

No. _____

ON A PETITION FOR WRIT OF MANDAMUS SEEKING RELIEF FROM
THE UNITED STATES ELEVENTH CIRCUIT COURT OF APPEALS

IN THE
SUPREME COURT OF THE UNITED STATES

JOSEPH WITCHARD, — PETITIONER
(Your Name)

vs.

LINDA JULIN McNAMARA, ET AL. — RESPONDENT(S)

MANDAMUS
ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES ELEVENTH CIRCUIT COURT OF APPEALS

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

MANDAMUS
PETITION FOR WRIT OF CERTIORARI

JOSEPH WITCHARD, #122/6-018
(Your Name)

FCI Williamsburg, P.O. Box 340
(Address)

Salters, SC 29590
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

CAN AN ASSISTANT UNITED STATES ATTORNEY PROCEED IN FALSIFYING AN ORDER OF DENIAL ON PETITIONER'S MOTION FOR CERTIFICATE OF APPEALABILITY OR INDUCE AN UNITED STATES ELEVENTH CIRCUIT COURT EMPLOYEE TO DO THE SAME AFTER SAID ELEVENTH CIRCUIT COURT OF APPEALS CIRCUIT JUDGE GRANTED JUDICIAL NOTICE ON PETITIONER'S ALLEGATIONS IN A RELATED PETITION FOR WRIT OF PROHIBITION PROCEEDINGS DECLARING THAT BOTH THE GRAND JURY INDICTMENT AND ARREST WARRANT WAS WAS FRAUDULENT AND THE PROSECUTOR MANUFACTURED SUBJECT MATTER JURISDICTION THEREBY HENCE WHEN SAID PETITIONER PROCEEDED IN USING SAID JUDICIAL NOTICE GRANTING AS STARE DECISIS OR RES JUDICATA ON HIS CERTIFICATE OF APPEALABILITY APPELLATE COURT PROCEEDINGS PRIOR TO THE FILING OF THE FALSIFIED TWELVE (12) PAGE ORDER OF DENIAL BEARING A FORGE OR FRAUDULENT SIGNATURE OF THE SAME UNITED STATES CIRCUIT COURT JUDGE THAT GRANTED PETITIONER JUDICIAL NOTICE, TWO(2) MONTHS PRIOR. WHEREAS SAID ASSISTANT UNITED STATES ATTORNEY IS OBSTRUCTING JUSTICE BY NOT ALLOWING THE APPEALS COURT TO HEAR PETITIONER'S HERETOFORE PENDING INJUNCTION FOR EMERGENCY AFFIRMATIVE ACTION OR IN THE ALTERNATE A PETITION FOR WRIT OF HABEAS CORPUS §2241?

LIST OF PARTIES

- [] All parties appear in the caption of the case on the cover page.
- [X] 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:

THE HONORABLE FRANK M. HULL, UNITED STATES CIRCUIT JUDGE
FOR THE ELEVENTH CIRCUIT-ATLANTA, GA (WHOM THE FALSIFIED
DENIAL ORDER PURSUANT TO THE SUBSEQUENT PENDING MOTION
FOR A CERTIFICATE OF APPEALABILITY WAS FORGED IN HIS NAME
BY RESPONDENT NAMED HEREIN THIS MATTER)

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APPENDIX A	PLEASE SEE ATTACHED RETURNED PLEADINGS BEARING THE STAMPED SUPREME COURT'S CLERK OFFICE RECEIVED ON MARCH 5, 2018 on the <u>cover letter</u> .
APPENDIX B	
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TABLE OF AUTHORITIES CITED

CASES

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PLEASE SEE ALL CASES CITED THEREIN THE ALLUDED TO ATTACHED PLEADINGS
THAT WAS RETURNED BY THIS HONORABLE SUPRE COURT'S CLERK OFFICE.

STATUTES AND RULES

Same as above stated.

OTHER

Same as above stated.

IN THE
SUPREME COURT OF THE UNITED STATES

MANDAMUS J.W.
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 D to the petition and is (Please see attached pleadings)

- ☐ reported at Unknown; 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 _____ 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 November 20, 2017, via a fraudulent ORDER OF DENIAL.

☐ No petition for rehearing was timely filed in my case. N/A

☐ 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 .

☐ 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. § 1254(1).

☐ For cases from **state courts**: N/A

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

THE RESPONDENT NAMED HEREIN IS BLATANTLY VIOLATING PETITIONER'S FIRST;
FOURTH;FIFTH AND SIXTH AMENDMENT RIGHTS UNDER THE UNITED STATES CONSTITUTION
OF AMERICA (U.S.C.A.). BY DENYING HIM VAST DUE PROCESS OF LAW AND EQUAL PRO-
TECTION OF THE LAW AS WELL.

