

No. \_\_\_\_\_

**25-6348**

**ORIGINAL**

IN THE

SUPREME COURT OF THE UNITED STATES

**FILED**

**NOV 20 2025**

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

"Pro Se"  
"in Re MOUNIR Mrabet" — PETITIONER  
(Your Name)

United states vs.  
Jane Yumi Chong — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO  
U.S. court of Appeals 2nd circuit  
S.D.N.Y. District Court 2nd circuit  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

MOUNIR Mrabet 38281510  
(Your Name)

F.C.-I. Raybrook P.O. BOX 900  
(Address)

Raybrook N.Y. 12977  
(City, State, Zip Code)

\_\_\_\_\_  
(Phone Number)

**RECEIVED**

**DEC - 2 2025**

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QUESTION(S) PRESENTED

- ① Can the Government go into my iCloud Account with out my consent than use that against me in trial?
- ② Is a falsified Affidavit mean anything? The Cop Mark Gurleski Has Falsified an Affidavit for the warrants for icloud, storage, with no Accountability.
- ③ If no one testified in my Trial to a Conspiracy. How could I have been convicted of a Conspiracy? The only one to Frustrate the Conspiracy was the govt in a Confidential informant on Sept 28-30?
- ④ Was it legal for the Cop Mark Gurleski to instruct Storage unit workers to take photos of My Unit and Send those picture to him?
- ⑤ Are Cops Allowed to Comb through icloud Data to prove Some one is selling Drugs with no witnesses?

- ⑥ Can a picture of Gun with no witness Be a 924(c) gun count?
- ⑦ Can The "924(c)" gun Count in my Case pass the "Bailey" muster?
- ⑧ Can I be found Guilty of a Conspiracy with no one Testifying of a Conspiracy?
- ⑨ Is There a Remedy and Redress for a violated Legal Right?
- ⑩ The Franks hearing has been Denied When it should've been Granted Because there is more than Enough proof and passed the 4 prong test.

Look at Exhibit.

- ⑪ Can The District court voluntarily Correct a falsified Affidavit and use that as a shield?
- ⑫ Can the court Supersede 6 months Later from the Complaint?

Also

- (12) Can One be Liable for Drugs inside of a Hotel Room found by another Guest..?
- ② That Means everyone is At Risk?
- (13) Can Prosecutors not introduce overdose Deaths in Trial for What ever Reason Than Just Add it in the Relevant Conduct.  
United States v Appendi..?

Can The District Court enable The Silver platter Doctrine and Than nullify a Fruit of a poisonous Tree Doctrine?

Mounir Mabet  
38281510  
FCI Raybrook  
P.O. Box 900  
Raybrook N.Y. 12977

## 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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## TABLE OF AUTHORITIES CITED

### CASES

### PAGE NUMBER

United States v Bailey // where there has to be a close nexus between the gun and drug"

"In My Case there was no gun or Even a Victim or a Incident of a gun." 425 U.S. 391 (1976) 96 S.Ct. 1569.

United States v Fisher. Violation of the 5<sup>th</sup> Amendment and 4<sup>th</sup> Amendment Seizing iCloud personal Data with a falsified Affidavit and using it to testify on Me.

United States v Miller 425 U.S. 435 (1976) The warrant to Ask for My Personal Diary with out personal Jurisdiction Absurd.

### STATUTES AND RULES

4<sup>th</sup> Amendment concern the right to have private papers to be secure somewhere of my private life And had expectation of Privacy in the Apple iCloud...

Conspiracy the Sears Charge". Cant Conspire with Any Agents of the Law or Confidential informants

5<sup>th</sup> Amendment Guarantees me from Self incrimination

### OTHER

This case no one testified to Me or about Me I'm not on the lease and Have not Consented to Anything in the proceeding.

And I should've been Granted Franks Hearing

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

☒ reported at United States v Mounir Mrabet; or, 24 CR 1313

☐ 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 United States v Mrabet Mounir; or, 23 cr 000069

☐ 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 6.15.2025.

☐ 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 11, 2025~~ 9.11.2025, and a copy of the order denying rehearing appears at Appendix C.

☐ 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. § 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

The Constitutional provision involved is the 5<sup>th</sup> 4<sup>th</sup> 6<sup>th</sup> Amendment. First 4<sup>th</sup> amendment protects a citizen from invasion of privacy and Government intrusion "Hence the Storage unit search, iCloud warrant By way of a falsified Affidavit, And the undercover By was Done in a private Apt with a Covert Recording And it was the Cop who was asking for 3 pound Trying to Frustrate a Conspiracy -

The 5<sup>th</sup> Amendment violation is the personal Data from an iCloud warrant and than that Data was used To testify against my self without Consent and Authentication - And Also Text messages no reciever of the text testified to the meaning and I did not Say what I meant or even a police Report was made about guns threats or Even a witness The State Can not be a victim. There needs to Be a victim for a Crime to be committed -

6<sup>th</sup> Amendment violation of Due process in All Regards Counsel Failed to object to improper police practice Etc

## STATEMENT OF THE CASE

On July 30<sup>th</sup> 2022 three people overdosed in the Grand Hyatt Hotel, From Hotel Records or Hearsay Det Gurleski has Made Mounir Mabet Liable for the Deaths. Which is the Root of the probable Cause which is False. Which than make The District Court out of Jurisdiction Because they Lacked Probable Cause. There was multiple Warrant with these False Affidavits and also a Deputizing of Civilians in a Storage Unit to take picture of a close storage unit with out a warrant. There was a undercover buy in a apt in 42nd st manhattan Taken and made a conspiracy by the govertment which is violation of the "Sears charge" you can not Conspire with government Agents or Confidential informants. But even So this sale was stale to persecuted and Barred By Time which was Done 9-30-22 and They Came Jan 5, 2023 in the Apt. where Mounir Mabet was not Even on the lease and Even the government stipulated Look at Exhibit and proof. There is No Conspiracy where the only person to Frustrated the Conspiracy was The Government and There is No 924(c) gun where there is Just a image of a gun in a iCloud Account. That's Absurd. #

#### REASONS FOR GRANTING THE PETITION

This case is a violation of my Speedy Rights because The Complaint was made Jan 4. and I was indicted Feb 6 which is past 30 days. Then I was superseded on June 23. But the whole case was based on a falsified Affidavit pertaining to some Hotel overdose that I never had any connection to. But somehow it was never introduced in trial But was added on Relevant Conduct, which is violation of United States V Apprendi, which is Enclosed. Also there is multiple Documents and Affidavit Made by Mark Gurleski's only for the Court to Accept His voluntary correction Should not Be a shield. First is unprecedented. Also this Case should not prevail Because there was a 18.<sup>usc</sup> 2703 warrant asking Apple.com for All my Data and Content. First there is assumption that I'm assumed innocent until proven guilty. There is no way that could be valid. First I have a expectation privacy Because Apple says it's encrypted applesays it can't get it open if I lose a password. But the Feds can open it icloud with a falsified Affidavits and Then corrected voluntary This is also 924(c) gun count with no gun and can't pass bailey muster!

The Errors made by the government surely outweigh  
The mistake I've made and in the interest of  
Justice This Case is a one man conspiracy and  
plead and pray please stop the icloud warrant  
people have and Expectation of privacy in their  
icloud Account and also a falsified Affidavit  
Can not be dissolve with a voluntary correction  
and Mark Gurleski should be held accountable  
for clear violation of <sup>CONCLUSION</sup> citizens rights. in the interest  
of justice "E pluribus Enum."

The petition for a writ of certiorari should be granted.

Respectfully submitted,  
Mounir Mabet.

Date: November 15 2025.