24-7000

IN THE SUPREME COURT

OF THE UNITED STATES

NO. _____

ORIGINAL

AVERY B. CRAWFORD

Petitioner,

v.

BOBBY LUMPKIN

ON PETITION FOR WRIT OF CERTIORARI

TO THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT IN NO. 24-50371

PETITION FOR WRIT OF CERTIORARI

Mr. Avery B. Crawford

Petitioner, Pro se

T.D.C.J.-I.D.# 02214933

McConnell Unit

3001 S. Emily Dr.

Beeville, Texas 78102

I.

QUESTIONS PRESENTED

1. Whether the Fifth Circuit failed or abandoned it's Constitutional duty to review Mr. Crawford's Certificate of Appea;ability (COA) process, because he did not reprise all the grounds previously submitted during the §2254 forum?

2. Whether the Federal District Court's adoption in procedurally barring Mr. Crawford from review, adjudication, and relief; because "he failed to raise the denial of self representation on direct appeal?

3. Whether the Federal District Court's ruling was objectively unreasonable and contrary to United States Supreme Court precedent, in denying relief; because the officer responded to a 911 call, excuses the violation of United States Constitution Confrontation Clause?

4. Whether the Federal District Court's adoption of the trial courts ruling that an affidavit proving Mr. Crawford's innocence and his conviction fundamentally unfair; was not newly discovered evidence because it could have been had before?

LIST OF PARTIES

1. Avery Bernard Crawford, Petitioner Pro se
2. Orlando Garcia, United States District Judge, Western District of Texas, San Antonio Division
3. Ken Paxton, Texas Attorney General
4. Susan San Miguel, Assistant Attourney General
5. Bobby Lumpkin, Warden, Respondent

RELATED CASES

United States Court of Appeals, Fifth Circuit,
USCA Case No. 24- 50371

United States District Court, Western Districtof Texas,
San Antonio Division, USDC Case No. SA-22-CA-0158-OLG

Texas Court of Criminal Appeals
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186th District Court of Bexar County, Texas
Trial Court Case NO. 04-18-00555-CR
2017-Cr-0602

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IN THE SUPREME COURT

OF THE UNITED STATES

NO. _____

Avery B. Crawford,

Petitioner,

V.

Bobby Lumpkin, Director, Texas Department of Criminal Justice, Coorectional Ins. Division,

Respondent

PETITION FOR WRIT OF CERTIORARI

To the Honorable said Court:

Comes Now, Avery B. Crawford, Petitioner, Pro se, pursuant to Supreme Court Rules 13 and 28 U.S.C. §1254. Respectfully requesting the Court issue a Writ of Certiorari to review the judgement as follows:

I. DECISIONS BELOW

The judgements of the United States Court of Appeals for the Fifth Circuit, and United States District Court for the Western District of Texas; are not reported but cited in the Table of Contents with a copy attached labeled as appendixes A-C. Consisting of the orders in dispute.

II. JURISDICTION

The judgement of the United States Court of Appeals for the Fifth Circuit was entered January 9th, 2025. Denying review of Mr. Crawford's Certificate of Appealability as a preliminary matter, for failure to reprise all claims previously submitted in the §2254 proceedings. See Appendix A. Jurisdiction is confered by 28 U.S.C. §1254 (1).

III. CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

This case involves Amendment VIV to the United States Constitution, which provides Section 1: All persons born or naturalized in the United States, and subject to the jurisdiction there of, 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, librity, or property without due process of law; nor deny any person within it's jusisdiction the equal protection of the law.

****

Section 5: The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

This case also involves 28 U.S.C. §2253 which provides in relevant part: (a) In a habeas proceeding..... before a district judge, the final order shall be subject to review, on appeal, by the

Court of Appeals for the Circuit in which the proceeding is held.

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(C)(1)(A) Unless a Circuit Justice or Judge issues a Certificate of Appealability, an appeal may not be taken to the Court of Appeals from..... the final order in a Habeas corpus proceeding, the detention complained of arises out of process issued by a State Court.

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(C)(2) A Certificate of Appealability under paragraph (1) only if the applicant has made a substanial showing of the denial of a constitutional right.

(C)(3) The Certificate of Appealability under paragraph (1) shall indicate which specific issue or issues satisfy the showing required by paragraph (2).

