a perilous endeavor for a lay-person, See e.g.*Erickson v Pardus* 551, US, 89, 94 (2007) “ Without counsel {a} document filed pro se is to be liberally construde”) *Estelle v Gamble* 429 US 106 (1976)

Had it not been for counsel deficient performance, wrong advice resulting in Williams sentence, and deportation she would not be suffering her many disabilities even years after the fact.The Fifth Circuit Court of Appeals erred in their decision in affirming the District Court decision. In the Dallas Federal District court procedural misconduct occurs..Hard to articulate,, or believed when coming from an ex-convict and pro se litigant....Quote “ **Many Innocent Lives Ruined**” , Sydney Powell's book , Licensed to Lie speaks of overzealous prosecutors who break the rules. In this jurisdiction...a true testament.,

Williams was charged and convicted with aggravated felony for wiring approximately Three Thousand for her ex, she had never involved herself in drug deals, drugs use or transactions. Aggravated Felony, or accused of “ moral turpitude” not legislatively defined, equals (unconscionable and deprave behavior) in USCIS interpretation.

.....
In 1996 the BIA held that AEDPA 440 (b) could not be applied retroactively to aliens who had requested waivers before its enactment. Shortly thereafter the Attorney General overruled the BIA and determined that AEDPA 440(d) was to applied retroactively to all pending cases regardless of waiver application date. The Fifth Circuit Court of Appeals upon my appeal then claimed they had no jurisdiction and that Williams should then consider a Habeas petition

REASONS FOR GRANTING THIS PETITION

Rehearing is warranted for the issues presented , the racial statement/advice given to petitioner to coerce a guilty plea, and this is the final court to which Williams can seek relief.

asking if the Constitution applies to judicial reviews of immigrant litigants whose non violent convictions are classified aggravated felonies.. The Supreme Court decided in *Johnson v United States*. 135 S. CT 2551 (2015) held that Armed Career Criminal Act, called Residual Clause definition of a violent felony is unconstitutionally vague. Williams posed no threat to anyone , which her court appointed attorney failed to address in negotiating a fair and non prejudicial plea deal. .In *Haines v Kerner* 404 US. 519,520-21 (1972). This petitioner case was not just viewed on merits, it was concluded that the petitioner was entitled to another opportunity to offer proofs. Judgement was reversed. Petitioner ask for this same opportunity for rehearing.

Williams have substantial grounds for rehearing, moreover the issues presented are of such importance, divided affirmance will only deter those pressing questions from immigrants for another day. Williams have met the threshold for Coram Nobis relief.

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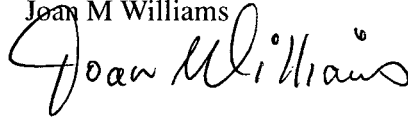
Petitioner Joan M Williams continues to seek relief, she hopes any leniency given to pro se litigants be considered for her too., although far removed, the petitioner continues to seek an opportunity for relief.....Quote from Cardinal Richelieu
"If you give me six lines written by the hand of the most honest of men, I will find something in there which will hang him.

CONCLUSION

For the foregoing reasons this court should grant a petition for rehearing to grant the Writ of Certiorari for extraordinary circumstances.

Respectfully Submitted

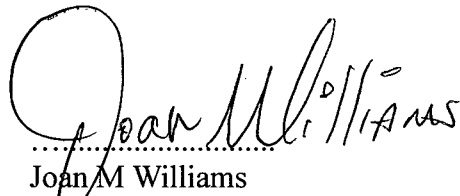
Joan M Williams

A handwritten signature in cursive script that reads "Joan M Williams". The signature is written in black ink and is positioned below the printed name.

March 16, 2018

Certificate

I Joan M Williams hereby certify that this petition for rehearing is presented in good faith and not for delay, This petition grounds are limited to intervening circumstances of substantial. or controlling effect, or other substantial grounds not previously presented.

A handwritten signature in black ink, reading "Joan M Williams". The signature is written in a cursive style with a large initial "J".

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April 11, 2018