

No. 25-7250

ORIGINAL

SUPREME IN THE
SUPREME COURT OF THE UNITED STATES

FILED
MAR 12 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

DAMIAN JACKSON-PETITIONER

VS.

PATRICIA WEST, et, al RESPONDENTS

ON PETITION FOR A WRIT OF CERTOIRARI TO

FOURTH CIRCUIT OF APPEALS

PETITION FOR WRIT OF CERTOIRARI

DAMIAN JACKSON

3521 Woods Way

STATE FARM VIRGINIA 23160

434-848-9349

QUESTION[S] PRESENTED

QUESTION NUMBER 1

Whether The U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF VA, RICHMOND-DIVISION
On, ERRORED, change SHALL to SHOULD in va code Ann§ 53.1-154.

QUESTION NUMBER 2

Whether THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VA RICHMOND-DIVISION
errored in granting Defendants motion to dismiss and denying JACKSON Fed.R.Civ.P.59 [e] to alter or amend the judgment.

LIST OF PARTIES

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

~~[]~~ All parties do not appear in the caption on the cover page. A list of all parties to the proceeding in the court whose judgment of this petition is as follows:

PATRICIA WEST, CHAIRMAN, LLOYD BANKS, VICE CHAIRMAN: MICHELLE DERMYER, MEMBER:
CHADWICK DOTSON, CHAIR-D.O.C., SAMUEL L BOONE, MEMBER: PAROLE BOARD. D.O.C.
HAROLD TAYLOR, PAROLE INTERVIEWER. ANDREA GREEN, GRIEVANCE COORDINATOR, B. BULLOCK
PAROLEES SUPERVISOR K. COSBY, REGIONAL SUPERVISOR. JOSEPH WALTERS [new director].

HUFFMAN V. KITE, 198 Va. 196, 202, 93 S.E.2d 328, 332 [1995]

HILL V. JACKSON 64 3d 171, 163 SEPT, 6, 1995

HAINES V. KERNER 404 us 519 JANUARY 13, 1972

SWARTHOUT V. COOKE 562 U.S. 216 [2011]

WOLF V. MCDONELL, 418 U.S. 539 [October 26, 2004]

EWELL, et, al V. MURRY et, al 11 F3d 488

MORRISEY V. BREWER, 408 u.s. 471 [1972]

OPINION-, CHIEF BURGER delivered the opinion of the court [We grant the certiorari in this case to determine whether the due process clause of the Fourteenth Amendment requires that a state afford an individual some opportunity to be heard prior to revoking his parole].

WILKERSON V. AUSTIN, 545 U.S. 209 [2005]

TABLE OF CONTENTS

OPINIONS BELOW 11 1
JURISDICTION 12
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED 13
STATEMENT OF THE CASE 14
REASONS FOR GRANTING THE WRIT 15
CONCLUSION 18 1

INDEX TO APPENDICES

APPENDIX A

Letter-----changing wording in statue.....p.20-21

APPENDIX B

statue rule 53.1-154.....p.22

APPENDIX C

APPENDIX D

APPENDIX E

APPENDIX F

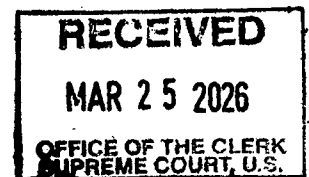


TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

HUFFMAN V.KITE ,198 va.196,202,93 S.E.2d 328,332[1995].....
HILL V.JACKSON 64 3d 171,163 [1995].....
HAINES V.KERNER 404 us 519[1972].....
SWARTHOUT V.COOKE 562 u.s.216[2011].....
WOLF V.MCDONELL,418 u.s.539[1974].....
ewell,et al.V.murry [1993].....
MORRISSEY V.BREWER ,408 u.s.471[2008].....
WILKERSON V.AUSTIN,545 u.s.209[2005].....
53.1-154.....

STATUTES AND RULES

42 U.S.C §1983
28 U.S.C.§ 1914 [a]
Local Rule 40 [c]
Fed.R.App.p.40
Fed.R.App.P.41

OTHER

N/A.....

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 _____ to the petition and is

reported at 25-6494; 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 3:24 CV-00120-MHL-MRC; 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 N/A; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the N/A 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 11/25-2025.

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: 02/1/2026, and a copy of the order denying rehearing appears at Appendix NA.

An extension of time to file the petition for a writ of certiorari was granted to and including N/A (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 N/A.
A copy of that decision appears at Appendix N/A.

A timely petition for rehearing was thereafter denied on the following date: N/A, and a copy of the order denying rehearing appears at Appendix N/A.

An extension of time to file the petition for a writ of certiorari was granted to and including N/A (date) on N/A (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Sixth AMENDMENT: Ineffective Assistance of counsel.

Eighth Amendment: Cruel and unusual punishment

Fourteenth Amendment: Due process

See page 0000 STATUTORY PROVISIONS INVOLVED

42 U.S.C. §1983.....

28 U.S.C. §1914 [a].....

Local Rule 40 [c].....

Fed.R.App.P.40.....

Fed.R.App.P.41.....

VIRGINIA STATUES.....

53.1-154.....

§53.1-161.....

53.1.....

