

No. \_\_\_\_\_

\_\_\_\_\_  
IN THE  
SUPREME COURT OF THE UNITED STATES  
\_\_\_\_\_

Josue I. Sanchez PETITIONER  
(Your Name)

vs.

People State of California RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Court of Appeal, 4<sup>th</sup> Appellate District  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)  
Division One, State of California  
PETITION FOR WRIT OF CERTIORARI

Josue I. Sanchez  
(Your Name)

P.O. Box 3466  
(Address)

Corcoran, CA 93212  
(City, State, Zip Code)

N-A  
(Phone Number)

### QUESTION(S) PRESENTED

Is the California Legal System allowed to tyrannate the Prosecution, Conviction, and appeal of an innocent man with impunity because the rest of the government as well as society is unwilling to acknowledge what is easier to ignore.

Can a conviction be upheld. Legally, even though the Prosecution is Founded by Irrational Perjured testimony. 90% of the Investigation contradicts that fabricated allegation.

Can a challenge be denied by stating facts that don't actually prove guilt.

How is it possible to stand on the word Justice, when you chose to ignore the Law in the process.

## 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:

Superior Court of California  
County of San Diego, Vista Branch  
Judge Harry M. Elias

The People of the State of California  
District attorney of San Diego County.

Court of Appeals, Fourth Appellate District  
Division One

## TABLE OF CONTENTS

OPINIONS BELOW.....	1
JURISDICTION.....	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	3.
STATEMENT OF THE CASE .....	4
REASONS FOR GRANTING THE WRIT .....	5
CONCLUSION.....	6

## INDEX TO APPENDICES

APPENDIX A Court of Appeal, 4th District, Division one, CA.  
Decision

APPENDIX B Supreme Court of California  
Denial of Review

APPENDIX C Motion For a New trial, Superior Court  
State of California, North County of San Diego.

APPENDIX D Appellants Reply Brief  
Direct Appeal 4th District, Division one

APPENDIX E Motions in Limine trial court San Diego.

APPENDIX F Misc.

\* Letters Directed at various agencies  
Seeking Justice

\* Denial From Conviction Review Unit  
San Diego, CA

\* Letter by Appeal Attorney refusing to challenge  
Specif errors in Full Force.

## TABLE OF AUTHORITIES CITED

### CASES

### PAGE NUMBER

People v. Robarge (1953)	41 cal. 2d 628, 633-634
Green v. Soule (1904)	145 cal. 96, 102
People v. Davis, supra	10 cal. 4th at p. 524
People v. Carter (2014)	227 cal. App 4th 322, 324
People v. Fosselman	33 cal 3rd 572, 582, 189.
People v. Honeycutt	29 cal 2nd 52, 61, 172

### STATUTES AND RULES

Insufficiency of the Evidence	1181 <sup>(6)</sup> , 1182
Prejudicial misconduct of Prosecution	1181 (5)
Ineffective assistance of counsel	
to set aside guilty verdict	1385
Evidence code § 352	
Evidence code § 1108	

### 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 \_\_\_\_\_; 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 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 Court of Appeal 4<sup>th</sup> District court 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.

## JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was \_\_\_\_\_.

☐ 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 05-10-2018.  
A copy of that decision appears at Appendix A.

☒ A timely petition for rehearing was thereafter denied on the following date: 07-18-2018, and a copy of the order denying rehearing appears at Appendix B.

☐ 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

Due process  
Fair trial  
4th amendment

Article III

11th Amendment

14th Amendment

6th Amendment

8th Amendment



## STATEMENT OF THE CASE

In 2015 I was falsely accused of sexually assaulting a woman. Knowing my innocence and that the results of the investigation would back up my claims that the alleged victim was fabricating her story. I forced a quick trial. Through Prosecution Misconduct of using an 1108 uncharged act and perjured testimony I was convicted. Since then I have fought to challenge the errors and manipulation of my case. Only to be derided by everyone, including my trial attorney, appeals attorney, both which were State appointed. Both by the trial Judge and appeal Court have I been Bullied into denials of my challenges of a wrongful conviction.

There is an absence of evidence in my case to prove my guilt. There is evidence to prove that the allegations are false.

How do I convince you to find out for yourselves, for Justice, for truth.

These issues or claims of error have been suppressed by the California Judicial system at every stage.

## REASONS FOR GRANTING THE PETITION

I believe the U.S. Supreme Court is Charged by being the highest in the country, to Guarantee, truth and Fact be attributed in the Judicial System.

In my case the lower Courts, and officers of the legal community have acted negligently and rebellious, Like wild teenagers. You as Parents, Guardians of Freedom and Justice are my last hope of salvation.

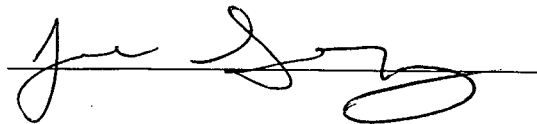
Only by Justice will my questions be answered. Only by Your Order will the lower courts be forced to acknowledge their mistakes and errors. They have bullied me into a cage, to be held like an animal, simply because they can. with no one to interfere. Like Nazi War criminals were Just doing their jobs. So says the lower courts about their negligence in my case. I challenge you to prove me wrong by looking into my case. Show me were they are right and I am wrong But PLEASE DONT NEGLECT ME Like the System has already done.

In the Present, the<sup>#</sup> me too movement is at its Highest. Even Now involving a member of this Court It is time For Boundaries and Limits to be set to guarantee the protection of an innocent person. You have the opportunity to prove that the legal system works through checks and balance and not through prejudice and tyranny. You will be convinced of the miscarriage of Justice that serves as a Fair trial in my case. Please use this case to guarantee the values this Great Country bases itself on. Return Hope to this Broken Soul.

#### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Joe S. S.', written over a horizontal line.

Date: October 16, 2018

**PROOF OF SERVICE BY MAIL**

**BY PERSON IN STATE CUSTODY**

(Fed. R. Civ. P. 5; 28 U.S.C. § 1746)

I, Josue I. Sanchez, declare:

I am over 18 years of age and a party to this action. I am a resident of \_\_\_\_\_

\_\_\_\_\_ Corcoran State Prison,

in the county of Kern County,

State of California. My prison address is: P.O. Box 3466

\_\_\_\_\_ Corcoran, CA 93212

On 12-19-2018  
(DATE)

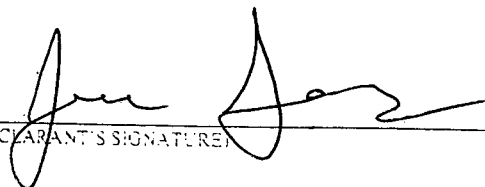
I served the attached: Motion for leave to proceed in  
former Pauper's and a Writ of Certiorari  
(DESCRIBE DOCUMENT)

on the parties herein by placing true and correct copies thereof, enclosed in a sealed envelope, with postage thereon fully paid, in the United States Mail in a deposit box so provided at the above-named correctional institution in which I am presently confined. The envelope was addressed as follows:

U.S. Supreme Court  
Office of the Clerk  
Washington, DC 20543-0001

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 12-19-2018  
(DATE)

  
(DECLARANT'S SIGNATURE)