QUESTION(S) PRESENTED

1. The Petitioner's Life is in Danger, because he refuse to accept his restraint from liberty?
2. The Warden is relying on false information to restrain me from my liberty, created by the USPO and the attorneys acting under the disguise of the United States?
3. I am being held in violation of the Constitution for the State of Tenn. the United States of America, and now the Constitution for the State of North Carolina.

STATEMENT OF THE CASE

On or about August 4, 1995, the petitioner was stop by local drug enforcement officers acting as, local police officers, and acting on a tip from unknown sources that the petitioner was suppose to be trafficking in a "bunch" of dope in the State of Tenn., Maury County, City of Columbia, the knowledge of the alleged offense was known before the "traffic stop", and according to the "Newly Discovered" records obtained in 1998, the arresting officers did not obtain the proper authenticated records to stop and then search the vehicle of the petitioner. The prosecuting attorneys from Nashville, TN, had the petitioner abducted & kidnapped from the County where the crime took place and place some 100-miles away in the Clarksville, Montgomery, County jail after some (49) days had passed after the petitioner was release and [not charge] for the traffic stop on August 4, 1995. While the petitioner was being transfer back and forth from Clarksville to Nashville, TN for trial, Petitioner filed over 100 motions asking the court to order the government to prove requisite jurisdiction over the subject matter, and other require proofs of jurisdiction as well, none was ever proven, and none of the critical pre-trial motions were ever review as require by the rules of the court.

In stead of the petitioner's liberties being protected the petitioner was defamed, humilitated, and told by U.S. Marshal's that he was a "scorge" to the state of Tenn., And by the fraud and duress imposed against the petitioner in Federal court at Nashville where he was convicted by a jury who was not a jury of his peers. The petitioner life was in danger and has been so since being abducted and kidnapped on or about Sept. 28, 1995.

REASONS FOR GRANTING THE PETITION

The reasons the Writ of Habeas Corpus should be granted is setout on Page-8, of the Petition for Writ of Habeas Corpus, and becuase the original cause of conviction stems from the Manfacture of the alleged offense by the known and unknown within the Middle District of Tennessee, Nashville Division in Case Docket No. 1:95-CR-00006, And because the Governor never gave express consent or cession over the land where the Federal crime suppose to have taken place, along with the State of Tennessee Seizure and Property Report, not showing that a Weapon was a part of the property taken out of the Rental Car, and the Newly Discovered Evidence shows that the amount of illegal substance was tampered before it was brought before a Grand jury (3) times the court never instructed the jury about these events and it was withheld by the government at trial.

The jury was never instructed about the actual amount of drugs that was found in the rental car [8.1 Grams], and that the alleged gun was not on the State of Tennessee Seizure and Property report signed by the petitioner, the district court and Sixth Circiut has been informed about the "Newly Discovered" evidence but have refuse to correct the district court mistakes, is this normal?

The relief requested is setout on page-8, of the Petition for Writ of Habeas Corpus.

No._____

IN THE SUPREME COURT OF THE

In re; UNITED STATES

Alfred Lee Mauldin, Petitioner	(	Affidavit of the Petitioner
Sui-juris, Pro-se, Affidavit	(	Alfred Lee Mauldin. And
USM # 14877-075, LSCI-Butner	(	Request to submit Certified
NC 27509-0999	(	copies of the indictment,
VS.	(	Docket Entry sheets, P.S.I.,
UNITED STATES OF AMERICA,	(	Tenn.Ct. of Crim. App. Opin-
Attorney Gen. John Ashcroft,	(	ion, Final judgment from the
Warden, W.F. Dalius, Jr.	(	4th & 6th Circuits Cts. of
LSCI-Butner, NC 27509-0999	(	App. And Newly Discovered
Respondents, et. al.	((	Evidence Records etc.

AFFIDAVIT IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS

I, Alfred Lee Mauldin, hereby submits this affidavit in support of his petition for Writ of Habeas Corpus, and state that the exhibits and records in supprot is a true and exact copy of the originals received from the Courts, Agencies, and various FOIA/PA Information requests after his conviction and sentence on or after Feb. 21, 1996, Petitioner also would state under the penalty of perjury that he has in his position over 400-Certified Mail; receipts in support of his continue filing since 1995 trying to get relief from his restraint from liberty, also Petitioner has in his position not including the 5-boxes he has sent home, at least 5-more boxes of exhibits and FOIA/PA records of which he has obtained, that would aid the court in its decision if the records enclosed is not enough.

The court shall summarily hear and determine the facts, and dispose of the matter as law and justice require.

(1) The facts underlying the claim, if proven and viewed in light of the Newly Discovered Evidence, as a whole, would be sufficient to establish by clear and convincing evidence that, but for constitutional error, no reasonable factfinder would have found the applicant guilty of the underlying offense.

(2) And because the petitioner was not a resident of Davidson County, Nashville, TN, the jury pick was not [a] jury of the Petitioners "Peers", and the truth about the events which took place was never mentioned during trial or proven under Ti. 18 USCA § 7. Concerning the proof of jurisdiction.