STATEMENT OF THE CASE

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

NO.25-6494

DISMISSED: FEBRUARY 13,2026

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA, EASTERN
DIVISION

CIVIL ACTION No.3:24-cv-120

DISMISSED: March 6,2025

REASONS FOR GRANTING THE PETITION

QUESTION NUMBER 1

Whether THE U.S.DISTRICT COURT FOR THE EASTERN DISTRICT OF VA,RICHMOND•DIVISIO
N -ERRORED- CHANGED SHALL TO SHOULD IN VIRGINIA CODE. Ann§ 53.1-154.

THE UNITED STATES DISTRICT COURT DOES NOT HAVE THE RIGHT TO CHANGE WORDING IN
A STATUE VOTED ON BY THE VIRGINIA STATE LEGISLATURE.

CODE OF VIRGINIA

Title: 53.1:Prisons and other methods of corrections

Chapter 4.Probation and parole

§ 53.1-154. Times at which Virginia Parole Board to review cases.

THE VIRGINIA PAROLE BOARD SHALL BY REGULATION DIVIDE EACH CALENDER YEAR INTO S
UCH EQUAL PARTS AS IT MAY DEEM APPROPRIATE TO THE EFFICIENT ADMINISTRATION OF TH
E PAROLE SYSTEM. Unless there be reasonable cause for extension of the time
within which to review and decide a case,the board SHALL review and decide the
case of each prisoner no later than that part of the calender year in which he
becomes eligible for parole,and atleast annually thereafter,until he is ~~releas~~
ed on parole or discharged,except that upon any such review the board may sche
dule the next review as much as three years thereafter,provided there are ten
years or more or life imprisonment remaining on the sentence in such a case.
Such interviews SHALL include a live interview of the prisoner by a board
member or a staff member designated by the board,absent imminent death of the
prisoner or other extroadinary circumstances which SHALL be documented by the
board in the prisoners file, the board SHALL not grant parole to any prisoner
who has not recieved a live interview within the prior calender year. Not ~~with~~
with standing any other provision of this article,in the case of a parole
revocation,if such person is otherwise eligible for parole,the board SHALL rev
iew and decide his case no later than that part of the calender year one year
subsequent to the part of the calender year in which he was returned to a faci
lity as provided in §53.1-161.Thereafter,his case SHALL be reviewed as specifi
ed in this section.The board,in addition,may review the case of any prisoner
eligible for parole at any other time and may review the case of any prisoner

prior to that part of the year otherwise specified. In the discretion of the board, interviews may be conducted by the board or its representatives and may be either public or private.

Code: 1950, §§53-252, 53-254; 1966, c. 638; 1970, c. 648; 1977, c. 34; 1982, c. 636; 1984, c. 655; 2023, cc. 805, 806.

The Virginia parole board violated my due process rights in 2022 and 2023 by not reviewing my case for parole. The emotional distress and deprivation of liberty that was caused was life changing for me. The [VPB] did not conduct an in person or by videoconference or telephone interview. The BOARD SHALL REVIEW and decide the case of each prisoner no later than that part of the calendar year in which he becomes eligible for parole and at least annually thereafter, until he is released on parole or discharged. Everyone else got to experience the parole process for those two years, except I. I lost family members, as well as friends and associates, they all stop corresponding or supporting me because they thought that I did something wrong to get more time. My mental state of mind as well as my spiritual foundation is gone, as well as my financial support. What I make from my job the courts take forty percent. I have nothing and no one because the [VPB] made me look like a liar to my friends and family. Why would they violate their own policies and procedures? [CODE OF VIRGINIA, TITLE 53.1. Prisons and other methods of correction; chapter 4. Probation and parole §53.1-154. TIMES AT WHICH VIRGINIA PAROLE BOARD TO REVIEW CASES].

Why would the UNITED STATES COURT OF APPEALS WOULD CHANGE THE WORD IN A VIRGINIA STATUE? See exhibit.....

"It is well settled law that the allegations of such a complaint 'however in artfully pleaded', are held to less stringent standards than formal pleadings drafted by lawyers." HAINES V. KERNER, 404 U.S. 519, 520, 92 S.Ct. 594, 595, 30 L.Ed.2d 652 (1972). Noting that pro se complaints must be read liberally, "Gomez v. USA Fed. Sav. Bank, 171 F.3d 794 [2nd Cir. 1999]; "agreeing with district courts liberal construction of pro se pleadings." RESNICK V. HAYNES, 213 F.3d 443, 466 [9th Cir. 2000]" such a complaint should not be dismissed for failure to state a claim... French v. Heyne, 547 F.2d 944, 996 [ca7 1976].

Why are the courts holding me to the same standards that you hold a lawyer to? I requested a lawyer twice in the eastern district and once in the United States Court of Appeals. I was denied all three times. I let the court know that I take elavile [a psychotic medicine] and three more nerve medications, my focus is

every where, it is truly unfair that I have to try and do something that I don't know how to do.

I thought the courts were established to protect all the people's rights?

Are not my rights the same as everyone else's?

The courts also erred in changing the wording in the Virginia state statute, I did not think that the courts had the power to change the legislature. By doing so they are not protecting my rights under the Virginia code. Therefore I am suing for nine hundred and fifty thousand dollars, [950,000.00].

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Damian Jackson

Date: 3/13/2026