

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

JAMARCUS G. JACKSON — PETITIONER

VS.

UNITED STATES — RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI TO THE
UNITED STATES FIFTH CIRCUIT COURT OF APPEALS

PETITION FOR WRIT OF CERTIORARI

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QUESTION PRESENTED

Whether a district court can infer that unseized methamphetamine has similar purity to seized methamphetamine. If so, what specific evidence must support such an inference, *i.e.*, the source of the drugs, the pricing of the drugs, and/or the purity of other drugs from the same supplier at the same or a comparable price. Under any standard, the District Court, the Government, and the PSR failed to offer sufficient evidence to support such an assumption by a preponderance of the evidence.

A decision by this Court could further the purposes of 18 U.S.C. § 3553 and the Sentencing Guidelines, assuring district courts impose uniform reasonable and individualized sentences regardless of the location of the federal courthouse in which a defendant is prosecuted. This Court should grant a writ of certiorari, address this error, and provide guidance for a situation (1) likely to recur and to further unduly burden some defendants with constitutionally excessive sentences; and (2) that will unduly burden all citizens by imposing unnecessary costs related to excessive incarceration.

LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

RELATED CASES

1. *United States v. Jackson*, 2025 U.S. App. LEXIS 26555 (5th Cir. Oct. 10, 2025)

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IN THE
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OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari be issued to review the judgment below.

OPINIONS BELOW

The opinion of the United States Fifth Circuit Court of Appeals appears at Appendix A to the petition and is reported at *United States v. Jackson*, 2025 U.S. App. LEXIS 26555 (5th Cir. Oct. 10, 2025).

JURISDICTION

The United States Court of Appeals decided the case on October 10, 2025. No petition for rehearing was filed timely in the case. The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

18 U.S.C. § 3553:

(a) Factors To Be Considered in Imposing a Sentence.-The court shall impose a sentence sufficient, but not greater than necessary, to comply with the purposes set forth in paragraph (2) of this subsection. The court, in determining the particular sentence to be imposed, shall consider-

(1) the nature and circumstances of the offense and the history and characteristics of the defendant;

(2) the need for the sentence imposed-

(A) to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense;

(B) to afford adequate deterrence to criminal conduct;

(C) to protect the public from further crimes of the defendant; and

(D) to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner;

(3) the kinds of sentences available;

(4) the kinds of sentence and the sentencing range established for-

(A) the applicable category of offense committed by the applicable category of defendant as set forth in the guidelines issued by the Sentencing Commission pursuant to section 994(a)(1) of title 28, United States Code, and that are in effect on the date the defendant is sentenced; or

(B) in the case of a violation of probation or supervised release, the applicable guidelines or policy statements

issued by the Sentencing Commission pursuant to section 994(a)(3) of title 28, United States Code;

(5) any pertinent policy statement issued by the Sentencing Commission pursuant to 28 U.S.C. 994(a)(2) that is in effect on the date the defendant is sentenced;

(6) the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct; and

(7) the need to provide restitution to any victims of the offense.

(b) Application of Guidelines in Imposing a Sentence.-The court shall impose a sentence of the kind, and within the range, referred to in subsection (a)(4) unless the court finds that there exists an aggravating or mitigating circumstance of a kind, or to a degree, not adequately taken into consideration by the Sentencing Commission in formulating the guidelines that should result in a sentence different from that described. In determining whether a circumstance was adequately taken into consideration, the court shall consider only the sentencing guidelines, policy statements, and official commentary of the Sentencing Commission. In the absence of an applicable sentencing guideline, the court shall impose an appropriate sentence, having due regard for the purposes set forth in subsection (a)(2). In the absence of an applicable sentencing guideline in the case of an offense other than a petty offense, the court shall also have due regard for the relationship of the sentence imposed to sentences prescribed by guidelines applicable to similar offenses and offenders, and to the applicable policy statements of the Sentencing Commission.

STATEMENT OF THE CASE

A. Relevant Facts

According to the factual basis submitted during the change of plea hearing:

Beginning on a date unknown, but at least by September 9, 2021, and continuing until December 13, 2022, in the Western District of Louisiana and elsewhere, the defendant, **Jamarcus G. Jackson**, knowingly and intentionally conspired with **Laneython T. Ignont, a.k.a. "Neyt," a.k.a. "Bandz"** (hereinafter, "**Laneython T. Ignont**") and other persons to possess with intent to distribute methamphetamine, a Schedule II controlled substance, under Count 1.

In 2022, agents were granted orders to intercept wire and electronic communications made to and from the cell phone utilized by **Laneython T. Ignont**. During the interception periods, agents intercepted communications made between **Jamarcus G. Jackson** and **Laneython T. Ignont** where the pair discussed transacting illegal drugs.