STATEMENT OF THE CASE

HENCE, pursuant to a pending PETITION FOR WRIT OF PROHIBITION filed therein the United States Eleventh Circuit Court of Appeals in regards to petitioner's contemporaneously pending MOTION TO VACATE, SET ASIDE OR CORRECT SENTENCE UNDER §2255, petitioner proceeded in filing a MOTION FOR JUDICIAL NOTICE therein said proceedings, thus proving that both the federal grand jury indictment and arrest warrant was totally false and was the product of blatant and egregious prosecutor misconduct. Said Motion was filed on August 31, 2017.

Thus, on September 21, 2017, the HONORABLE FRANK M. HULL, UNITED STATES CIRCUIT JUDGE PROCEEDED, INTER ALIA, IN GRANTING PETITIONER'S MOTION FOR JUDICIAL NOTICE, but denied him the Petition For Writ of Prohibition.

Therefore, on October 9, 2017, petitioner proceeded in filing a MOTION FOR STARE DECISIS OR RES JUDICATA, with the Eleventh Circuit Court of Appeals CERTIFICATE OF APPEALABILITY PROCEEDINGS so to get his appeal thereof granted on his §2255 motion. But to no avail, because said Respondent assigned Assistant United States Attorney, Linda Julin McNamara, proceeded in filing a falsified forged ORDER OF DENIAL in the name of The Honorable Judge Hull on November 20, 2017. Or said Respondent attorney induced an appeals court employee to file the same. Please see the attached March 5, 2018 Supreme Court stamped Clerk's office returned to petitioner's pleadings.

The petitioner proceeded on January 2, 2018 in filing a MOTION FOR EMERGENCY INJUNCTION FOR AFFIRMATIVE ACTION/PETITION FOR HABEAS CORPUS §2241. Although the MOTION IS LABELED EMERGENCY thus said Respondent is circumventing and thwarting petitioner's efforts to effective access to the courts by unlawfully intercepting petitioner's said heretofore pending pleading alluded to herein from being reviewed by The Honorable Circuit Judge, Frank M. Hull.

REASONS FOR GRANTING THE PETITION

Hence, in the interest of justice and so to prevent a great miscarriage thereof petitioner strongly states and contends that extraordinary circumstances has arrived herein this matter. Gulfstream Aerospace Corp. V., Mayacamas Corp., 485 U.S. 271 (1988).

And petitioner has no other means to attain the relief he desires. Ken v., United States District Court of Cal., 426 U.S. 394 (1976).

Due to the unorthodox fraudulent methods or court practices employed herein by the Respondent government attorney at large, pursuant to preparing and filing a falsified, bogus APPEALS COURT ORDER OF DENIAL so to subject petitioner to continuous unlawful imprisonment after being legally GRANTED JUDICIAL NOTICE pursuant to a falsified indictment and arrest warrant prior to the false DENIAL ORDER BEING ENTERED BY RESPONDENT. in this matter at hand which is quashing his duly filed MOTION FOR STARE DECISUS OR RESJUDICATA AND COLLATERAL ESTOPPEL; along with his presently filed MOTION FOR EMERGENCY INJUNCTIVE RELIEF OR AFFIRMATIVE ACTION OR IN THE ALTERNATE A PETITION FOR WRIT OF HABEAS CORPUS that has been pending therein the Eleventh Circuit Court of Appeals since January 2, 2018, in which petitioner has vast reason to believe that Respondent named herein is stopping or circumventing his pleadings from being seen or reviewed by the HONORABLE JUDGE HULL accordingly.

This is pure USURP OF AUTHORITY!

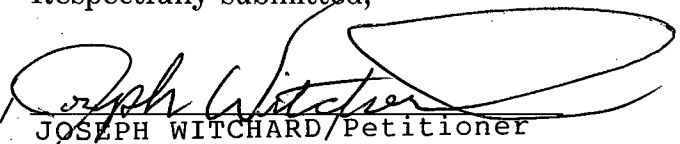
Furthermore, the Respondent Government Attorney usurp actions totally undermines the integrity and fairness of the federal courts judicial system towards blacks and minority people in the deep south. Thus, if this Honorable U.S. Supreme Court continue to allow said government officials to unconstitutionally file false/bogus GRAND JURY INDICTMENTS and Federal ARREST WARRANTS along with falsified forged COURT ORDERS OF DENIALS without prohibiting and sanctioning said criminally minded officials via obstruction of justice charges under U.S.C. 18, §1519 and Violation of Civil Rights under U.S.C. 18, §241 and 242 will leave a lot left to be desired in a fair and just judicial system based on democracy and fairness.

S.W.

CONCLUSION

The petition for a writ of certiorari should be granted. *Mandamus*

Respectfully submitted,

/s/ 
JOSEPH WITCHARD/Petitioner

Date: March 13, 2018