IV. STATEMENT OF CASE

Mr. Crawford sought autorization to appeal four claims out of eight previously submitted in his §2254 application and memorandum of law, in the motion for Certificate of Appealability (hereafter abreviated as COA). See USCA Docket No. 24-50371. However, the COA was dismissed as a preliminary matter, "for failing to reprise all the claims previously submitted in his §2254", within this dispute the denial of Mr. Crawford's righ tto self representation stands abandoned also, by way of procedural bar (adopted by the Federal District Court) dispite the assertion of it being a structural error defined by the United States Supreme Court. In addition the claim

of actual innocence was procedurally barred (adopted by the Federal District Judge) to which the trial court stated that the affidavit providing the testimony testified to was false, material, and critically undermined the trial fundamentally unfair: was not newly discovered evidence because it could have been had before is all in conflict with the United States Supreme Court.

Ultimately, Mr. Crawford has been faced what may seem at the ti time impossable task in order to be heard and have the violations of his Substatial Constitutional Rights redressed. The Filing fee was timely submitted by check from the unit Mr. Crawford is confined, but yet the case was dismissed on August 5th, 2024. See, Exhibit A, Through extreme diligence attached to the exhibit, finally had the case reinstated proving the external factors impeding him; to which the checks and Motion requesting extention to file enbanc where timely placed in the internal mailbox. However, the United States Court of Appeals for the 5th Circuit dismissed the motion and closed the case. The petitioner proceeds diligently requesting the re-instatement of the case attaching the second Motion for Rehearing Enbanc. So at this time Mr. Crawford must presume as a pro se li litigant that no action will be taken in regards to his Motion for Rehearing Enbanc (denied); and in good faith in order to meet the ti timely filing (90 days from dismissal) submits this Writ of Certiorari to have the issues and claims resolved below.

REASONS FOR GRANTING WRIT

ISSUE ONE: Conflicts with Buck v. Davis and Miller-El v. Cockerell:

The United States Court of Appeals for the 5th Circuit has applied the wrong standards when deciding not to review the merits of an appeal at the COA forum. Dismissing the case based on a "preliminary matter" because Mr. Crawford failed to reprise all the grounds previously raised in his §2254 application and memorandum of law; "Because he failed to reprise these claims in his COA motion, they are abandoned." Citing Hughes v. Johnson, 191 F.3d 607, 613 (5th Cir. 1999). As a result, Hughes v. Johnson conflicts with Buck v. Davis and Miller-El Cockrell requiring prospective applicants to prove that an issue is meritous through the submission of a brief governed by rule 29(a)(8)(A), as opposed to showing that the issue is debatable through the submission of a motion governed by Fed. R. App. P. 27(2)(A). See Buck v. Davis, 580 U.S. at 100, 116 (2017) ("That a prisoner has failed to make the ultimate showing that his claim is meritorious does not logically mean he failed to make preliminary showing that the claim is debatable.") Also See 116-117 at Id. Citing Miller-El v. Cockrell, 537 U.S. 332, 336-337 (2003). Accordingly, it is clear that the panel denied review of Mr. Crawford's COA process by employing a procedure that "placed too heavy a burden on the petitioner at the COA stage", and applied a procedure ("preliminary matter") not autorized in deciding whether the issue of COA is warranted or not, being "Consanant with the limiting nature of the inquiry" as instructed by this Court in Buck v. Davis 117 at Id. This violated Mr. Crawford's 1st and 14th Amendment Substantial Constitutional Rights to be heard, due process, and equal protection in what should be the normal course of the

precident case cited in the above text. Furthermore, the panel overlooked or avoided, and failed to consider four COA issues reprised and exhausted previously; Asking if it is "debatable and/or wrong whether the District Court was correct in it's procedural rulings." Citing Slack v. McDaniel, 529 U.S. 473, 484 (2000). Specifically that Panel avoided consideration of the following four COA issues:

