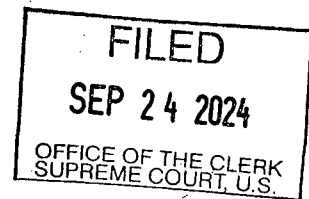


No. 25-5419



IN THE
SUPREME COURT OF THE UNITED STATES

Anthony Steven Wright — PETITIONER
(Your Name)

vs.

United States of America — RESPONDENT(S)
USCAB No. 24-2001
ON PETITION FOR A WRIT OF CERTIORARI TO

See attached "Mandate" Sept. 3, 2024 USCAB No. 24-2001
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

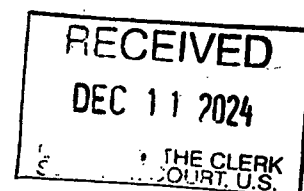
God and Jesus my Lord, please bless this petition

NOV. 24.2024 Anthony Steven Wright 06748-046
(Your Name)

USP Florence ADMax
P.O. Box 8500
(Address)

Florence, CO. 81226-8500
(City, State, Zip Code)

N/A
(Phone Number)



QUESTION(S) PRESENTED

1. A career offender enhancement wasn't applied to Petitioner "uncharged conduct," but allegedly could've been, on that basis, does retroactive U.S.S.G. Amend 821 Preclude him a sentence reduction because a career enhancement could've been applied?
2. Petitioner had 13 criminal history points, 37 offense points, category VI at 360-Life, got life. Would a 1-point deduction = status point under U.S.S.G. Amend 821 for committing the instant offense while on probation change his "CHC" category to "V"?
3. Petitioner got a life sentence with 13 status points, category VI, 37 offense points. Would a denial of 1 status point reduction under USSG Amend 821 for committing the instant offense while on probation cause a "gross disparity" in his sentence?
4. Does retroactive USSG Amend 821 apply to Petitioner's 'dismissed' prior Iowa burglary cases Count I and III, case no. 9635-1094 and hold him accountable for an extra SIX(6) status points of his thirteen (13) to keep him with a life sentence?
5. Are Petitioner's dismissed Iowa burglary cases, Count I and III case no. 9635-1094 valid to hold him accountable to SIX(6) additional criminal history points under retroactive USSG Amend 821 Part A to deny him a sentence reduction?
6. Can the district court apply § 4B1.1 and § 4B1.2(a)(2) and U.S.S.G. Amend 798 to Petitioner's said dismissed Iowa burglary cases of 1-23-1995 to deny retroactive Amend 821 relief?

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: Eighth Cir. Court of Appeals, Thomas F. Eustice U.S. Courthouse 111 S. 10th St. Rm 24.329, St. Louis, MO, 63102.
Aust. Tessa L. Smith, 100 Centennial Mall North Suite 487, Federal Building, Lincoln, NE, 68508-3865.
Clerk, Dist. of NE, 100 Centennial Mall North, Rm 593 Lincoln, NE, 68508-3803.

RELATED CASES

Petitioner has no legal access and is not a lawyer
Predjudicing this case

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APPENDIX B Exhibits 1 and 2, Dismissed 1-23-1995 Floyd County Iowa burglary cases Count I and II ± Case No. 9635-1094.

APPENDIX C USANE.ECFcriminal@usdoj.gov See Doc 328 Pg id 3496 and 3497 Page 4 and 5 of 10. Doc 125 at 19, Doc 169. Docs 349, 381, and 370-1.

APPENDIX D USA V. Wright No. 4:01-CR-3040 USANE.ECFcriminal@usdoj.gov See Revised PSR at Paragraph 92

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TABLE OF AUTHORITIES CITED

CASES

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Mathis v. United States, 136 S. Ct. 2243, 2257,
195 L. Ed. 2d 604 (2016).

United States v. McArthur, 836 F.3d 931 (8th Cir. 2016),
amended & superseded by U.S. v. McArthur, 850 F.3d 925
(8th Cir. 2017). Van Cannon v. United States, 890 F.3d
656 (7th Cir. 2018)

STATUTES AND RULES see Constitutional and Statutory Provisions
Involved. Note: Petitioner has no legal access
and is not a lawyer

Retroactive U.S.S.G. Amend 821 Part A
U.S.S.G.

OTHER

IN THE
SUPREME COURT OF THE UNITED STATES

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 (USANE.ECFCriminal@usdoj.gov)

☐ reported at USCAB No. 24-2001 Doc 370, Doc 328; 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 USANE.ECFCriminal@usdoj.gov; 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 ~~Sept. 03, 2024~~ → July 22, 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: ~~Sept. 03, 2024~~, and a copy of the order denying rehearing appears at Appendix 1. August 26, 2024

☒ An extension of time to file the petition for a writ of certiorari was granted to and including December 23, 2024 (date) on Oct. 22, 2024 (date) in Application No. A. See Appendix 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 _____.
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

Retroactive U.S.S.G. Amend 821 Part A

18 U.S.C. § 3582 (c)(2)

U.S.S.G. Amend § 1B1.10

U.S.S.G. § 4A1.1

U.S.S.G. § 4B1.1 and § 4B1.2 (a)(2)

U.S.S.G. § 1B1.1 (a) (i)(ii)(iii)

U.S. Const. Amend 5 and 14 USCA Due Process

28 U.S.C. § 994 (u)

U.S.S.G. § 3C1.1

U.S.S.G. § 4A1.2 (b)(2)

STATEMENT OF THE CASE

Petitioner was sentenced Sept. 16, 2002 to Life + 7 Years For a Kidnap and Gun charge. He got 13 criminal history points for prior burglaries cases in Iowa and Minnesota, at that time were considered crimes of violence under §4B1.1, §4B1.2(a)(2), but are no longer considered as such. U.S.S.G. Amend 798.

