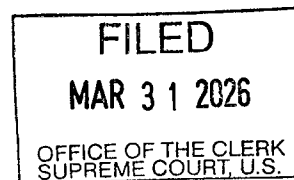


No. **25-7574** ORIGINAL



IN THE
SUPREME COURT OF THE UNITED STATES

RAOUL LAFOND — PETITIONER
(Your Name)

vs.

UNITED STATES OF AMERICA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

THE 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

(Your Name) RAOUL LAFOND# 18624057

(Address) MEDICAL CENTER FOR FEDERAL PRISONER'S
POST OFFICE BOX 4000

SPRINGFIELD MO. 65801-4000
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

1. WHETHER A MOTION FILED UNDER FEDERAL RULE OF CIVIL PROCEDURE 60(b)(6) ALLEGING "INEFFECTIVE ASSISTANCE OF COUNSEL UNDER THE SIX AMENDMENT" AND "DEFECT IN THE INTEGRITY OF PRIOR HABEAS PROCEEDING" IS IMPROPERLY CONSTRUED AS A SECOND OR SUCCESSIVE MOTION UNDER 28 U.S.C. § 2255.
2. WHETHER EXPERT EVIDENCE IDENTIFIES DEPRIVATION OF PETITIONER'S RIGHT TO THE FIFTH AMENDMENT INVOLVING "FRAUD UPON THE COURT" "PROSECUTORIAL MISCONDUCT" AND FABRICATED INDICIMENTS" JUSTIFY REOPENING HABEAS PROCEEDINGS UNDER RULE 60 (b)(6) in the interest of justice.

LIST OF PARTIES

A list of all parties to the proceeding in the court whose judgment is the subject of this petition is provided below. If a party is a corporation with a stock ticker symbol, that symbol is also included.

RAOUL LAFOND

UNITED STATES OF AMERICA

RELATED CASES

United States V. Lafond, No.6:96CR212-1, U.S.D.C. for the middle district of North Carolina. Judgment Entered (April 24, 1998).

United States V. Raoul Lafond, No. 98-4352, U.S. court of Appeals for the Fourth Cir. Judgment Entered (11/16/1999).

United States V. Raoul Lafond, No. 1:01-CV- 167, U.S.D.C. for the middle district court of North Carolina. Judgment Entered (01/07/2002).

United States V. Raoul Lafond, No. 6:96CR212-1, U.S.M.D.C. of North Carolina. Entered On 01/27/2003, and Order Entered 12/23/2003.

United states V. Raoul lafond, No.04-7284, U.S.C.A. for the Fourth Circuit. Judgment Entered (09/30/2004.

United States V. Raoul lafond, No.6:96CR212-1, U.S.M.D.C. of north carolina. Entered On 02/06/2008, and the Order Entered on 05/14/2008.

United States V. Raoul Lafond, No. 6:96Cr212-1, U.S.M.D.C. of North Carolina. Entered ON 07/28/2010 and Order Entered 09/21/2011.

United States V. Raoul Lafond, No.6:96CR21201, U.S.M.D.C. of North Carolina. Entered on 05/12/2011 and Order Entered 10/31/2012.

United States V. Raoul Lafond, No. 12-7975, U.S.C.A. for the fourth Circuit of North carolina. Entered 04/22/2013.

United States V. Raoul Lafond, NO. 1:12CV 1200, U.S.M.D.C. of North carolina. Entered on 01/12/2011, and the Judgment Entered ON 04/30/2014.

United states V. Raoul Lafond, No. 14-6785, U.S.C.A. for the Fourth Circuit. Judgment Entered 08/26/2014.

United States V. Raoul Lafond, No. 6:96CR212-1, U.S.M.D.C. of North Carolina. Entered on 01/12/2015 and the Order Entered on 09/02/2015

United States V. raoul Lafond, No.15-7456 U.S.C.A. for the Fourth Circuit. Judgment Entered 03/14/2016.

United States V. Raoul Lafond, No. 1:16CV224, U.S.M.D.C. of north Carolina. Judgment Entered 09/26/2016.

United States V. Raoul Lafond, No. 16-3043, U.S.C.A. for the fourth Circuit. Order entered 09/07/2016.

United States V. Raoul lafond, No. 16-3071, U.S.C.A. for the Fourth Circuit. Order Entered 09/30/2016.

United States V. Raoul Lafond, No. 1:16CV1299, U.S.M.D.C., of north Carolina. Judgment Entered 03/14/2017.