ISSUE TWO: Denial of Self Representation Mr. Crawford's Writ of Habeas corpus was denied in part by procedural default. See EFC No. 43, pgs. 5-8 (11). The petitioners 6th and 14th Amendment Substantial Constitutional Rights to Self Representation was violated. First raising it in open court, then in his §1.07 application for State Habeas corpus. See, 28 U.S.C. §11.07 application and memorandum of law filed on February 1st, 2021. Relief was denied by the trial Court "because it could have been raised on direct apeal", Citing Ex parte Clore,690 S.W.2d 899 (Tex.Crim.App. 1985). to which was later adopted by the Texas Court of Criminal Appeals (Denied without written order). See Cause No. 92-813-01. Then proceeded to the United States District Court who adopted and based its procedural history stating "Mr. Crawford's claim is now procedurally barred from Federal Review". See EFC No. 43, pg. 6 at lines 1-2. The two Components in Buck v. Davis, supra were met underlying the Substantial Constitutional Right (denial of self representation), and the direct procedural holding (The Federal Courts adotion of the lower courts procedural bar with diliberate indifference). However, this ruling -

is contrary to United States Supreme Court precedent as follows:

On July 23rd, 2018 during an Araignment and Motion Hearing to address a Motion to Withdraw Councel Mr. Crawford requested to represent himself and was denied that right (See Arraignment and Motion Hearing, pg. 9 at 21-25; labeled as Exhibit A, attached to COA). Mr. Crawford asserted in the argument and authorities that the Supreme Court established that the Sixth Amendment guarantees a criminal defendant the right to counsel, as well as, the Corollary right to waive counsel and proceed Pro se, even when the court "believes it would not be advisable." Citing United States Supreme Court precedent Faretta v. California, 422 U.S. 806, 819 (1975); United States v. Powell, 847 F.3d 760 (6th Cir. 2017). Mr. Crawford clearly, inequivocally,and in a timely manner, asserted his right to self- representation, however, he was even denied a Pro se hearing. Citing Peterson v. Illonois, 487 U.S. 285 (1988) (Further violating Mr. Crawford's Fourteenth Amendment due process for a tribunal to discharge it's duty to hold a Faretta Hearing). It is also well established by the United States Supreme Court that this claim of denial of self-representation falls in the very limited class of cases defined as structural error; which are never waived absent a defendant's specific knowing and intellegent waiver. Citing, Neder v. United States, 527 U.S. 1, 119 S.Ct. 1827, 144 L.Ed. 2d 35 (1999). However, dispite asserting the precedent United States Supreme Court cases that conflict with it's procedural holding to procedurally bar Mr. Crawford from review and having the claim adjudicated on the

merits which would result in the reversal of the verdict and remand back to the courts for a new trial as desented to by the Supreme Court to do so. After Faretta v. California,McKaskle v. Wiggins, Batchlor v. Cain, and Cassano v. Shoop, Mr. Crawford prays the United States Supreme Court honors it's precedent cases, and order this claim to be reviewed and adjudicated on the merits. (See all pleadings relevant to the contentions made, §11.07, §2254 applications and memorandum of law).

ISSUE THREE: Mr. Crawford's Sixth and Fourteenth Amendment Constitutional Rights to Effective Assistance of Counsel was Violated; for failing to object to inadmissable hearsay (testimonial Statements) to which violated his Sixth and Fourteenth Amendment Constitutional right to confront and cross- examine his accuser; in violation of the United States Constitution Confrontation Clause:

In satisfying Slack v. McDaniel, supra., any reasonable jurist would find it debatable and/or wrong that the lower court's findings and conclusions, Order and Memorandum, are objectively unreasonable and contrary to Fifth Circut and United States Supreme Court precedent as follows:

Mr. Crawford cited Crawford v. Washington, supra., in regards to testimonial statements, and the violation of the Confrontation Clause in his post-conviction pleadings. However, the Fifth Circuit has established a three question analysis standard in United States v. Kizzee, 877 F.3d 650 (5th Cir. 2017)(whether a violation of the

Confrontation Clause occurred). Mr. Crawford meets the three prongs: First, the evidence introduced was testimonial statements to what a non-testifying witness (Ms. Sattiewhite) allegedly said, who did not appear at trial. Stating, "that she identified him as the actor", in order to corroberate the one witness without any evidence. Secondly, the statement was offered to prove the truth of the matter asserted. Third, the State never mentioned whether the non-testifying witness was or was not available to testify (nor was the non-testifying witness on the witness list)(See Exhibit D attached to petitioner's §11.07 Application and Memorandum of Law, and COA) and after testimonial statements made by Detective Vijil, Mr. Crawford was denied the oppertunity to cross-examine the non-testifying witness. Any reasonable jurist would find the Federal Court's Memorandum Opinion denying relief debatable and/or wrong for these contentions where the questions to Kizzee, supra. are answered in contextual order to receive relief in violation of Mr. Crawford's Confrontation Clause. Furthermore, a testifying witness' statement at trial is testimonials if it's primary purpose is to "establish or prove past events potentially relevent to later criminal prosecution" at Id., and that a witness' statement at trial that implicates a non-testifying perons statements, "the context is testimonial if it lead[s] to the clear and logical inferance that the non-testifying person believed that the defendant is guilty of the charged offense". See United States v. Hamann, 33 F.4th 759 (5th Cir. 2022). The petitioner, Mr. Crawford contends that his case in the above text meets the

