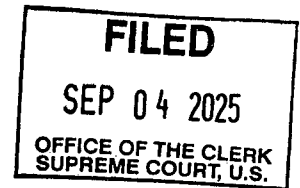


CASE No.

25-5661

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



In re: RONALD FREEMAN

EXTRAORDINARY
WRIT OF HABEAS CORPUS

RONALD FREEMAN
BOP # 24817-076
FCI ASHLAND
P.O. BOX 6001
ASHLAND, KY 41105

QUESTIONS PRESENTED

Tens of millions of persons have been deprived of their liberty for violating marijuana criminal and civil laws that proscribed marijuana. All detained had standing to question the validity of those laws. Liberty no longer means freedom from physical restraint. The Court's substantive due process is to determine the meaning, the substance of liberty, a liberty interest that is historical and traditional, where democracy rules. Marijuana, is not a liberty interest to be fundamental, therefore a political question, rational police power.

1. Whether being in federal "detention," is a substantial denial of Ronald Freeman's constitutional right of liberty, freedom from physical restraint, an Article III case and controversy, standing, grounds for an Extraordinary Writ of Habeas corpus to inquire into the cause of his detention.

2. Whether, under strict scrutiny judicial review, the United States Congress did not have compelling reasons to proscribe marijuana as a dangerous controlled substance (a drug trafficking crime) therefore without due process of law, contravening Amendments IV and V of the Constitution of the United States, therefore invalid, an unconstitutional act of Congress.

3. Whether a party imprisoned under a sentence of a United States court, upon conviction of a crime created by and indictable under an unconstitutional act of Congress, should be discharged from imprisonment by this Court on habeas corpus.

PARTY TO THE PROCEEDING

Ronald Freeman is in the custody of:

WARDEN of FCI ASHLAND
FCI Ashland
P. O. Box 888
Ashland, KY 41105

RELEVANT CASES

1. United States District Court for the Western District of Tennessee
United States of America v. Ronald Freeman 2:20-cr-20169-SHL-1
Criminal Judgment entered 7/9/2021
2. United States District Court Eastern District of Kentucky
Ronald Freeman v. Warden of FCI Ashland, Doc No. 25-cv-41-DLB
Judgment entered 4/10/2025 "STRICKEN from the Court's docket"

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TABLE OF AUTHORITIES (RELEVANT PARTS)

I. CONSTITUTIONAL PROVISIONS

Article I, Section 9, Clause 2: The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

Article III section 2:

The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; . . . to controversies to which the United States shall be a party.

In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

Amendment IV. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated.

Amendment V. "No person shall be . . . deprived of life, liberty, or property, without due process of law."

II. UNITED STATES CODE

28 U.S.C. §2241 Power to Grant Writ

- (a) Writs of habeas corpus may be granted by the Supreme Court, any justice thereof, the district courts and any circuit judge within their respective jurisdictions.
- (b) The Supreme Court, any justice thereof, and any circuit judge may decline to entertain an application for a writ of habeas corpus and may transfer the application for hearing and determination to the district court having jurisdiction to entertain it.
- (c) The writ of habeas corpus shall not extend to a prisoner unless—
 - (1) He is in custody under or by color of the authority of the United States or is committed for trial before some court thereof; or
 - (2) He is in custody for an act done or omitted in pursuance of an Act of Congress, or an order, process, judgment or decree of a court or judge of the United States; or
 - (3) He is in custody in violation of the Constitution or laws or treaties of the

United States; or

(4) He, being a citizen of a foreign state and domiciled therein is in custody for an act done or omitted under any alleged right, title, authority, privilege, protection, or exemption claimed under the commission, order or sanction of any foreign state, or under color thereof, the validity and effect of which depend upon the law of nations; or

(5) It is necessary to bring him into court to testify or for trial.

28 U.S.C. § 2242. Application

If addressed to the Supreme Court, a justice thereof or a circuit judge state the reasons for not making application to the district court of the district in which the applicant is held.

28 U.S.C. 2243 Issuance of writ; return; hearing; decision

A court, justice or judge entertaining an application for a writ of habeas corpus shall forthwith award the writ or issue an order directing the respondent to show cause why the writ should not be granted, unless it appears from the application that the applicant or person detained is not entitled thereto.

The writ, or order to show cause shall be directed to the person having custody of the person detained. It shall be returned within three days unless for good cause additional time, not exceeding twenty days, is allowed.

