

18-8497  
No. \_\_\_\_\_

ORIGINAL

FILED  
AUG 02 2018

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE  
SUPREME COURT OF THE UNITED STATES

Leslie Ray Lynch — PETITIONER  
(Your Name)

State of Idaho — vs. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Idaho Supreme Court

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

PETITION FOR WRIT OF CERTIORARI

Leslie Ray Lynch, ID. No. 94108  
(Your Name)  
ISCC-Block-B  
P.O. Box 70010  
(Address)

Boise, Idaho - 83707  
(City, State, Zip Code)

0  
(Phone Number)

11111

QUESTION(S) PRESENTED

Are the Idaho Courts going to be allowed to completely circumvent the U.S. Constitution and the Idaho Laws, or is the U.S. Supreme Court going to enforce U.S. Constitution Article VI Clause 2?

## **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 \_\_\_\_\_; 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 is unpublished.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 is unpublished.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 \_\_\_\_\_; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

The opinion of the 5th Judicial Court 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 is unpublished.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 \_\_\_\_\_.

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 22nd day of June 2018.  
A copy of that decision appears at Appendix E.

A timely petition for rehearing was thereafter denied on the following date: 07/24/2018, and a copy of the order denying rehearing appears at Appendix I.

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).

AND 28 U.S.C. § 1651(y)

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

U.S. Constitution ARTICLE VII Clause 2. - See page 4

U.S. Constitution AMENDMENT 9. - See page 5

U.S. Constitution AMENDMENT 10. - See page 5

U.S. Constitution AMENDMENT 14, Sec. 1 - See page 5

Idaho Criminal Rules, Rule 11 (c)(2) - See page 5

Idaho Criminal Rules, 35(a) - See page 6

## STATEMENT OF THE CASE

IN 2008 I had attorneys that I trusted to know the law and do what was required of them as professionals in the application of the law. After the Court proceedings were over, I discovered that apparently, they did not know the law, because they allowed me to be sentenced to longer than is allowed by law.

Another attorney got on the case and discovered that the sentencing judge gave me a longer sentence than the law allowed. The attorney got the sentence reduced to what was allowed by law. The attorney didn't obtain any other type of relief.

I was returned to the prison. I received case paper work from the attorney. I reviewed the paper work and read law books to learn about my case. What I learned that is relevant about this case is:

★ U.S Constitution Article VI Clause 2.

Clause 2. Supreme law.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof, and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

## ★ U.S. Constitution Amendment 9.

Rights retained by people.

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

## ★ U.S. Constitution Amendment 10.

Powers reserved to states or people.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

## ★ U.S. Constitution Amendment 14, Sec. 1

Sec. 1. [CITIZENS of the United States.]

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

## ★ Idaho Criminal Rules, Rule 11(c)(2)

Rule 11 Pleas

(C) Acceptance of Plea of Guilty. Before a plea of guilty is accepted, the record of the entire proceedings, including reasonable inferences, must show:

(2) that the defendant was informed of the consequences of the plea, including minimum and maximum punishments, and other direct consequences that may apply;

### ★ Idaho Criminal Rules, 35(g)

Rule 35 Correcting or Reducing a Sentence.

(2) Illegal Sentences. The court may correct a sentence that is illegal from the face of the record at any time.

I learned from I.C.R. Rule 11, (C)(2) above, that they must advise me of a minimum sentence. Appendix A, shows that they did not. So I filed Appendix B. The State Courts refused to obey I.C.R. Rule 11(C)(2) above. Appendices B-1 show what happened.

I'm asking this Court to protect my legal rights.

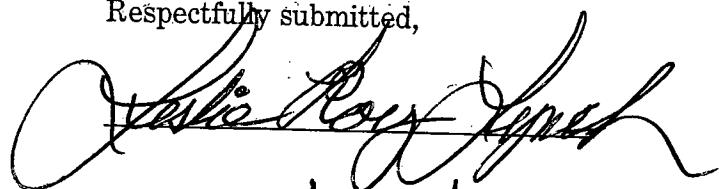
REASONS FOR GRANTING THE PETITION

The Idaho Courts are not obeying the laws or the  
Constitutional protections. We Need this Court  
to order my guilty plea withdrawn.

## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Leslie Ray French

Date: 02, August 2018