requirements established by the Fifth Circuit what constitutes testimonial statements, and that his Sixth and Fourteenth Amendment Constitutional Rights to confront and cross-examine his accuser was violated. Maintaining that counsel's deficient performance was in failing to object to Detective Vijil's statements during trial that, Ms. Sattiewhite said Mr. Crawford was the assailant who committed the offense, violated his Substantial Constitutional Rights. For had counsel objected to the only testimony to prove the truth of the matter, it would not have been admitted into evidence, resulting in a reasonable probability that Mr. Crawford would have been aquitted; see Strickland v. Washington, 466 U.S. 668, 104 S.Ct. 2052 (1984).

Any reasonable jurits would find it debatable and/or wrong that Mr. Crawford did not meet the requirements that entitle him to effective assistance of appellate counsel and maintains that appellate counsel was ineffective for failing to adequately litigate the Confrontation Clause issue on direct appeal, Had counsel stated the specific testimony by Detective Vijil, and how he was harmed, the outcome would have been different, resulting in a new trial. As discussed in the previous section, However, Mr. Crawford's Confrontation Clause violation was not objected to (testimony of Detective Vijil). Leaving the Fourth Court of Appeals to assume the objection was in regards to the alleged victims testimony, and even then counsel's performance was objectively unreasonable under the current legal standards. See Robbins, 588 U.S. 285; and Higgins v. Cain, 720 F. 3d 255, 260-61 (5th Cir. 2015). The petitioner, Mr. Crawford,

objects to the misstatement that the trial court properly denied the objection which involved testimony by the alleged victim discussed at Id. A Confrontation Clause violation is one of the few constitutional rights that in violating it would result in relief when properly raised. Counsel made the Confrontation Clause violation one of the central/key issues on direct appeal. Citing Jones v. Barnes, 463 U.S. 745, 751-52 (1983), but even if a Pro se petitioner fails to state the specific testimony that violated his Confrontation Clause and with basic knowledge fail to say how he was harmed would be denied relief.

Mr. Crawford has shown that this rejection on the merits is contrary to and/or aqn unreasonable application of the Strickland standard; see Richer, 562 U.S. at 101.

ISSUE FOUR: Actual Innocence:

Mr. Crawford asserts that any reasonable jurist would find it debatable and/or wrong whether he is actually innocent; and the District Court's findings and conclutions of law, that Ms. Sattiewhite's affidavit is not newly discovered evidence because it could have been obtained before, whether it should have been dismissed as a subsequent writ as a result, then applying the procedural bar as follows:

Jurisdiction: The facts proved and stated are true that entitle him relief, "showing the independent constitutional violations that occurred in the underlying state criminal proceedings." Creel v. Johnson, 162 F.3d 385.(1998).

Facts: On June 2nd, 2016, Mr. Crawford was indicted for aggravated robbery with a deadly weapon. The allegeged victim (Angela Green) falsified a police report; see Exhibit E, stating that "she was robbed for two hundred ($200) dollars at gunpoint." This is contrary to what she testified to at trial. When she was asked did he take anything she answered "no" along with the description of the alleged involvement of a firearm. See Trial on its Merits pgs 165-175 at 1-24. Mr. Crawford's mother was present during the alleged offense. Then the case proceeded to trial where Ms. Green testified inconsistantly in the most dramatic ways when it comes to the elements ot the charged offense. However, the State used their witness, Detective Vijil, to corroberate Ms. Green's testimony stating that "They (Angela Green and Barbara Sattiewhite) identified who the son of Barbara Sattiewhite was". See Trial on the Merits pg. 21 at 19-21; "Yes, identified her son to be the actor." pg. 23 at 10. However, Ms. Sattiewhite was never on the witness list. See exhibit D; nor did she testify at the present trial. All three above exhibits are attached to Pleadings USDC.

