

18-8241

ORIGINAL

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

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

Andrew Guy Moret — PETITIONER  
(Your Name)

vs.

Pat Garrett — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. Ninth Circuit Court of Appeals

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Andrew Guy Moret  
(Your Name)

2600 Center St NE  
(Address)

Salem, OR 97301  
(City, State, Zip Code)

(503) 947-2497 / (503) 947-2496  
(Phone Number)

QUESTION(S) PRESENTED

1. Does the seriousness of criminal charges obviate the states' governments' obligation to uphold the constitutional rights of the accused?
2. Is the United States of America a "stand-your-ground" country?
3. Why are convicted prisoners allowed more amenities in prison than pre-trial detainees are allowed in jail?

## 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:

## TABLE OF CONTENTS

OPINIONS BELOW .....	I.
JURISDICTION.....	II.
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	III.
STATEMENT OF THE CASE .....	IV.
REASONS FOR GRANTING THE WRIT .....	V.
CONCLUSION.....	VI.

## INDEX TO APPENDICES

APPENDIX A — 9<sup>th</sup> Cir. App. Ct Opinion

APPENDIX B 1, B2, B3 — U.S. Dist. Ct. Opinion

APPENDIX C — Rehearing Denied 9<sup>th</sup> Cir. Ct. App.

APPENDIX D — Collins v Foster 1985 Or. Sp. Ct.

APPENDIX E — State v Lang

APPENDIX F — Moret v Garrett Or. Sp. Ct. 2017

## TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
Collins v Foster	23 - 25
State v Lang	26 - 28
Moret v Garrett Or. Sp. Ct. 5065107 2017	29

## STATUTES AND RULES

ORS 163.115  
ORS 166.220 (1)(a)  
18 USCA § 3161  
ORS 135.746(b)  
ORS 135.748  
ORS 135.750  
ORS 135.752

## OTHER

Pres. George Bush Jr. "We need to do a pre-emptive strike."

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☒ is unpublished.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.

**I.**

## JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was April 20<sup>th</sup>, 2018.

☐ 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: June 22<sup>nd</sup>, 2018, and a copy of the order denying rehearing appears at Appendix C.

☐ 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).

**II.**

12/30

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- U.S. Const. Amend. V, VI, VIII, XIV
- 18 USCA § 3161 Time limits and exclusions
- Bail Reformation Act
- Speedy Trial Act

III.



## STATEMENT OF THE CASE

I was arrested on Sep. 16<sup>th</sup> 2015 for Murder with a Firearm and Unlawful use of a weapon with a firearm, in Washington County Oregon. Knowing that I was innocent, and desiring an immediate resolution through trial, I demanded a "speedy trial" in Judge Erwins court.

Judge Erwin stated, "Oregon has no specific rules on speedy trial for murder."

I replied, "Then it reverts to the Federal rules."

Judge Erwin answered, "Yes."

Turns out; the Federal rules are 180 days.

After five and a half <sup>horrible</sup> months in jail waiting for trial, Judge Erwin ordered mental health competency restoration and sent me to (OSH) Oregon state Hospital.

After proving I am not mentally ill, I was returned to jail and no time limits were observed by the court in setting trial.

My lawyer has been proven inadequate. The Washington County Circuit Court delays for any reason they can, including sending me back to OSH for a second time. The Wash. Cty.

Cir. Ct. ignores my motions and they are wasting my life away. They are torturing me, medical and other.

After all is said and done, the information gleaned from the courts about my Habeas is that my charges are too serious. They won't even give me a IV. bail hearing.

## REASONS FOR GRANTING THE PETITION

The public must know that if you get charged with a serious crime then the government doesn't care how you are treated. So it seems.

This information would act as an enhanced deterrent of crime.

Let people know that if you are charged with some heavy stuff; pre-trial detention is terrible, and is way worse than prison.

The Supreme Court Should establish that, if there are no state laws governing self-defense, then the common law of the land is courage, bravery, and standing your ground.

Also, if charged with a serious crime, people should know that their Speedy trial rights mean little, their right to an effective lawyer is subjective, and that the conditions in pre-trial detention are far worse than prison. "Hear hear!"

The system caters to the guilty. The people need the U.S. Supreme Ct. for a public statement, to clarify.

IV.

CONCLUSION

Andrew Guy Moret should be released pending trial,  
and

The petition for a writ of certiorari should be granted.

Respectfully submitted,

OLWAT SV

Date: 08/07/18

VI.

16/30