

No. 25-7171

ORIGINAL

IN THE SUPREME COURT OF THE UNITED STATES

ZUMAR DUBOSE
petitioner

FILED
FEB 19 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

VS.
UNITED STATES of AMERICA
respondent

ON WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

PETITION
FOR CERTIORARI

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Cover Page

Questions Presented for Review.

1). May the Jurisdictionally defective Superseding Indictment 20-453 document 79 counts 1-17 filed 8-26-2021 in the U.S. District Court for the Eastern District of Pennsylvania be dismissed against Zumar DuBose, Abdush DuBose, and Kareem DuBose because the U.S. District Court lacked 18 U.S.C. 3231 Subject-matter ~~of~~ jurisdiction over the indictment affirmative allegations of conduct that was not criminal or a crime against the laws of the United States alleged in all paragraphs and on all pages?

2). May Zumar DuBose conviction and sentence be vacated, set-aside, or reversed because of the ineffective assistance of counsel that was prejudicial pre-trial, during trial, and post-trial?

ZUMAR DUBOSE
petitioner
v.s.
UNITED STATES of AMERICA

LIST OF CASES DIRECTLY RELATED TO THIS CASE

1. United States District Court for The Eastern District of Pennsylvania
- 2). 20-CR-453 E.D.Pa.
- 3) United States v. Zumar DuBose
- 4) May 4, 2023 Conviction Date, 3-18-2024 sentence Date
- 5). United States Court of Appeals for the Third Circuit
- 7). 23-3065 Appeal 3rd circuit
- 8) United States v. Zumar DuBose
- 9) 1-20-2026 Appeal Denied date
- 10). 2-19-2026 SUR Petition for Rehearing Appeal was Denied.

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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is unpublished.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 _____ to the petition and is

reported at United States vs. DuBose, 2023 US Dist. Ltr. 39432; or, 3-9-2023

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is unpublished.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 1-20-2026.

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: 2-19-2026, and a copy of the order denying rehearing appears at Appendix B.

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). *Also, Fed. R. Crim. P. 12 (b) 2 invokes this court jurisdiction at anytime to raise lack of subject-matter jurisdiction of 18 U.S.C. 3231 which I raise here today.*

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).

(2 i)

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- 1). Fed. R. Crim. P. 12 (b)(2) "A motion that the Court lacks jurisdiction may be made at any time while the case is pending."
- 2). 18 U.S.C. 3231 lacking jurisdiction.
- 3). U.S. Constitutional violations of 5th, 6th, 14th, 8th, 9th Amendments.
- 4). 49 U.S.C. 14706 "Carmack Amendment"
- 5). 18 U.S.C. 288 "False claims for Postal losses"
- 6). Fed. R. Crim. P. 44 "Right to and Appointment of Counsel"

STATEMENT OF THE CASE

- 1) On 12-3-2020; I was indicted in the Eastern District of Pennsylvania in Criminal Action 20-CR-453 E.D.Pa. Document 1.
- 2) On 8-26-2021; ~~I was~~ ~~suspect~~ A suppressing indictment was unlawfully obtained by fraud, perjured testimony, and improper influence in Criminal Action 20-CR-453 in the E.D.Pa. against me; Zumar DuBose, and all defendants. Document 79.
- 3) On July 28, 2022 the U.S. District Court for the Eastern District of Pennsylvania decided my lack of Subject-matter Jurisdiction Rel R. Crim. P. 12 (b)(2) motion denying it.
see "United States v. DuBose, 2022 U.S. Dist. LEXIS 135843"
- 4) On May 4, 2023 I was convicted of all counts 1-17.
- 5) On 3-18-2024 I was sentenced to 125 months incarceration to the FBP.
- 6) On 1-20-2026 my Appeal was upheld challenging 18 U.S.C. 3231 Subject-matter Jurisdiction over the indictment.
- 7) On 2-19-2026 my Petition for Rehearing was denied.
- 8) Today; I am filing a Writ of Certiorari to the U.S. Court of Appeals 3rd Circuit judgment and is the basis for my petition; Challenging the 18 U.S.C. 3231 subjectmatter jurisdiction of the U.S. District Court to accept a guilty plea or adjudicate me for acts that are not criminal at all; and ineffective assistance of counsel pre-trial, during trial, and post-trial.