Argument and Authorities: According to the Code of Criminal Procedure Art. 38.17, "one witness rule". In all cases where by law, two witnesses, or one with corroberating circumstances are required to authorize a conviction, if the requirement be not filled the court shall instruct the jury to render a verdict of aquittal, and they are bound by the instruction. Mr. Crawford contends that during trial he faced one witness with no corroberation other that the illegal testimony made by Detective Vijil, at Id., that critically undermined the trial and rendered it fundamentally unfair (see Trial on

the Merits, pg. 199 at 19-21). The alleged testimony admitted into evidence is inadmissable hearsay; see Art. VII., Hearsay, T.R.E. 801 (A)(C)(1)(2). Mr Crawford's Fifth and Fourteenth Amendment Constitutional Right to a fair trial under the Due Process Clause was violated. For State and criminal trials, a prosecutor has the constitutional duty to volunteer, exculpatory matter to the defense, which duty was governed by a standard under which constitutional error would be committed if evidence omitted by a prosecutor created a reasonable doubt of guilt. There is a requisite probability that it is more likely than not, that no reasonable jury would have convicted Mr. Crawford in light of the new evidence (affidavit by Barbara Sattiewhite). See Exhibit X2. For had Ms. Sattiewhite been placed on the witness list the information would have supported the defense's arguement of actual innocence, or in the alternative the opportunity to confront and cross-examine his accuser at the time.

Evidence "Documentary § 1746": Mr. Crawford contended in the lower courts establishing by law that, "unsworn declarations under penalty of perjury, where under any law of the United States or any other rule, regulation, order, or requirement made pursuant to law." "Any matter is required or permitted to be supported, evidence, established, or proven by sworn declaration, verification, certificate, statement, oath, or affidavit, in writing of the person making the same ..... sucha matter of the jury" and establishes that no reasonable juror would have convicted Mr. Crawford in light of the new evidence (affidavit), to which he pled not guilty. See Herrera v.

Collins, 506 U.S. 390, 122 L.Ed. 203, 113 S.Ct.853 (1993) (the factor preventing him from relief under the same circumstance was that he pled guilty).

The Pro se petitioner Mr. Crawford, maintains and reprise these four grounds in his COA; making "a substantial showing of the denial of constitutional rights". 28 U.S.C. §2253 (c)(2); demonstrating the necessary standards citing Buck v. Davis, supra., addressing the direct procedural holding to grounds one and four, barring relief debatable among jurists of reason based on precedent cases set forth by the Fifth Circuit and the United States Supreme Court and that otherwise the appeal deserves encouragement to go further. As to grounds two and three; Slack v. McDaniel, supra. is also demonstrated and asserted as such. Mr. Crawford's objection to his COA being dismissed based on a preliminary matter is unreasonable and any jurist of reason would find it debatable and/or wrong that his case was dismissed based on the grounds he did not submit; that the grounds he did submit are substantial constitutional rights that were reprised and deserves to be adjudicated. Citing Miller-El v. Cockrell, supra. Also see Objections to the dismissal of the COA; labeled as Exhibit B.

Instead of considering the debatability of these procedural questions stated above, the tribunal violates Mr. Crawford's First and Fourteenth Amendment Substantial Constitutional Rights: One, to be heard thru redress of any United States Constitutional Rights violated against him; ensure by such Constitution, affords due process and equal protection of those rights. Mr. Crawford was denied review

(due process) for failure to reprise "all" his previous claims submitted, however, he did reprise four out of eight previously submitted, and contests that a preliminary matter for not reprising all grounds previously submitted does not warrant the dismissal of the claims reprised. Consequently the panel violates Mr. Crawford's due process and impaired the federal appeal process by failing to consider the debatability o fhte four grounds submitted in his COA. Such procedure conflicts with Buck and Miller-El as an abandonment of the panel's duty to engage in the two-step process issued by the United States Supreme Court, see 28 U.S.C. § 2253; Buck v. Davis, 580 U.S. at 117. If the Honorable Supreme Court issued an order to have the COA reviewed the outcome would be different, for the reprised claims Mr. Crawford did submit, jurist of reason would find it debatable and/or wrong resulting in the relief sought therein.

