

ORIGINAL

24-7047

No. _____

Supreme Court, U.S.
FILED

APR 11 2025

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

In Re Sefe A. Almedom A705 623 — PETITIONER

(Your Name)

Vs

Alice M. Batchelder — RESPONDENT

ON PETITION FOR A WRIT OF MANDAMUS AND/OR PROHIBITION

PETITION FOR WRIT OF MANDAMUS AND/OR PROHIBITION

Sefe A. Almedom A705 623 Pro Se

(Your Name)

Box 57, A705 623, 3/D 31-B

(Address)

Marion, Ohio 43301-0057

(City, State, Zip Code)

(740) 382 5781

(Phone Number)

QUESTION(S) PRESENTED

- 1.] According to Federal Law, the U.S. Constitution And State Statutory Laws, Does The State Supreme Court Of Ohio have More Power And Authority than The U.S. Supreme Court?
- 2.] When The United States Supreme Court Rule that a State Statute is Unconstitutional On Its Face. Can The State Supreme Court Of Ohio Revive that Unconstitutional Statute and make it Active Again?
- 3.] When The United States Supreme Court Rule that a State Sentence is Unconstitutional On Its Face. Can The State Supreme Court Of Ohio Revive that Unconstitutional Sentence and make it Active Again?
- 4.] When The Legislature Abrogate, Expung, Repeal And/Or Rescind Ohio Statutory Laws And/Or Statute. Can the Courts totally disrespect Legislature Authority, as well as the U.S. Supreme Court's Decision, an Rule as they see fit?
- 5.] When The State Supreme Court Of Ohio Act Contrary to Federal / State Constitutional Law. Would this constitute Political Fraud Upon The Court And/Or Fraud Upon The Court?
- 6.] §31 Unconstitutional Or Void Statute Or Ordinance
- 7.] Felonies--Sentencing Effective Until July 1St, 96
- 8.] Trial Lawyers Vs Sheward, 96 Ohio St.3d 451
- 9.] Felonies, Generally Effective July 01St, 1996
- 10.] State Vs Johnson, 2020-Ohio-2947
- 11.] Table Of Penalties
- 12.] State Vs Stansell, 2021-Ohio-203
- 13.] Calkins Vs State, 14 Ohio St. 222
- 14.] Aaron Vs The State, 40 Ala. 307
- 15.] Repeal
- 16.] Courts And Judges

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:

Amul R. Thapar - Second Respondent
Stephaine Dawkins Davis - Third Respondent

RELATED CASES

TABLE OF CONTENTS

OPINIONS BELOW.....	1
JURISDICTION.....	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	3
STATEMENT OF THE CASE	4
REASONS FOR GRANTING THE WRIT.....	5
CONCLUSION.....	6

INDEX TO APPENDICES

APPENDIX A THE COURT OF COMMON PLEAS CASE NO. 13 CR 1858

APPENDIX B THE TENTH DISTRICT COURT OF APPEALS CASE NO. 2016-Ohio-1553

APPENDIX C THE STATE SUPREME COURT OF OHIO CASE NO. 2016-0815

APPENDIX D THE U.S. FEDERAL DISTRICT COURT CASE NO. 2:22CV22
29

APPENDIX E THE U.S. SIXTH CIRCUIT COURT OF APPEALS CASE NO.
24-3310

APPENDIX F

TABLE OF AUTHORITIES CITED

CASES

	PAGE NUMBER
<u>STATE EX REL. BALUNEK VS MARCHBANKS,</u> 173 Ohio St.3d 34, 2023-Ohio-2517	6
<u>STATE EX REL. BLACK VS CITY OF E. CLEVELAND,</u> 2024-Ohio-2688	6
<u>STATE EX REL. DONER VS ZODY,</u> 130 Ohio St.3d 446, 2011-Ohio-6117	5
<u>STATE EX REL. HAMLIN VS COLLINS,</u> 9 Ohio St.3d 117, 1984 Ohio LEXIS 1019	5
<u>STATE EX REL. HUNT VS CITY OF E. CLEVELAND,</u> 171 Ohio St.3d 796	5
<u>STATE EX REL. MARTIN MARIETTA MATERIALS, INC. VS CITY</u> <u>OF TRENTON,</u> 2024-Ohio-6054	6
<u>STATE EX REL. PRESSLEY VS INDUS. COMM'N,</u> 11 Ohio St.3d 141, 1967 Ohio LEXIS 344	5
<u>STATE EX REL. SHINOLA VS CITY OF CLEVELAND,</u> 70 Ohio St.3d 110, 1994 Ohio LEXIS 1814	5
<u>STATE EX REL. SOLID ROCK MINISTRIES INT'L VS CITY OF</u> <u>MONROE,</u> 2022-Ohio-431	5

