

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Ray Cobia — PETITIONER
(Your Name)

The State of Ohio — RESPONDENT(S)
vs.

ON PETITION FOR A WRIT OF CERTIORARI TO
United States Court of Appeals Sixth District
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Ray Cobia
(Your Name)

P.O. Box 7104
(Address)

Cincinnati, Ohio 45205
(City, State, Zip Code)

513-908-4501
(Phone Number)

QUESTION(S) PRESENTED

- ① Why was it allowed to use my 2004 conviction to get a 2013 conviction?
- ② The trial Court willingly allowed evidence that it knew was not of a 2013 charge why?
- ③ Why are there so much of a misconduct to ~~prosecute~~ prosecute a person that have a prior conviction.

④

LIST OF PARTIES

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

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

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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 _____ to the petition and is

reported at Please see attached case; 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 is unpublished.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 _____; 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 is unpublished.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 Please see attached case; 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 is unpublished.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 is unpublished.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 *Please see attachment*

[] 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 Constitution of the United States clearly states in it's Amendment V that **No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury**, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; **nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb**; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Therefore as in this claim the claimed defendants pronounces they are under immunity and proclaim the bill of such, but the question of the fact is (**why if a person that had a prior conviction it can be used against you even if the constitution and statutes say it is not to be done?**)

Since the defendants wants to declare immunity, it is discretionary of the judicial to rule as such **Truesdale v. Combs** 33 Ohio St. 186, (1878), **Childs v. Voris**, 4 Ohio N.P. 67, 6 Ohio Dec. 75 (C.P. Summit Cty. (1897); **Voll v. Steele**, 141 Ohio St. 293, 47 N.E. 2d. 991 (1943); **Farrell v. State**, 204 Misc. 148, 123 N.Y. S. 2d 29 (Ct. Cl 1953); **Brinkman v. Drolesbaugh**, 97 Ohio St. 171, 119 N.E. 451 (1918); **Maxey v. Gather**, 94 Ohio App. 115, 51 Ohio Ops. 310, 114 N.E. 2d. (Summit Cty. 1952).

Furthermore since the waiver of immunity is granted in Courts of Common Pleas, however in the Court of Claims it brings a special remedy see **Barrett v. State** 220 N.Y. 423, 116 N.E. 99 (1917), and **Fishbein v. State** 204 Misc. 151, 120 N.Y. S.2d 92 (Ct. Cl. 1953), and **Chikofsky v. State**, 203 Misc. 646, 117 N.Y. S. 2d 26 (Ct. Cl. 1952)

STATEMENT OF THE CASE

In the case of State of Ohio v. Ray Cobia it was found by the Hamilton County Court of Appeals that the state was not to convict the as he was convicted because the supposedly victim testimony was less than creditable and the fact that the State brought the victim and investigating officer into the 2013 case to testify of the acts of Ray Cobia was a violation of the Criminal Rule of Evidence 404(B). Yes Ray Cobia preceded to trial with the case and the prosecutor introduced the prior conviction not to show a character of Ray Cobia, but introduce the prior conviction as a new charge to be added to the indictment of the 2013 charges, this tactic was objected by the trial defense attorney, however the trial judge overruled the motion and further stated he was allowing the prosecution to use the tactic. And it was never stated to the jury to view the prior conviction as a character of Ray Cobia, and when the defense stated that it was a violation of Criminal Rule 29 it was later overruled and was stated by the trial judge that the evidence that the prosecutor introduced is valuable and was needed to be admitted in to evidence against the defendant. Ray Cobia was convicted not of any of the charges of 2013, but was found guilty of the 2004 charges of his prior conviction. To support Ray Cobia claim in this case the court is requested to view **US v. Hossein Afshari et al 0250355, Miranda v. Arizona 384 U.S. 436, Mapp v. Ohio 367 U.S. 643, and Terry v. Ohio 392 U.S. 1.**

Unlike in your normal prosecuted case the supposedly victim was less than that of a creditable witness and due to the fact that the prosecutor knew that the supposedly victim was not creditable that does not mean you are allowed to manipulate the judicial system to your advantage.

REASONS FOR GRANTING THE PETITION

It is fully requested that this honorable court would grant this said petition on the ground(s) of, but no limited to the following:

- A. The lower courts fail to adhere to the constitution of our laws.**
- B. The lower courts refuse to serve as the corrective mediation as it is prescribe to do.**
- C. The Plaintiff Ray Cobia fully respect that this court is more than viewable to view and govern itself with constitution and statutes to rule as such.**
- D. Finally the Plaintiff Ray Cobia set his trust and well being in the view of this court.**

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: May 1st, 2018