Accordingly, situations like the present case in which "the basis to dismiss the case for preliminary matters is not reasonable on the record, and adequate explanation by the Fifth Circuit Court is necessary; for the case cited (Hughes v. Johnson, supra.) in it's dismissal of the case in misapplication and/or misplaced because it pertains to the dismissal of a petitioner who failed to make a substantial showing of the denial of a constitutional right (see Appendix A). In furhterance, it lacks any precedent case or rule relevent in support of it's dismissal of the case, where Mr. Crawford reprises the claims he chose to advance, and waive the others. To which he has a right to do so as long as the claims presented were exhausted

and/or meet the necessary standards supported by the precedent case in order to overcome any procedural hurdles. The absence of such litigation in the above text, prompts remand for findings. See Felton v. Dillard University, 122 Fed. Appx. 726, 728 (5th Cir. 2004) (unpublished).

As a result, it is clear that the panel's decision as to Mr. Crawford's constitutional rights being asserted by presenting his reprised claims is a departure from the accepted and usual course of federal appeals in the Fifth Circuit "as to call for an exercise of this court's supervisory power." Sup. Ct. R. 10(a). "A panel from the Fifth Circuit is Bound by Fifth Circuit precedent." See Brown v. Livingston, 457 F.3d 390, 391 (5th Cir. 2006). Furthermore, in theory, the court could and should grant Mr. Crawford's writ in aid of it's appellate jurisdiction if the Fifth Circuit can not exercise meaningful review because the basis and jurisdiction is not readily discernable on the record, the exercise of meaningful review will be possibly denied this court as well (see Sup.Ct.R. 20).

Importance of the questions presented: For ove two decades, this Court has been trying to guide the Fifth Circuit in the proper application of the COA standard. See Buck v. Davis and Miller-El v. Cockrell, supra. Yet when the Fifth Circuit decided this case in Avery B. Crawford v. Bobby Lumpkin, USDC. No. SA-22-CA-0158-OLG; the panel misapplied the COA standard in order to decide the merits of issue one herein at the COA forum, and perhaps even more telling

is the fact that it's erroneous suggestion that Mr. Crawford's reprised claims were to be dismissed for failing to reprise all previously submitted grounds is unconstitutional in itself. In closing, the questions presented by this petitioner are of great public importance because serious due process concerns are raised in reguards to the Fifth Circuit's continual misapplication of the COA standard. This case will affect a mass of Pro se petitioners, whom have properly sought relief, but were denied a COA to appeal with the Fifth Circuit. Current and future appellants will be redressed at the resolution of this case by providing the Fifth Circuit with further guidance on the proper application of the COA standard. The importance of the questions are enhanced where the lower court's have "so departed from the accepted and usual course of judicial proceedings." As a result, not only will the outcome of this case affect the fairness of the federal appeal process in the three states within the jurisdiction of the Fifth Circuit((Texas, Louisiana, and Mississippi) but will also likewise affect the fairness of the advasarial litigation process in respect to due process concerns concerns of Pro se litigants thoughout the fifty states, including the District of Columbia. See, eg., Camreta v. Greene, 563 U.S. 692, 710 (2011)(granting Certiorari review "only when the circumstances of the case satisfy us that the importance of th equestion involved the necessity of avoiding conflict [in the lower courts], or some matter affecting the interests of this nation.... demands such exercise")(quoting Forsyth v. Hammond, 116 U.S. 506, 514-15 (1847).

Thus, such requirements raises perhaps the most material aspect of this case; specifically, that the Court charged the lower courts with the biggest duty of maintaining the Great Writ of Habeas Corpus unimpaired (citing Johnson v. Avery, 393 U.S. 483, 485 (1969). Yet, where the lower courts have triggered impairments of the Great Writ through their own obvious impairments of the adversarial litigation process and the Federqal Appeal, it is clear that the lower courts no longer have any regard for maintaining the Great Writ unimpaired. It is humbly and respectfully prayed that the Honorable highest Court exercise it's supervisory power to correct such unconstitutional defects, or rather, deter such abuse of the federal appeal process and the adversarial litigation process itself.

CONCLUSION

For the foregoing reasons, the petitioner for Writ of Certiorari should be granted.

Respectfully submitted, on this the 3RD day of April, 2025.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

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