United States V. Raoul Lafond, No. 1:17CV355, U.S.M.D.C. of North Carolina. Judgment Entered on 07/12/2017, and Amend Judgment entered 07/18/2017

United states V. Raoul lafond, No. 1:17CV700, U.S.M.D.C. of North Carolina. Judgment Entered on 11/13/2017.

United States V. Raoul Lafond, No. 1:18cv 853, U.S.D.C. of North Carolina. Order Entered on the 10/23/2018.

United States V. Raoul Lafond, No. 1:19CV462, U.S.D.C. of North Carolina. Order Entered 05.05/2020.

United States V. Raoul Lafond, No.20-6769, U.S.C.A. for the Fourth Cir. Judgment entered on 11/03/2020.

United States V. raoul lafond, No. 1:20CV 435, U.S.M.D.C. of North Carolina. Order and judgment Entered on 01/05/2021.

United States V. Raoul Lafond, No. 6:96CR212-1, U.S.M.D.C. of North Carolina. Order Entered on 05/10/2022.

United States V. Raoul Lafond, No. 6:96CR212-1, U.S.M.D.C. of north Carolina. Order Entered On the 23rd day of April, 2025.

United States V. Raoul lafond, No. 25-6453, U.S.C.A. for the Fourth Circuit. Judgment Entered on the 30th day of september, 2025.

Raoul Lafond V. United states of America, No 1:25CV275, U.S.M.D.C. of North Carolina. Order and Judgment Entered on the 11th day of August, 2025.

Raoul Lafond V. United States of America, No . 25-6743, U.S.C.A. for the Fourth Circuit. Judgment Entered on March 3rd 2026.

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APPENDIX F	Order and recommendation, of Motion Under rule 60(b)(6).
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OTHER

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 March 3, 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: _____, 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

The Fifth Amendment provides that no person shall be held to answer for a capital or otherwise infamous crimes unless on a presentment or indictment of a grand jury.

The Sixth Amendment guarantees the right to effective assistance of counsel.

Federal Rules of Civil Procedure 60(b)(6) permits relief from a final judgment for "any other reason that justifies relief."

STATEMENT OF THE CASE

Rule 60(b)(6) permits a Federal court to Reopen a final judgment for "any other reason that justifies relief." This catchall category Is Reserved for "Extraordinary Circumstances" where the Interest of justice demand that a judgment be revisited. The petitioner's Rule 60 (b)(6) Motion does not seek to relitigate substantive merits of the claims previously raised In Petitioner's initial § 2255 Motion. Rather, the petitioner Rule 60 (b)(6) Motion address a defect in the integrity of the Federal Habeas corpus proceedings Itself. The Relief Requested In petitioner Rule 60(b)(6) Motion was necessary to restore the Integrity of the judicial process and to ensure that the proceedings comport with the principles of fairness, transparency and judicial incorruptibility that Underlie the federal court's.

In February 13th 2001, the Petitioner filed his Premier 28 U.S.C. § 2255 Motion in United States Middle district court, Greensboro North Carolina, Asserting "INEFFECTIVE ASSISTANCE OF COUNSEL." Consequently, Petitioner's Ineffective Assistance claim is Precisely that: "PETITIONER'S COUNSEL FAILED TO INVESTIGATE THE CRIME CHARGES." Petitioner's had Enuciated whether the charged offenses were lawfully INITIATED. On October 22, 2001, it was recommended by the magistrate judge that petitioner's Motion under § 2255 be denied and Dismissed. See Order and recommendation of the magistrate judge at **APPENDIX - (C)**. On Jan. 7, 2002 The district court judge find that, No substantial issue was presented and denied Petitioner's Motion under 28 U.S.C. § 2255 and dismissed it with prejudice. See District Court Judgment at **APPENDIX - (D)**. Eventually, in AUGUST 2017, the Petitioner learned that "Fraud in the indictment process CORRUPTED THE JUDICIAL PROCEEDINGS THEMSELVES." Petitioner Obtained a Forensic Document Examiner's Report concluding that: On both indictment charging the petitioner, It was found FALSIFY ABOVE THE LINE ENTITLED "foreman" the handwriting signature of assistant United States attorney and similar FALSIFICATIONS were Identifies in Multiples indictments. See Report of Forensic Document Examiner at **APPENDIX - (E)**. Accordingly, On April 8, 2025, petitioner filed a rule 60 (b)(6) Motion Seeking to REOPEN HIS INITIAL § 2255 proceedings based On defects in the integrity of the habeas process. On June 30th 2025, It was recommended by the (MJ) that the petitioner's "Rule 60(b)(6) Motion be construed as an attempt by petitioner to file a second or Successive § 2255 and to dismissed the action due to petitioner's failure to obtain certification from the