The district court wrongly used Petitioner's dismissed Iowa burglary cases Count I and III case no. 9635-1094 to give him six (6) criminal history points, taking him from 7-points up to 13 to give him a category VI 360-Life, and gave him life with malice, wanton, and intent to defraud Petitioner of his life. See attached "Appendix B" Dismissed Iowa Cases.

Petitioner wasn't given a career offender enhancement and it wasn't applied because his offense level was already as high as §4B1.1 permitted. See Doc 328 Page 5 of 10 Page Id 3497 filed 10/13/22 contradicting Doc 370-1.

Doc 370-1 denied Petitioner retroactive U.S.S.G. Amend 821 relief, because a career enhancement "could've" been applied, but wasn't. See Doc 169; and 125 at 19. Doc 370-1 contradicts Doc 328, 169, and 125 at 19 to deny Petitioner Amend 821 relief.

U.S.S.G. Amend 798 was not retroactive for Iowa or Minnesota burglaries to not be crimes of violence before Amend 798. But Petitioner's dismissed Iowa burglaries are not crimes of violence since Pro Tunc Date 1-23-1995 because they were dismissed and should not be affected by USSG Amend 798.

On Nov. 1, 2023 when U.S.S.G. 821 was enacted and made retroactive, the Petitioner's District court Doc 349 granted him a public defender to help him get relief, and secretly the court didn't give him a public defender off the record and made it so the court could deny relief under fraudulent pretenses.

Petitioner had 2-status points for committing the instant offense while on probation in Anoka County MN, retroactive Amend 821 Part A U.S.S.G. takes 1-status point off his current 13 points taking him to 12 status points, Category V bringing his guideline range down from Life Sentence to 324-405 months. The District court Doc 370-1 falsely said 1 point deduction don't change anything, but it gives Petitioner back his life. This single point causes a gross disparity in his current sentence.

Petitioner's Revised PSR at Paragraph 92 gives him three (3) additional criminal history points for his dismissed Iowa burglary cases out of Floyd County Count I and III case no. 9635-1094. See Appendix B. U.S.S.G. §4B1.1, §4B1.2(a)(2) and Amend 798 are all moot and should not be applied to him.

STATEMENT OF THE CASE

Petitioner's Floyd County Iowa burglary cases Count I and III that were dismissed 1-23-1995 are moot, are not crimes of violence, and should not be applied to U.S.S.G. Amend 798, §4B1.1, §4B1.2(a)(2) and shouldn't be counted under retroactive U.S.S.G. Amend 821 to deny Petitioner his Freedom or Sentence reduction.

Petitioner is not a career offender, was not charged as a career offender, was never brought to a jury as a career offender, Petitioner has only 1 prior arrest in his life on Oct 23, 1993, a first time non-violent prior offender.

Petitioner has 4 predicates wrongly applied to his 37 offense level points for said dismissed Iowa burglary cases, his offense level should be 33 with a maximum of 7 criminal history points at Category IV at 188-235 months, a gross disparity in his current sentence of life plus 7 years. See Appendix D, USA v. Wright No. 4:01-CR-3040 USANE.ECFcriminal@usdoj.gov See Revised PSR at Paragraph 92, and refer to Appendix B-EXHIBITS 1 and 2.

REASONS FOR GRANTING THE PETITION

I gave my life to God and Jesus, my children and Grand children and Family need me, and I deserve this Petition to be granted in the interest of the Public and justice. I am getting a Grant for a Fish Farm to provide for my church goers. I am 53 and turned to a teacher of God and Jesus.

The appellate Court denied me due Process to show them my dismissed Iowa burglary cases and that my other 1-Status Point reduction under USSC retroactive Amend 821 Part A for committing the instant offense while on Probation in Anoka Co. MN brings my criminal history points down to 12 at category V taking my life Sentence away, not deducting this single Point causes a gross disparity in my current life plus 7 Year Sentence contrasts to 28 U.S.C. § 994 (a) . S. REP. 225, 98th CONG., 1st Sess. (1980 (1993)).

It is erroneous that the district Court holds Petitioner to an additional 4 Predicates and 3 additional criminal history points for Floyd County Iowa burglary cases Count I and III that were dismissed 1-23-1995 in his Revised PSR at Paragraph 92, and erroneously applying moot cases to U.S.S.C. Amend 798, § 4B1.1, § 4B1.2 (a)(2) and Retroactive Amend 821 to erroneously deny Petitioner relief under Amend 821.

The Eighth Circuit Courts are erroneously falsely applying these falsities to almost every case that was reviewed for retroactive Amend 821 U.S.S.C. causing a national emergency that the Supreme Court should put an end to in order to fix the over populated Prison System - the very reason for retroactive USSC Amend 821 was enacted.

The U.S. Supreme Court needs to intervene to help thousands of inmates affected in this exact way. The Eighth Circuit is indigent in any relief under 18 USC 3582 (c)(2) and (c)(1)(A) and retroactive Amend 821 U.S.S.C. Please intervene.

IF the U.S. Supreme Court don't intervene here the district courts erroneous orders involving the retroactive Amend 821 U.S.S.C. will continue to go unchecked causing thousands of inmates to obtain the relief that was intended by the U.S. Sentencing Commission in enacting Amend 821.

CONCLUSION

Lord Heavenly Father, and Christ Jesus, I pray that your will power grants this petition, my family and loved ones need me, and I love our government. The petition for a writ of certiorari should be granted.

Respectfully submitted,

NOV. 24, 2024

A. Wright

A. Wright 06748-046

Date: NOV. 24, 2024