STATUTES AND RULES

OTHERS

EXHIBIT "1"	<u>§31 UNCONSTITUTIONAL OR VOID STATUE OR ORDINANCE</u>
EXHIBIT "2"	<u>FELONIES-SENTENCING EFFECTIVE UNTIL JULY 1ST. 96</u>
EXHIBIT "3"	<u>TRIAL LAWYERS VS SHEWARD, 86 Ohio St.3d 451</u>
EXHIBIT "4"	<u>FELONIES, GENERALLY EFFECTIVE JULY 01ST. 1996</u>
EXHIBIT "5"	<u>STATE VS JOHNSON, 2020-Ohio-2947</u>
EXHIBIT "6"	<u>TABLE OF PENALTIES</u>
EXHIBIT "7"	<u>STATE VS STANSELL, 2021-Ohio-203</u>
EXHIBIT "8"	<u>CALKINS VS STATE, 14 Ohio St. 222</u>
EXHIBIT "9"	<u>AARON VS THE STATE, 40 Ala. 307</u>
EXHIBIT "0"	<u>REPEAL</u>
EXHIBIT "1"	<u>COURTS AND JUDGES</u>

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF MANDAMUS

Petitioner respectfully prays that a writ of mandamus issue.

OPINIONS BELOW

[X] For cases from **federal courts:**

The opinion of the United States court of appeals appears at Appendix ^{"E} to the petition and is

reported at _____ N/A ; 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 _____ N/A ; 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 ^{"C"} to the petition and is

reported at _____ N/A ; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the Tenth District Court Of Appeals court appears at Appendix ^{"B"} to the petition and is

reported at _____ N/A ; 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 October 10, 2024.

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: 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 N/A (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 09-14-2016. A copy of that decision appears at Appendix "C".

A timely petition for rehearing was thereafter denied 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 N/A (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

§2731.01 Mandamus is a Writ Issued in the Name of the State to an Inferior Tribunal, a Corporation, Board, Or Person, Commanding the Performance of an Act which the Law Specially Enjoins as a Duty resulting from an Office, Trust Or Station.

§2731.02 Courts Authorized to Issue Writ; Contents the Writ of Mandamus may be Allowed by the Supreme Court, the Court Of Appeals Or the Court Of Common Pleas and Shall be Issued by the of the Court in which the Application is made, such Writ may Issue on the Information of the Party Beneficially Interested. Such Writ Shall contain a Copy of the Petition, Verification, and Order of Allowance.

§2731.03 Writ does not Control Judicial Discretion. The Writ Of Mandamus may require an Inferior Tribunal to Exercise its Judgment Or Proceed to the Discharge of any of its Functions , but it cannot control Judicial Discretion.

§2731.04 Application for Writ Application for the Writ Of Mandamus Must be by Petition, in the Name of the State of the Relator of the Person Applying, and Verified by Affidavit. The Court may require Notice of it to be given to the Defendant Or Grant an Order to Show Cause why it should not be Allowed, Or Allow the Writ without Notice.

§2731.05 Adequacy of Law Remedy Bar to Writ The Writ Of Mandamus Must not be Issued when there is Plain and Adequate Remedy in the Ordinary Course of the Law.

§2731. A Mandamus Writ in First Instance when the Right to require the Performance of an Act is Clear and it is Apparent that No Valid Excuse can be given for not doing it, a Court in the First Instance, may Allow a Mandamus/Prohibition In all other cases an alternative Writ Must First be Issued on the Allowance of the Court Or a Judge thereof.

In this Case, the Petitioner here First went to the Court Of Common Pleas. Then the Court Of Appeals Tenth District. Then the State Supreme Court Of Ohio. Then The U.S. Federal District Court, and thereafter The U.S. Sixth Circuit Court Of Appeals. And, This Court is the Court Of Last Resort "Final Décision."