An example of the methamphetamine conspiracy involved **Jamarcus G. Jackson, Laneython T. Ignont**, and a third party on or about November 29, 2022. Agents intercepted a series of calls between **Laneython T. Ignont** and a third party where that third party ordered from **Laneython T. Ignont** a pound of methamphetamine. Because **Laneython T. Ignont** was unavailable to conduct the sale, **Laneython T. Ignont** called and directed **Jamarcus G. Jackson** to deliver the methamphetamine to the third party. After **Jamarcus G. Jackson** arrived to the location of the sale, **Laneython T. Ignont** instructed **Jamarcus G. Jackson** to "count" the money. **Jamarcus G. Jackson** then confirmed the amount by telling **Laneython T. Ignont** that the money was "all there."

On or about December 7, 2023, agents interdicted **Laneython T. Ignont** and others at the Dallas-Ft. Worth International Airport ("DFW") as they were attempting to fly to California to purchase narcotics and seized approximately \$53,247 cash concealed inside of a checked

bag. At around that same time, agents intercepted calls between **Jamarcus G. Jackson** and **Laneython T. Ignont** where **Laneython T. Ignont** admitted that he, **Laneython T. Ignont**, had packed the cash inside of the bag. After **Laneython T. Ignont** said that he was “over with” due to this bulk cash seizure, **Jamarcus G. Jackson** told **Laneython T. Ignont** that the authorities “ain’t gonna get us.”

Without in anyway binding the Court, the defendant, **Jamarcus G. Jackson**, and the United States agree that the drug quantity of methamphetamine reasonably attributable to **Jamarcus G. Jackson** during the pendency of this conspiracy will be determined at sentencing[.]

WHEREFORE, the above-described facts do not represent the totality of the evidence obtained in this case. But the parties signing below agree and stipulate that the preceding paragraphs describe the role of the defendant, **Jamarcus G. Jackson**, in the offense of conspiracy to possess with the intent to distribute methamphetamine, a Schedule II controlled substance, under Count 1, for the purposes of **establishing Jamarcus G. Jackson’s** guilt beyond a reasonable doubt.

ROA. 164-65.

B. Action before the District Court and the Court of Appeals

On February 8, 2023, Mr. Jackson was charged as part of a 9-count superseding indictment. ROA. 2, 12-19. The Government alleged that, “[b]eginning on a date unknown, but at least by September 9, 2021, and continuing until December 13, 2022, in the Western District of Louisiana and elsewhere, the defendants, **Laneython T. Ignont, a.k.a. “Neyt,” a.k.a. “Bandz”;** **Jamichael D. Ignont, a.k.a. “Lil Mike,” a.k.a. “Mike”;** **Donterrian M. Lavender, a.k.a. “Label”;** **Jamarcus G. Jackson, a.k.a. “Black”;** **Shawn M. Stansbury, and**

other persons known and unknown to the Grand Jury, did knowingly and intentionally conspire and agree together to possess with the intent to distribute amounts of methamphetamine, a Schedule II controlled substance, all in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A)(viii), 841(b)(1)(C), and 846.” ROA. 12. The Government alleged that, “[w]ith respect to the defendant[], . . . **Jamarcus G. Jackson, a.k.a. “Black”**; . . . [his] conduct as [a] member[] of the narcotics conspiracy charged in Count 1, which includes the reasonably foreseeable conduct of the other members of the narcotics conspiracy charged in Count 1, involved an amount of methamphetamine, a Schedule II controlled substance, all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).” ROA. 13. Additionally, the Government asserted that, on or about November 29, 2022, “**Laneython T. Ignont, a.k.a. ‘Neyt,’ a.k.a. ‘Bandz’** and **Jamarcus G. Jackson, a.k.a. ‘Black,’** did knowingly and intentionally distribute an amount of methamphetamine, a Schedule II controlled substance, all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).” ROA. 16-17.

Mr. Jackson entered pleas of not guilty on March 6, 2023. ROA. 3, 27-28. On March 12, 2024, Mr. Jackson pled guilty to Count 1. ROA. 8, 123-24, 136-54.

The original PSI, determined that Mr. Jackson’s total offense level was 33 and that his criminal history category was IV. ROA. 198-202, 205. Mr. Jackson’s guideline sentencing range was 188 to 235 months of imprisonment. ROA. 205.

After objections by Mr. Jackson and the Government and rulings by the District Court, the final PSI, determined that Mr. Jackson's total offense level was 33 and that his criminal history category was III. ROA. 214-25, 264-66, 298-302, 305, 361. Mr. Jackson's guideline sentencing range was 168 to 210 months of imprisonment. ROA. 305, 361.

On November 18, 2024, the District Court sentenced Mr. Jackson to 180 months of imprisonment. ROA. 9-10, 125-32, 349-66. On November 29, 2024, a timely notice of appeal was filed as to the November 18, 2024, judgment. ROA. 10, 133-34; F.R. App. P. 4(b).

On October 10, 2025, the United States Fifth Circuit Court of Appeals affirmed Mr. Jackson's conviction and sentence. This timely petition follows.