The person to whom the writ or order is directed shall make a return certifying the true cause of the detention.

When the writ or order is returned a day shall be set for hearing, not more than five days after the return unless for good cause additional time is allowed.

Unless the application for the writ and the return present only issues of law the person to whom the writ is directed shall be required to produce at the hearing the body of the person detained.

The applicant or the person detained may, under oath, deny any of the facts set forth in the return or allege any other material facts.

21 U.S. Code Chapter 13 - DRUG ABUSE PREVENTION AND CONTROL

801 et seq; § 841 (a)(1) Distribution of Marijuana

18 U.S.C. § 924 (c) Use and Carry of a Firearm During and in Relation to a Drug Crime.

II. RULE 20 OF THE SUPREME COURT OF THE UNITED STATES

Rule 20. 2. The petition shall be captioned "In re [name of petitioner]" and shall follow, insofar as applicable, the form of a petition for a writ of certiorari¹ prescribed by Rule 14. . . The petition shall be served as required by Rule 29(subject to subparagraph 4(b) of this rule).

Rule 20. 4. (a) A petition seeking a writ of habeas corpus shall comply with the requirements of 28 U.S.C. §§ 2241 and 2242 and in particular with the provision in the last paragraph of §2242, which requires a statement of the "reasons for not making application to the district court of the district in which the applicant is held." . . . To justify the granting of a writ of habeas corpus, the petitioner must show that exceptional circumstances warrant the exercise of the Court's discretionary powers, and that adequate relief cannot be obtained in any other form or from any other court.

Rule 20. 4. (b). Habeas corpus proceedings, except in capital cases, are ex parte, unless the Court requires the respondent to show cause why the petition for a writ of habeas corpus should not be granted. . . . Neither the denial of the petition, without more, nor an order of transfer to a district court under the authority of 28 U. S. C. § 2241(b), is an adjudication on the merits, and Therefore does not preclude further application to another court for the relief sought.

Rule 20. 5. The Clerk will distribute the documents to the Court for its consideration . . . when a response under subparagraph 4(b) has been ordered and filed, when the time to file has expired, or when the right to file has been expressly waived.

EXTRAORDINARY WRIT OF HABEAS CORPUS

I. JURISDICTION

ARTICLE III SECTION 2

The "Supreme Court shall have appellate jurisdiction, both to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make."

Article III section 2.

STATUTORY JURISDICTION

28 U.S. Code § 2241_Power to grant writ

(a) Writs of habeas corpus may be granted by the Supreme Court, any justice thereof, the district courts and any circuit judge within their respective jurisdictions.

HISTORICAL CASE LAW AS TO JURISDICTION

"The appellate jurisdiction of this court, exercisable by the writ of habeas corpus, extends to a case of imprisonment upon conviction and sentence of a party by an inferior court of the United States, under and by virtue of an unconstitutional act of Congress, whether this court has jurisdiction to review the judgment of conviction by writ of error or not." *Ex parte Siebold*, 100 U.S. 371, 371 (1879)

"Even in *Ex parte Siebold*, 100 U.S. 371(1880), which held that the constitutionality of a prisoner's statute of conviction could be reviewed on habeas (as going to jurisdiction), . . . the Court acknowledged *Watkins* and took pains to reconcile its holding with the traditional rule. See 100 U. S., at 375-377" *Jones v. Hendrix*, 599 U.S. 465, 485 (2023) Justice Thomas.

II. STATEMENT OF THE CASE CRIMINAL JUDGMENT

Mr. Freeman was convicted on two counts. Count 9: Distribution of Marijuana. Count 11 Use and Carry of a Firearm During and in Relation to a Drug Trafficking Crime. The defendant was sentence for a total term of 120 months. (Release Date: 4/2/2029). Supervised release for a total of 5 years. At 1a =4a

The operation and effect, the prosecution of these criminal laws, was the seizure of Mr. Freeman's person, the deprivation of his liberty without just cause, compelling reasons for the United States Congress to proscribe marijuana as a dangerous substance, a drug trafficking crime, therefore, without due process law. Mr. Freeman is illegally detained under the color of law. Mr. Freeman's request for an Extraordinary Writ of Habeas Corpus presents an Article III case and controversy, the deprivation of his liberty by the United States of America. He has standing.

