

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Darryl Jefferson — PETITIONER
(Your Name)

vs.

Harold Clarke Director of D.O.C. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. Court of Appeals for the 4th Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Darryl Lamont Jefferson #1050715
(Your Name)

N.C.C. P.O.Box 488
(Address)

Burkeville, Va. 23922
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

1.)Whether the Habeas Corpus process in the State of Virginia is Constitutionally inadequate to vindicate individuals substantive right.

A. The Commonwealth of Virginia has asserted a new panolpy of rights under Va. Code 2.2-3706.

B. The rights asserted by the Commonwealth of Virginia under Va. Code 2.2-3706 are vague,nebolous, random,arbitrary and unconstitutional.

2.Whether the Virginia Rules of the Supreme Court have provided a clear consistent and well established process for Pro Se petitioners to request relief in Post-Conviction proceedings.

. Continue...see brief

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:
-

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OTHER

IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 1995

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☒ is unpublished.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☒ is unpublished.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☐ is unpublished.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☐ is unpublished.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 12/22/17

☐ 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: 02/06/18, and a copy of the order denying rehearing appears at Appendix G.

☐ 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**:

The date on which the highest state court decided my case was various date.
A copy of that decision appears at Appendix I.

☐ 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

5th Amendment to the U.S. Constitution

6th Amendment to the U.S. Constitution

14th Amendment to the U.S. Constitution

Code§2.2-3706

Code§8.01-655

Code§11.1-111

28 U.S.C. §2254

Virginia Rules of the Supreme Court 5:7

STATEMENT OF THE CASE

As a prisoner of the State Virginia , Darryl Jefferson ,retains his procedural and substantitive rights to due process:from the accusal portion of trial into the post-conviction procedures The federal courts are responsible for enforcing a concept of "No State shall.....deprive any person of life,property without due process of the law". U.S. Constitution 14th Amendment.

The Constitutional Clause imposes procedural limitations on the State of Virginia and it's power to take away protected entitlements. see e.g.) Jones v. Flowers, 547 U.S. 220,226-239, 125 S.Ct. 1708 ,164 L.Ed. 2d. 415(2006).The Commonwealth of Virginia has created a Code 2.2-3706 .The Code allows the Commonwealth to designate subject matter,documents,records ,and exculpatory data as secret within the jurisdiction of Virginia. Skilled prosecutors have taken advantage of the law and hidden transgressions,incidents ,and infringement of individual liberties under the law.A cat and mouse game has arisen.The accused are forced to chase the prosecutorial misconduct and find the hidden records.All person convicted of a crime,involved in any controversy,and/or in opposition to the State are affected. Retro-active resolution could curve a number of substantial defects in multiple trials.Darryl Jefferson is one individual who has exercised due diligence and pursued his claims through timely filings of Habeas Corpus petition in State and Federal Court.

REASONS FOR GRANTING THE PETITION

1.)The Virginia Habeas Corpus process is Constitutionally inadequate to vindicate individuals and protect litigants substantitive rights defined by and in the United States Constitution.

1.)A.The Commonwealth has asserted a new panoply of rights under Va. Code 2.2-3706.

1.)B. The rights asserted by the Commonwealth of Virginia under Va. Code 2.2-3706 are vague,nebolous,random,arbitrary,and unconstitutional.

2.)The Virginia Rules of the Supreme Court have not provided a clear,consistent,and well established process for Pro Se petitioners to request releif in post-conviction proceedings.

Continued.....see brief petition.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Darryl Jefferson #1050715

Date: 03-14-18