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OFFICE OF USWGO

October 28, 2021

Hon. Scott S. Harris, Clerk  
Supreme Court of the  
United States  
1 First Street N.E.  
Washington, DC 20543

**Re: *In Re Brian David Hill, Petitioner, No. 21-6038***

Dear Mr. Harris,

In Response to the U.S. Solicitor General's office filing a Waiver of right to respond unless the Court requests a response as stated in the waiver letter dated October 25, 2021, the Petitioner in the above-captioned case respectfully requests that the Court request or order responses from the Hon. Thomas David Schroeder, the Hon. Magistrate Joe L. Webster, and the Hon. William Lindsey Osteen Junior. Those three Respondents are listed in the original Petition and the Affidavit of Service.

Since the acting United States Solicitor General Brian H. Fletcher had filed on record that they are the counsel of record which represents all of the Respondents in the Petition for Writs of Mandamus and/or Prohibition, the instant case; they are waiving the right to respond which reaches as far as the Hon. Thomas David Schroeder, the Hon. Magistrate Joe L. Webster, and the Hon. William Lindsey Osteen Junior.

As of the date of this Letter, the Petition is not yet scheduled for distribution to the Conference. The Court needs to request a response from the three Federal Judges listed in the original petition as Respondents because (#1) They have totally ignored the U.S. Supreme Court laws of the land in regard to jury trials for the supervised release violators under United States v. Haymond, 588 U.S. \_\_\_ (2019); (#2) They have totally ignored the U.S. Supreme

Court laws of the land in regard to *Chambers v. Nasco, Inc.*, 501 U.S. 32 (1991); (#3) They have totally ignored the U.S. Supreme Court laws of the land in regard to *McQuiggin v. Perkins*, 569 U.S. 383 (2013) where the ground of the Actual Innocence exception to the one year statute of limitations under the Anti-Terrorism and Effective Death Penalty Act (AEDPA) had survived the passage of the AEDPA law.

Petitioner does not like that they will never have to respond to the Mandamus Petition as to why they were and are acting above the Supreme Court and that those three Respondents do not have to follow the Supreme Court at all. It is wrong for an inferior Court to buck the decisions of the Supreme Court. The Supreme Court must be respected, and part of those respectful decrees is making sure that all Judges follow the past directives of the Supreme Court to prevent a conflict within the Circuits. When inferior Courts start making decisions contrary to already-resolved issues in this Supreme Court, then this creates new conflicts in the Circuits when those conflicts were already supposed to be resolved by the Supreme Court's rulings.

There is no purpose for the U.S. Supreme Court to exist if lower Courts do not have to follow any of the Supreme Court decisions. It is not right that the Hon. Thomas David Schroeder, the Hon. Magistrate Joe L. Webster, and the Hon. William Lindsey Osteen Junior can just decide not to follow a controlling case law, an authoritative ruling coming directly from this Supreme Court.

Petitioner is not wasting this Court's time at all. Petitioner wants Judge Schroeder and the other Respondents to respond to the Petition and to give explanations as to why they are selectively enforcing the Local Rule 7.3 on Petitioner but not the U.S. Attorney Office, and as to why they ignore Supreme Court case laws as all outlined in the original Petition filed with this Court. Petitioner worked on the trio of Petitions for weeks. Petitioner had went through over \$100 of his SSI money working on the Petitions, printer ink, paper, staples, mailings. Petitioner did a lot of hard work and isn't just going to let the Respondents get away with deprivations of due process of law. Petitioner isn't going to let Judge Schroeder get away with everything without at least asking for a response from him. Petitioner is clearly innocent, had proven his innocence and fraud on the court. Petitioner demonstrated all of that in his Petition for Mandamus and/or Prohibition. Petitioner isn't going to let all of that hard work and effort be for nothing.

Therefore, Petitioner requests that Clerk of this Supreme Court request the Respondents: (#1) the Hon. Thomas David Schroeder, (#2) the Hon. Magistrate Joe L. Webster, and (#3) the Hon. William Lindsey Osteen Junior file an opposition brief or response to the