Fourth Circuit. See RECOMMENDATION AND ORDER of the magistrate judge at **APPENDIX - (F)**. After the Petitioner objections were filed, On the 11th day of August, 2025 it was ADJUDGED that: the Petitioner's Rule 60(b)(6) Motion, is Construed as an attempt by the Petitioner to file a second or successive § 2255 and dismissed. See District Court Judgment at **APPENDIX -(B)**. After Appealling The dismissal and denial of petitioner 'Rule 60(b)(6) Motion, The Fourth Circuit Affirmed. See UNPUBLISHED Per Curiam Opinion of the Fourth Circuit at **APPENDIX - (G)**.

REASONS FOR GRANTING THE PETITION

Petitioner's Rule 60(b)(6) Motion Falls Squarely within the category of permissible procedural challenge recognized in *Gonzalez V. Crosby*, 545 U.S. 524, 162 L.Ed 2d 480, 125 S.Ct. 2641. Unlike Successive Habeas Petitions, Petitioner does not seek to relitigate claims or INTRODUCE NEW SUBSTANTIVE GROUNDS for Relief. Instead, the Motion IDENTIFIES A STRUCTURAL DEFECT "Counsel failed to provide Effective Assistance" and "Fraud Upon the court" that prevented Fair Adjudication.

I. The lower court's decision CONFLICTS with *Gonzalez V. Crosby*.

In *Gonzalez* this court held that Rule 60(b) Motion is not a successive habeas petition when it attacks a defect in the integrity of the proceedings rather than the Merits. Petitioner's Motion under Rule 60(b)(6) alleges: "INEFFECTIVE ASSISTANCE OF COUNSEL" FABRICATION OF INDICIMENTS AND FAILURE OF JUDICIAL PROCESS INTEGRITY." These claims do not challenge the merits of CONVICTION But the LEGITIMACY of the process Itself. Falsification of an indictment constitutes "Fraud Upon the court Under *HAZEL-ATLAS*, and due process Violation Under Fifth Amendment Rights of the Petitioner. See *MOONEY V. HOLCHAND* and *NAFUE V. ILLINOIS*. The alleged falsify of indictments is not merely evidentiary; "It calls into question" whether a lawful grand jury ever returned the indictment or whether the court had jurisdiction to proceed." See *EX PARTE BAIN*, 121 U.S. 30 LED 849, (March 28, 1887). "While the indictment itself is falsified, then No lawful grand jury action occurred. See *Hazel-Atlas Glass Co. V. Hartford*, 322 U.S. 238, 88 LED 1250(1944). A falsified indictment particularly involving an assistant United States Attorney, FORGED signature "ABOVE the line entitled "FOREMAN" goes further, "it calls into question whether lawful prosecution ever began. Falsifying of an indictment is not ordinary FRAUD, "It is INSTITUTIONAL CORRUPTION THAT UNDERMINES" "JUDICIAL LEGITIMACY" "PUBLIC CONFIDENCE" and CONSTITUTIONAL SAFEGUARDS.

II. When Fraud on the court appears, it requires Relief under Federal Rules of civil procedure Rule 60's "catchall category " "Subdivision (b)(6).

This court has long recognized that Fraud on the court undermines the judicial system itself. See *Hazel-Atlas Glass Co. V. Hartford Co.*, 322 U.S. 238, 88 LED 1250 (1949), where officer's of the court engage in deception, courts possess Inherent Authority to vacate judgments. In this present case at hand, Allowing the

