

25-7124

No.

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
FEB 27 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

JERRELL BOWMAN — PETITIONER
(Your Name)

vs.

UNITED STATES OF AMERICA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

JERRELL BOWMAN

(Your Name)

FCI ASHLAND FEDERAL CORRECTION INSTITUTION P.O. BOX 6001 ASHLAND, KY 41105

(Address)

ASHLAND, KY 41105

(City, State, Zip Code)

NONE

(Phone Number)

QUESTION(S) PRESENTED

1. What is the "Threshold" for Abuse of Discretion when a District Court issues a decision based on obvious Erroneously Assessed Evidence or outdated information?
2. Does an Affirmation of a lower court's decision by an Appellate court constitute Abuse of Discretion within itself when an appellate review for the same would've indicated the obvious Abuse of Discretion by the lower court?

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:

RELATED CASES

- *
* United States v. Jerrell Tito Bowman, No.1:19-cr-00045-MR-WCM, U.S. District Court For The Western District of North Carolina Judgement Entered October 22, 2020
- * United States v. Jerrell Tito Bowman, No. 25-6701, U.S. Court of Appeals for the Fourth Circuit. Judgement Entered December 2, 2025
- * United States v. Jerrel Tito Bowman, No. 1:19-cr-00045-MR-WCM, U.S. District For The Western District of North Carolina Judgement Entered July 23, 2025

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
1. United States v. Amato, 48 F.4th 61, 64 (2d Cir. 2022)	
2. United States v. Hampton, 441 F.3d 284, 288 (4th Cir. 2006)	
3. United States v. High, 997 F.3d 181, 185-86 (4th Cir. 2021)	
4. United States v. Chavez-Meza, 138 S. Ct. 1959, 1967, 201 L. Ed.2d 203 (2003)	
5. United States v. Hargrave, 30 F.4th 189, 197 (4th Cir. 2022)	
6. United States v. Hernandez,	
7. Warren v. Pataki, 823 F.3d 125, 137 (2d Cir. 2016)	
8. Yukos Cap S.A.R.L. v. Feldman, 977 F.3d 2162, 234 (2d Cir. 2020)	
9. Morgan v. Perry, 142 F.3d 670, 1998 U.S. App. LEXIS 8114 (3d Cir. 1998)	

STATUTES AND RULES

- 18 U.S.C. 3582(c)(1)(A)
- U.S.S.G. 1B1.13(b)(3)(c)
- U.S.S.G. 1B1.13(D)
- 18 U.S.C. 3553(a)(1), (a)(2)(C), (a)(6)

OTHER

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Before Wynn and Richardson, Circuit Judges, and
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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 _____; 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 B to the petition and is

reported at _____; 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 DECEMBER 2, 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: _____, 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. § 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

STATEMENT OF THE CASE

Jerrell T. Bowman, currently serving a 185 month sentence for a conviction of Possession With Intent To Distribute a Controlled substance and being a felon in possession of a weapon, submitted a request for Compassionate Release to serve as the sole care giver for his mother, who had become incapacitated due to medical problems. This action was submitted in accordance with the requirement prescribed under the United States Sentencing Guidelines adopted in November 2023 as policy 1B1.13. Evidence supporting this request from the attending medical professionals was submitted along with all required information to assist with the validation of this situation and the requested solution. The United States did not file a Motion of Opposition to this action.

However the District Court denied this request on the grounds that Mr. Bowman had not submitted anything that proved his mother was incapacitated. It went further to base its decision on its description of Mr. Bowman's current family configuration based on information contained in his Pre-Sentencing Report from six years ago. The death of his father, the fact that none of his siblings resided in the same city as his mother, nor his mother's current city of residence were neither acknowledged nor appeared to be known by the Court. After declaring that Mr. Bowman's request contained no extraordinary and compelling reasons to justify a compassionate release under U.S.S.G. 1B1.13, the court proceeded to conduct its required analysis of factors under 18 U.S.C. 3553(a) but only focused on one factor, Mr. Bowman's criminal history, to arrive at its decision.

Mr. Bowman appealed this decision to the Appellate Court, which in turn affirmed the lower court's decision without addressing the issues raised pertaining to the erroneous assessment of evidence or the lack of a *denovo* 3553(a) analysis. This raises the question of what is the threshold for Abuse of Discretion if this is what the Appellate Review was designed to detect?

REASONS FOR GRANTING THE PETITION

It is well understood that a court abuses its discretion when its conclusion is guided by erroneous legal principles or rests upon a clearly erroneous factual finding. Appellate courts applies abuse of discretion standard, under which, reversal is appropriate only if district court based its ruling on clearly erroneous assessment of evidence. Hughes v Ft. Collins, 926 F.2d 986, 18 Fed. R. Serv. 3d(Callaghan) 1274, 1991 U.S. App. LEXIS 2786 (10th Cir. 1991). It is further understood across all circuits that in performing an abuse of discretion review, the appellate court assesses the district court's factual findings for clear error and its legal conclusions *de novo*. While the line between what is or is not implied by thoughts surrounding a finding of fact may be ambiguous, the parameters of the fact itself is not. A district court abuses its discretion when it makes an error of law, or when it ignores unrebutted, legally significant evidence. An appellate court abuses its discretion when it rests its decision on a decision based on a clearly erroneous finding of a material fact, or misapprehends the law with respect to underlying issues in litigation. When is that line crossed is the question that must be definitively answered by the Supreme Court. When two or more cases come before the same bench with facts of equal gravity but receive totally different rulings and fall under a review of discretion, the threshold that moves us from prudent deliberation to abuse driven by human bias, failure to understand current legal positions, or lack of due diligence must be defined. To resolve ambiguous decisions is the charge of all appellate courts, but to correct obvious judicial errors and abuse of the powers embued to the lower courts is the very reason the appellate courts were created. The case of *U.S. v. Bowman* is a prime example of what happens when this threshold is not defined and raises a question that must be answered by the Supreme Court once and for all.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Genell Bowman

Date: Feb 27, 2026