REASONS FOR GRANTING THE PETITION

1) I pray that this U.S. Supreme Court grants my petition for a Writ of Certiorari because:

a) The U.S. District Court lacked 18 U.S.C. 3231 subject-matter jurisdiction over the Superseding indictment 20-CR-453 (E.D.Pa.) Counts 1-17 document 79 filed 8-26-2021 because the specific conduct alleged in all counts 1-17 were not criminal acts at all; and the specific conduct alleged falls outside the scope of 18 U.S.C. 1341, 18 U.S.C. 1343, 18 U.S.C. 1344, 18 U.S.C. 1956, and 18 U.S.C. 2. The Court could not adjudicate me.

b) The U.S. District Court appointed ineffective Counsel as my trial attorney who provided me ineffective assistance pre-trial, during trial, and post-trial; and failed to allow me access to the Court services and benefits per my disability rights and my 6th Amendment, and my Civil Right of 1964 Act requires. Specifically:

1) Counsel failed to conduct any investigation ~~into~~ at all into the Superseding indictment 20-453 (E.D.Pa) facts counts 1-17, and law of subject-matter jurisdiction.

2) Counsel failed to conduct any investigation at all into my alibi defense,

3) Counsel failed to advocate to the U.S. District Court to instruct the Jury on my Alibi Defense

4). Counsel failed to consult with me at all about my discovery, and I requested her to consult but it was ignored.

5). Counsel failed to advocate to the US District Court the the F.D.L. Philadelphia Computer did not allow me to view my discovery because of technology issues and covid 19 measure in place to protect all inmates from getting the virus starting 2020 - 2024; as I requested her to do ~~orally~~ orally.

6). Counsel failed to advocate to the U.S. District Court and the U.S. Attorneys Office that pretrial and during all 8 days of trial my mental ability to assist in my defense was impaired because for over 1 year I was not being treated for my mental illness by the USA and FBOP employees; and I was being forced by the USA and the FBOP unit officers to breathe second hand PCP smoke, second hand marijuana smoke, second hand K-2 synthetic smoke and second hand tobacco smoke thru the FBOP ventilation system starting June 2021 through June 2024 which caused me future risk of coronary heart disease, migraines that lasted at least 4 hours everyday on all trial days starting 4-24-2023 through 5-4-2023, blood in my nose, second hand intoxication that caused my mental illness to worsen, hallucinations during everyday of trial, stress, anxiety, and depression everyday of trial.

- 7). Counsel failed to conduct any investigation at all in the gov. witness, and my witness, and did not let me testify as I ~~requested~~^{requested} to during trial.
 - 8). Counsel fabricated her own defense at trial, without my knowing or consent.
 - 9). Counsel created her own defense at trial, without my knowing or consent.
 - 10). Counsel failed to consult with me about the indictment per trial,
 - 11). Counsel failed to obtain the victims evidence of any loss or scheme to defraud UPS or USPS.
- The trial could have or would have had an outcome of a mistrial, not guilty verdict, or a New trial, or Acquittal or dismissal if Counsel assistance was not ineffective.

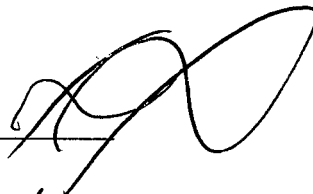
CONCLUSION

Because the U.S. District Court lacked 18 U.S.C. 3231 Subject-matter jurisdiction; and the same Court appointed ineffective assistance of Counsel,

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Zumar DuBose



Date:

3-27-2026