Judgment to stand Despite such procedural Defects Subsequently undermine confidence in the fairness of the habeas review process and definitely contradict the Equitable principles Embodied in Rule 60(b)(6). The Lower courts Approach Technically undermines habeas Integrity. The courts below effectively INSULATED POTENTIAL FRAUD FROM REVIEW BY 'MISLABELING' A PROCEDURAL INTEGRITY CLAIM AS SUCCESSIVE DENYING ANY FORUM FOR ADJUDICATION. This creates a Dangerous precedent where Fraud can EVADE JUDICIAL SCRUTINY Rule 60(b)(6) BECOMING MEANINGLESS. The alleged FALSIFICATION of Assistant United States Attorney, HANDWRITING SIGNATURE APPEARS above the line entitled 'FOREMAN' on the Indictment, UNDERMINES LEGITIMACY of the Grand Jury Itself CORRUPTS the Charging Instrument, Violates Due Process Rights of Petitioner's. **Brady V. Maryland**, 373 U.S. 83. Such conduct Strikes at the Core of Judicial Integrity and Qualifies as "Extraordinary Circumstances," Under Rule 60(b)(6). The Grand Jury requirement is STRUCTURAL and Cannot be Fabricated. See **Wood V. Georgia** 370 U.S.375. The Fifth Amendment Requires a Valid Grand jury Indictment. In **Ex Parte Bain**, 121 U.S. 1, This Court Held that an indictment is the Foundation of jurisdiction in Federal Criminal cases. This Court Emphasized in **Ex Parte bain**, that a defendant may only be tried on charges returned by a Grand jury. Consequently by recharacterizing the motion 60(b)(6) as successive, the lower court's Expanded § 2255 limitations beyond what this court in **Gonzalez** Permits. Thus the Lower courts erred in treating Petitioner's Claim as successive rather than addressing the "Extraordinary Constitutional violation presented. **Hazel-Atlas Glass Co. V. Hartford**, 322 U.S. 238. Taken together, these violations establish Extraordinary Circumstances warranting Reopening the Petitioner Initial § 2255 motion, Under fed. R. Civ. Pr. Rule 60(b)(6).

III. Ineffective Assistant of Counsel Under **Strickland V. Washington**, 466 U.S. 668.

Here in this present case, Ineffective assistance of counsel compound the constitutional violation.

Its not difficult to see Failure of the counsel to verify the Existence of a valid Grand jury Authenticity of indictment signatures Constitutes deficient Performance. It was the counsel duty before taken petitioner's to trial, to investigate "whether" the alleged offense charged on the indictment "lawfully Begotten." Failure to Examine the validity of the indictment Particularly where DEFECTS EXISTED Falls below constitutional standards and Prejudiced Petitioner. **Bank of Nova Scotia V. United States**, 487 U.S. 250, 101 L.ed. 2d 288, 108 S.ct. 2369 (1988).

Its not difficult to conclude that the counsel performance was in far distance from importance of competent representation. **Strickland V. Washington**, 466 U.S. 668. The counsel had great Opportunity and a great chance

to discover a Grand jury Never Existed. If counsel would had made a more thorough Investigation, like reviewing record files of the court, at which contained "No Tally sheet" to verify a grand Jury concur to return the charges to indict petitioner's. After-All, the finding of assistant United states attorney Falsifies Fictitious signature above the line entitled "Foreman" on the indictment, CLARIFIES as true why the record files of the court contain "No Tally Sheet" "AKA" "concurrency form." For an example, "If" TWELVE OR MORE GRAND JURY CONCUR TO INDICT THE PETITIONER, A REAL GRAND JURY "FOREMAN" SIGNATURE WOULD BE SIGNED ABOVE THE LINE ENTITLED "FOREMAN" ON THE INDICTMENT. Both Indictment charging the petitioner, and the additional Seven (7) Indictments would NOT INCLUD falsify Hand-Written Signature of assistant United States attorney above the line entitled "FOREMAN." Under Strickland V. Washington, counsel must First, Conduct reasonable investigation and Second, Avoid prejudicing the petitioner. The Petitioner's rights to counsel Guaranteed by the Six Amendment, is the Petitioner's rights to "Effective Assistance of Counsel." McMann V. Richardson, 397 U.S. 759, 771 n. 14, 90 S.Ct. 1441, LEDED 763. Whether the counsel met the Two-Part Test of "Effective assistance of counsel (1) reasonably effective assistance and (2) reasonable probability of different result with effective assistance, Prejudice is Clear in this case. The counsel relied upon a Defective indictment at which invalidates the Prosecution. Accordingly, where violation of a constitutional right is Asserted this court have recognized Its own responsibility and appraise the evidence.

CONCLUSION

The petition for writ of certiorari should be granted to resolve whether the courts below may disregard Credible allegations that the federal Indictment was falsified and still Deny relief Under Rule 60(b)(6).

Respectfully submitted,

Raoul Laford Petitioner Pro se

Date: March 29th 2026