Respectfully Submitted

Alfred Mauldin

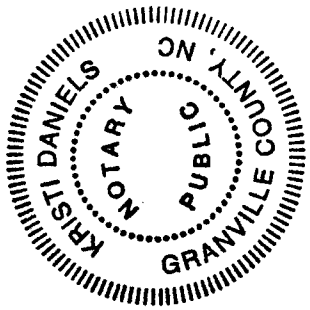
No. 14877-075, Sui-Juris
LSCI-Butner
P.O. Box 999, G-B
Butner, NC 27509-0999

VEREFICATION

I, Alfred Lee Mauldin, hereby verify that the affidavit is submitted after being first duly sworn according to law, that the attach petition and exhibit information is true to the best of my knowledge and belief and constitutes my full and complete claims as to the unconstitutionality of my conviction. This 6th day of March, 2003.

Notary Public:_____

My--Commission Expires: 04-16-2005



IN UNITED STATES DISTRICT COURT

FOR THE MIDDLE DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA	)	
	)	PRESENTENCE INVESTIGATION REPORT
v.	)	
	)	DOCKET NO. 1:95-00006-01
ALFRED LEE MAULDIN	)	

Prepared for: The Honorable Thomas A. Higgins
United States District Judge

Prepared by: Karen L. Dortch
United States Probation Officer
Columbia, Tennessee
(615) 388-2263

Assistant U.S. Attorney
S. Delk Kennedy Jr.
A-961 U. S. Courthouse
Nashville, Tennessee 37203
(615) 736-5151

Defense Counsel
Jude T. Lenahan
810 Broadway, Suite 200
Nashville, TN 37203
(615) 736-5047

Sentence Date: February 16, 1996, at 2 PM

Offense:

Count 1: Felon in Possession of a Firearm during a Drug Trafficking Crime, 18 U.S.C. 922(g), 18 U.S.C. 924(a)(2), and 18 U.S.C. 924(e)(1), mandatory minimum of 15 years/$250,000 fine

Count 2: Possession with Intent to Distribute Cocaine, 21 U.S.C. 841(a)(1) and 21 U.S.C. 841(b)(1)(C), not more than 30 years/$2,000,000 fine

Count 3: Use of a Firearm during a Drug Trafficking Crime, 18 U.S.C. 924(c)(1), 5 years, consecutive/$250,000 fine

Date Offense Concluded: August 4, 1995

Release Status: Detained since date of arrest (September 29, 1995)

Detainers: None

Codefendants: None

EX. 19

Nos. 02-5691/5696/5698

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

ALFRED LEE MAULDIN,	)	
	)	
Petitioner-Appellant,	)	
	)	
v.	)	ORDER
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent-Appellee.	)	
	)	

FILED
OCT 31 2002
LEONARD GREEN, Clerk

Pro se federal prisoner Alfred Lee Mauldin appeals a district court judgment that dismissed his 28 U.S.C. § 2255 motions as untimely. His notice of appeal has been construed as a request for a certificate of appealability pursuant to Fed. R. App. P. 22(b). Mauldin seeks leave to proceed as a pauper.

In February 1996, a jury convicted Mauldin of possession of cocaine with the intent to distribute it, possession of a firearm by a convicted felon, and using and carrying a firearm in relation to a drug-trafficking crime. As an armed career criminal, he was sentenced to 322 months of imprisonment. His convictions and sentence were affirmed on direct appeal. *United States v. Mauldin*, 109 F.3d 1159, 1163 (6th Cir. 1997). Mauldin did not file a petition for writ of certiorari with the Supreme Court. According to Mauldin, he filed an unsuccessful petition for relief under 28 U.S.C. § 2241 before filing these § 2255 motions.

Ex. 16

On March 5, 2000, Mauldin filed three identical § 2255 motions, claiming multiple grounds for relief. The court dismissed Mauldin's motions as untimely and later denied a certificate of appealability.

Upon review, it is concluded that jurists of reason would not find it debatable whether the district court was correct in its procedural ruling that Mauldin's § 2255 motions were untimely. *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

It is noted that Mauldin's filing of a § 2241 petition did not operate to toll the statute of limitations applicable to a § 2255 motion. *Compare* 28 U.S.C. § 2244(d)(2) (concerning 28 U.S.C. § 2254 petitions). It is also noted that the Supreme Court's recent grant of a petition for certiorari in *Clay v. United States*, 122 S. Ct. 2658 (2002), does not require that the court hold this case in abeyance. In *Clay*, the court granted the writ on the question "[w]hether petitioner's judgment of conviction became 'final' within the meaning of 28 U.S.C. § 2255 ¶ 6(1) one year after the court of appeals issued its mandate on direct appeal or one year after his time for filing a petition for writ of certiorari expired." Because Mauldin's petitions were filed almost three years too late, the question presented in *Clay* cannot help his case. Finally, a review of the record indicates that Mauldin cannot meet the test for equitable tolling of the limitations period. *Dunlap v. United States*, 250 F.3d 1001, 1004-05 (6th Cir.), *cert. denied*, 122 S. Ct. 649 (2001).

Accordingly, a certificate of appealability is denied, and pauper status is denied as moot.

ENTERED BY ORDER OF THE COURT

Leonard Green

Clerk

Ex. 17