III. REASONS RELIED ON FOR ALLOWANCE OF THE WRIT

EXCEPTIONAL CIRCUMSTANCES

Rule 20. 4.(a)

"To justify the granting of a writ of habeas corpus, the petitioner must show that exceptional circumstances warrant the exercise of the Court's discretionary powers,

28 U.S.C. § 2241, Power to grant writ.

Exceptional Circumstance warrant the exercise of this Court's appellate jurisdiction is listed in § 2241 (c) The writ of habeas corpus shall not extend to a prisoner unless—

(1) He is in custody under or by color of the authority of the -
United States

(3) He is in custody in violation of the Constitution . . . of the
United States;

Amendment IV. The right of the people to be secure in their persons,
houses, papers, and effects, against unreasonable searches and
seizures, shall not be violated; 3.

Amendment V. "No person shall be deprived of life, liberty, or
property, without due process of law."

APPLICATION TO DISTRICT COURT

Rule 20. 4(a); 28 U.S.C. § 2242,

Mr. Freeman did file a § 2241 writ of habeas corpus to the United States
District Court, Eastern District of Kentucky which the he is held. 6a. It was
denied. Judgment 5a.

ADEQUATE RELIEF Rule 20.4(a)

Adequate habeas relief to determine the cause of Mr. Freeman's detention, the
validity of Congress proscribing marijuana as a dangerous substance, was not
obtained in U.S. District Court, Eastern District of Kentucky in which the Mr.
Freeman is held.

Adequate relief can only be obtained from the Supreme Court having Article
III § 2 appellate jurisdiction authorized by federal regulation, 28 U.S.C. § 2241 to
determine the validity of Mr. Freeman's detention. The validity, the constitutionality
of Congress proscribing marijuana as a dangerous substance. This is the cause of Mr.
Freeman's detention, the seizure of his person and deprivation of his liberty.

"[T]he questions of the constitutionality of said laws is good ground for the issue under such conviction, and, if the laws are determined to be unconstitutional, the prisoner should be discharged." *Ex parte Siebold*, 100 U.S. 371, (1879) "An unconstitutional law is void, and is as no law. An offence created by it is not a crime. A conviction under it is not merely erroneous, but is illegal and void, and cannot be a legal cause of imprisonment." 100 U.S. at 376. "That this court is authorized to exercise appellate jurisdiction by habeas corpus directly is a position sustained by abundant authority." 100 U.S. at 374.

"Such a petition is commonly understood to be "original" in the sense of being filed in the first instance in this Court, but nonetheless for constitutional purposes an exercise of this Court's appellate (rather than original) jurisdiction." *Felker v. Turpin*, 518 U.S. 651, 667 (1996).

"It seems to be a necessary consequence that if the appellate jurisdiction of habeas corpus extends to any case, it extends to this." *Ex Parte Yerger*, 75 U.S. 85, 102 (1868). "[D]eciding upon questions of personal rights which can only be attained through appellate jurisdiction" 75 U.S. at 103. That "in a proper case this Court, under the act of 1789, and under all the subsequent acts, giving jurisdiction in cases of habeas corpus may, in the exercise of its appellate power, revise the decisions of inferior courts of the United States and relieve from unlawful imprisonment authorized by them . . ." 75 U.S. at 98

"[T]he fact that the writ has been called an "equitable" remedy . . . does not

authorize a court to ignore this body of statutes, rules, and precedents." *Lonchar v. Thomas*, 517 U.S. 314, 315 (1996).

SUMMARY

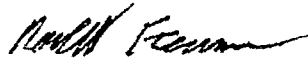
Having been to the U. S. District Court, Eastern District of Kentucky that has jurisdiction over the detention of Mr. Freeman for habeas relief, the Supreme "Court", should forthwith order a response to the questions presented showing cause why Mr. Freemans request for Extraordinary Writ of Habeas Corpus should not be granted. SCOTUS Rule 20. 4. (b); 28 U.S.C. § 2243

The Supreme "Court" is to inquire, by strict scrutiny judicial review, into the compelling reasons for the United States Congress to proscribe marijuana as a dangerous substance causing Mr. Freeman's detention, the seizure of his person and deprivation of his of liberty. Marijuana is safe to use without medical supervision.

CONCLUSION

The Supreme Court should grant the extraordinary writ of habeas corpus to inquire into the cause of Mr. Freemans detention and order a response.

Respectfully submitted,


Ronald Freeman
24817-076
FCI Ashland
P.O. Box 6001
Ashland, KY 41105

Dated: 7-10-2025