STATEMENT OF THE CASE

The Petitioner in this Case has a Federal/State Substantive /Procedural Due Process/Constitutional/Statutory Rights; Not to be Sentenced under Statutes Or Laws, that has been Abrogated Expunged, Repealed And/Or Rescinded as a matter of Law, to wit;

1a) The Petitioner will establish/Demonstrate that he have a Clear/Indisputable Right to the Issuance of this Mandamus and Or a Prohibition based on Relevant Substantive/Procedural Due Process/Constitutional/Statutory Laws. SEE: FELONIES-SENTENCING EFFECTIVE UNTIL JULY 01ST, 1996. 2b) The Petitioner has a Federal/State Substantive/Procedural Due Process/Constitutional /Statutory Rights; Not to be Sentenced Contrary to the Controlling Sentencing Guidelines. SEE: FELONIES, GENERALLY EFFECTIVE JULY 01ST, 1996, that does not Authorize 25 To Life Or Life Without Parole. 3c) That the Petitioner has a Federal/State Substantive/Procedural Due Process/Constitutional/Statutory Rights; Not to be Confined on Statutes that has been ABROGATED, EXPUNGED, REPEALED And/Or RESCINDED. See §31 UNCONSTITUTIONAL OR VOID STATUE OR ORDINANCE, for which is ever PRAYED. 2) That the Respondents Sixth Circuit Court Of Appeals has a Sworn Oath and Federal Judicial Duty to Perform this Federal/State Substantive/Procedural Due Process/Equal Protection of Constitutional/Statutory Obligation to Carry this Request into Execution as sought. 3) When the Petitioner has No other Plain Or Legal Remedy in the Ordinary Course of the Law, for which is PRAYED for. Therefore, the Petitioner's Mandamus and/or Prohibition should be GRANTED before this Most Honorable Court as sought.

REASONS FOR GRANTING THE PETITION

1.) Based on Federal/State Substantive Statutory Law. Ohio FELONIES-SENTENCING EFFECTIVE UNTIL JULY 01ST, 1996. Petitioner is entitled to a Mandamus an/or Prohibition. When the death Sentence, Life Without Parole/25 to Life were ABROGATED. SEE: STATE EX REL. PRESSLEY VS INDUS. COMM'N, 11 Ohio St.3d 446, 19-67 Ohio LEXIS 344; STATE EX REL. HAMLIN VS COLLINS, 9 Ohio St.3d 117, 1984 Ohio LEXIS 1019; STATE EX REL. SHIMGLA VS CITY OF CLEVELAND, 70 Ohio St.3d 110, 1994 Ohio LEXIS 1814, for which is ever PRAYED.

2.) And, according to Federal/State Substantive Statutory Due Process of Law. See FELONIES, GENERALLY EFFECTIVE JULY 01ST 1996. Petitioner is entitled to a Mandamus an/or Prohibition. When Ohio's New Controlling Sentencing Guidelines does not Authorize Life Without Parole Or 25 to Life. SEE: STATE EX REL. DONER VS ZODY, 130 Ohio St.3d 446, 2011-Ohio-6117; STATE EX REL. SOLID ROCK MINISTRIES INT'L VS CITY OF MONROE, 2022-Ohio-431; STATE EX REL. HUNT VS CITY OF E. CLEVELAND, 171 Ohio St.3d 796, for which is ever PRAYED.

3.) Furthermore, and according to Federal/State Constitutional/Statutory Controlling Sentencing Guidelines. Petitioner is entitled to a Mandamus an/or Prohibition. When Ohio's First Degree Felony, prior to September 30th, 2011, Only Carried Ten (10) Year Flat Maximum Sentence. However, after 09/30th/2011, Ohio First Degree Felony was Amended to Eleven (11) Years Flat. Therefore, Petitioner's Present Sentences of Life Without Parole /25 to Life is Contrary to both Federal/State Law as PRAYED for.

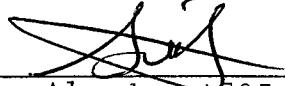
SEE: STATE EX REL. BALUNEK VS MARCHBANKS, 173 Ohio St.3d 34,
2023-Ohio-2517; STATE EX REL. BLACK VS CITY OF E. CLEVELAND,
2024-Ohio-2688; STATE EX REL. MARTIN MATERIALS, INC. VS CITY
OF TRENTON, 2024-Ohio-6054, for which is ever PRAYED.

Wherefore, and fore the foregoing reasons the Petitioner's Mandamus and/or Prohibition should be considered in a manner as prescribed by Federal Constitutional/Statutory Due Process and the Equal Protection of both Federal/State Statutory Law, SUSTAINED AND GRANTED, for which is ever PRAYED before this Most Honorable Court.

CONCLUSION

The petition for a writ of mandamus and/or prohibition should be granted.

Respectfully submitted,


Sefe A. Almedom A705 623

Date: April 9th 20 25