REASONS FOR GRANTING THE PETITION

A. Introduction

Can a district court can infer that unseized methamphetamine has similar purity to seized methamphetamine? If so, what specific evidence must support such an inference, *i.e.*, the source of the drugs, the pricing of the drugs, and/or the purity of other drugs from the same supplier at the same or a comparable price. Under any standard, the District Court, the Government, and the PSR failed to offer sufficient evidence to support such an assumption by a preponderance of the evidence.

A decision by this Court could further the purposes of 18 U.S.C. § 3553 and the Sentencing Guidelines, assuring district courts impose uniform reasonable and individualized sentences regardless of the location of the federal courthouse in which a defendant is prosecuted. This Court should grant a writ of certiorari, address this error, and provide guidance for a situation (1) likely to recur and to further unduly burden some defendants with constitutionally excessive sentences; and (2) that will unduly burden all citizens by imposing unnecessary costs related to excessive incarceration. Therefore, this Court should grant this writ, order full briefing and oral argument, and thereafter vacate Mr. Jackson's sentence and remand this case for further proceedings consistent with this Court's decision.

- B. Whether a district court can infer that unseized methamphetamine has similar purity to seized methamphetamine. If so, what specific evidence must support such an inference, *i.e.*, the source of the drugs, the pricing of the drugs, and/or the purity of other drugs from the same supplier at the same or a comparable price. Under any standard, the District Court, the Government, and the PSR failed to offer sufficient evidence to support such an assumption by a preponderance of the evidence.**

The PSR determined that Mr . Jackson was responsible for one pound of methamphetamine involved in a November 29, 2022, drug transaction (454 grams) and 353.83 grams of methamphetamine that was recovered on February 28, 2023. The PSR, without explanation, classified all methamphetamine attributed to Mr. Jackson to be methamphetamine actual or ICE, not as a mixture or substance containing a detectable amount of methamphetamine. ROA. 297.

The PSR referenced DEA lab tests that confirmed the purity of the methamphetamine recovered on February 28, 2023. ROA. 296. Mr . Jackson has no objection to the PSR's finding as to the February 28, 2023, methamphetamine. As such, Mr . Jackson's offense level in paragraph 136 of the PSR could be no lower than 32. ROA. 298.

The PSR does not reference DEA lab tests or any lab tests that confirmed the purity of methamphetamine involved in the November 29, 2022, drug transaction. ROA. 275-76. Indeed, there could be no lab test by the DEA or any agency as no methamphetamine was recovered on that day.

For these reasons, Mr . Jackson objected to the PSR's purity finding as to the November 29, 2022, drug transaction. ROA. 214-15. The November 29, 2022,

methamphetamine should have been considered as a mixture and substance containing a detectable amount of methamphetamine, as it was not tested. For these reasons, Mr. Jackson's offense level in paragraph 136 of the PSR would be no more than 32. *See* ROA. 298.

Mr. Jackson recognizes that the United States Fifth Circuit Court of Appeals has found that in some cases a district court does not err if it infers that unseized methamphetamine has similar purity to seized methamphetamine. *See, e.g., United States v. Molina*, 20-11232 (5th Cir. Aug. 31, 2022), 2022 U.S. App. LEXIS 24602, pp. 10-11 (citing *United States v. Rodriguez*, 666 F.3d 944, 947 (5th Cir. 2012), and *United States v. Dinh*, 920 F.3d 307, 313 (5th Cir. 2019)). However, in order to do so, there are specific facts that have to be established by a preponderance of the evidence: the source of the drugs, the pricing of the drugs, and/or the purity of other drugs from the same supplier at the same or a comparable price.

The PSR did not conduct this analysis. Instead, it simply stated a conclusion as to the purity of the methamphetamine involved in the November 29, 2022, drug transaction. The PSR failed to provide any supporting facts. As such, the PSR failed to offer sufficient factual support/reasoning to prove its assumption by a preponderance of the evidence.

The PSR did note a number of other transactions involving alleged co-conspirators. *See* ROA. 275-298. However, even after Mr. Jackson's objections to the PSR, neither the Government nor the PSR provided sufficient evidence that the methamphetamine involved in the November 29, 2022, transaction shared a similar

source or price with other methamphetamine that was recovered and tested. *See* ROA. 214-25, 264-66.

As such, there was no basis for the PSR to assume that methamphetamine involved in the November 29, 2022, transaction shared a similar purity with other methamphetamine that was recovered and tested. For these reasons, Mr. Jackson's base offense level should be 32, not 34. To address these concerns, this Court should grant this writ, should vacate Mr. Jackson's sentence and should remand this matter to the District Court for further proceedings consistent with this Court's ruling.

CONCLUSION

The petition for a writ of certiorari should be granted. To further the purposes of the Sentencing Guidelines and to assure district courts impose uniform reasonable and individualized sentences regardless of the location of the federal courthouse in which a defendant is prosecuted, Mr. Jackson's sentence should be vacated and this matter should be remanded to the District Court for further proceedings consistent with this Court's ruling.

Respectfully submitted,
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