

No. 18-8578

ORIGINAL

Supreme Court, U.S.  
FILED

MAR 19 2019

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

DeMarius Williams — PETITIONER  
(Your Name)

vs.

Illinois Supreme Court — RESPONDENT(S)  
"et al."

ON PETITION FOR A WRIT OF CERTIORARI TO

Supreme Court of Illinois case no: 124299  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

DeMarius Williams  
(Your Name)

Centralia Correctional Center  
P.O. 7711  
(Address)

Centralia, IL 62801  
(City, State, Zip Code)

\_\_\_\_\_  
(Phone Number)

### QUESTION(S) PRESENTED

1: Was petitioner proved or not proved guilty of unlawful possession with intent to deliver a controlled substance beyond a reasonable doubt where he possessed 15.5 grams of cocaine on his person, an amount police officer witnesses testified could have been for personal use?

U.S. Const. Amend XIV; Ill. Const. of 1970, Art. I § 2; People v. Robinson 167 Ill. 2d 397, 657 N.E. 2d 1020 (1995).

2: Should cause be remanded for resentencing because trial Judge believe petitioner was eligible for up to 60 years when in fact the maximum sentence was 30 years. Judge considered improper aggravating factors; Improperly considered pending charges? 720 ILCS 570/408 (west 2012) People v. Hiller, 237 Ill. 2d 539, 931 N.E. 2d 1184 (2010)

3: Was petitioner's Due Process rights violated when reviewing court considered cases defendant was never charged nor convicted of?

4: Was petitioner's constitutional rights violated when trial court state's attorney misstated evidence, cumulative effect of prosecutorial misconduct, trial court abused its discretion, and petitioner's counsel was ineffective?

5: Was petitioner's constitutional rights violated where trial court state's attorney knowingly used false evidence by referencing a garbage bill allegedly found that was said to be in petitioner's name, but was never admitted into evidence?

⑥ Was petitioner's constitutional rights violated when appellate courts affirmed trial court's decision to dismiss petitioner's pro se post-conviction petition in the first stage where as petitioner stated a gist of claim?



## 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:

Supreme court of Illinois case no.: 124299

State of Illinois 3<sup>rd</sup> District Appellate court

Case no.: 3-16-0556

Trial Court: Tazewell County case no.: 12-cl-27

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APPENDIX B	petition for rehearing Appellate court case no: 3-13-0865 (denied)
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## TABLE OF AUTHORITIES CITED

### CASES

### PAGE NUMBER

See briefs in Appendix A-E

### STATUTES AND RULES

See briefs in Appendix A-E

### 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 E 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.



## 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 3-7-2019.  
A copy of that decision appears at Appendix E.

☐ 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**

See briefs: Appendix A-E

## STATEMENT OF THE CASE

The petitioner was not proven beyond reasonable doubt of possession of controlled substance with intent to deliver. See briefs: Appendix A-E

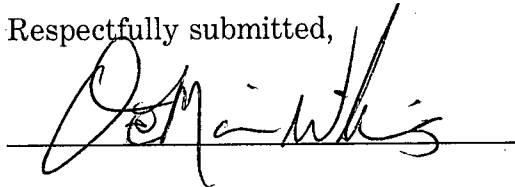
### REASONS FOR GRANTING THE PETITION

This petition should be granted because the petitioner was not proven beyond reasonable doubt of possession of controlled substance with intent to deliver. The reviewing courts failed to correct the lower courts errors.

## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. M. White", is written over a horizontal line.

Date: 3/20/19