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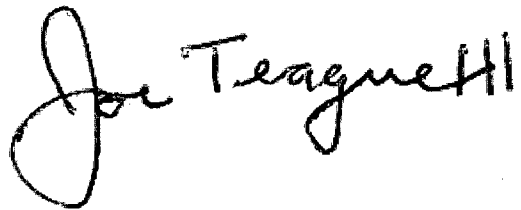
Joe E. Teague, III \_ PETITIONER

vs

State of NC— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

North Carolina Supreme Court  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)



PETITION FOR WRIT OF CERTIORARI

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## QUESTION(S) PRESENTED (underlined with support following)

1. Was COA17-1134 dispositive of appeal brought to NC Court of Appeals? COA Decision never addressed "good faith exception" issue state vs fed with affidavit from Detective Braswell to establish probable cause for search warrant. Good Faith Exception principle is handled differently in Fed and at state level Appendix D. When one NC judge addresses principle differently than another (Tyson in this case v McGee in Daye and others) and NC Supreme Court declines to address inconsistency, US Supreme Court must address to protect due process for everyone.

Was the 10/30/18 denial of motion by Judge Doughton for suppression of evidence filed by Counsel for joeiii Brad Polk properly dispositive by Judge Morgan 12/8/16 simply accepting it as appealable on review and not addressing at that point to possibly end the case there?

Aside...Does counsel have to move for review of underlying decision with bearing on the case at hand...to stipulate the Judgment is appealable and should it have been appealable there addressed there before stipulating it for others without review. It defeats rights to speedy trial. On the one hand Judge Tyson is led to cure any underlying defect in a case to reach a final decision and in the other Morgan on matter of Motion to Suppress is OK to defer to appeal to others as matter of form. So, was Denial of Motion to Suppress properly disposed of by Judge Morgan simply preserving right to appeal kicking the ball down the court effectively for its effect on court system and cost to all parties. .

**In support:** Judge Doughton simply accepted aDA position on Motion to Suppress asking aDA in transcripts to write up his Order denying Motion. Matter was so stale, there was no investigation of anonymous neighbor statement for investigation in the first place. During time this matter was evolving, detectives were told not to handle substances they thought were narcotics for fear that there was fentanyl present where 7 grains could harm or kill the person handling it. Detective Braswell states he handled the substance with no special care testing it with kit which was not pursued. There is unstated history of this Detective playing fast and loose with certain Magistrates to obtain Search Warrant for any cause. Obtaining the search warrant was the heart of this case. The search warrant was served as a no knock warrant causing damage to the house joe Teague iii and his roommate had just moved into. There was no verification a water bill database existed with joeiii established for the address he and his roommate had just moved into. There was no investigation done of the roommate case disposition as they were both picked up at the same early morning raid. The accusation was there

were narcotics being sold. There was never any evidence of that. The money seized was the deposit for the house. When Joeiii and his roommate bonded out, the owner of the house advised he wanted to cancel the rental agreement. Detective Braswell noticed church school near house in question with glee while driving Mr. Teague and roommate to Detention when warrant was served and went onto to share his suppositions with the church which damaged Joeiii reputation and his family. The no knock warrant was executed by a number of SWAT team members like 5+. There were issues with O/T misuse at RPD during this period. So the question: was their ever probable cause for this action against Joe Teague iii and his roommate. It is not known how the roommate was charged. No inquiry made at trial. Did "good faith exception" which does not apply in NC, cure the defects of time specifics in the affidavit for the search warrant. Although not mentioned, Joe Teague iii birthday is 9/2/88 not 4/1/88. His rap sheet began when he did not receive felony diversion when he was first addressed in 2006 for missing bicycles where the investigator in that matter asked the homeowner in that case did the bikes disappear at night and were they inside the garage. Homeowner resisted inquiry on subsequent contact. No bikes were ever found. The report was enough for insurance to be filed presumably. The rogue operation in that matter and this are a pattern like the Duke lacrosse case. Rush to judgment and fitting the evidence to the presumed violation. Asset forfeiture topic it seems. Use of GPS to track Joeiii?

2. Was the denial of motion for suppression of evidence filed by Counsel for Joeiii, Brad Polk, by Judge Doughton not before Judge Morgan dispositive of that Motion. So, was the Order denying the Motion to Suppress the core evidence used to claim probable cause valid for not being fully dispositive of the issues in the motion for not having addressed the substantive element of the matter (there was no "there", there was no specificity, Detective Braswell succeeded in obtaining an open phishing warrant on me Joe Teague iii? This is a national disgrace for those in judicial authority but equally to those seeking to abuse the system for a cause that is otherwise not supportable. It seems to flow from lack of diversity in our judicial halls who then train all they associate with. Advisory Opinions prevail as gospel. A willing mind albeit makes it easier to corrupt the system. Help.

In Support: Judge Doughton asked prosecutor to write up Order he signed per transcript.

Judgment/Order did not address every issues Mr. Polk submitted. The former Attorney Anna Smith submitted a prior Motion which the aDA had, prior to Mr. Polk accepting the case. That earlier Motion was not addressed or disposed of formally either. Chain of evidence was an issue never addressed by the court or chain of communications.

3. Criminal Law statutes in NC were changed in the late 1960s in NC to define Due Process as satisfied procedurally by taking the findings of a Trial Court to an intermediate appellate court (NCCOA) reviewable by the NC Supreme Court in criminal matters. For three judge panel in NCCOA deciding cases without dissension, a PDR is required for review at NC Supreme Court. Capital punishment cases

excepted. **Does current NC appeal procedure via PDR access to highest court, absent further check like Post Conviction Review PCR procedure, satisfy due process in the US Constitution?** In that there are two elements of due process, procedural and substantive, is any of this due process constitutional as practiced in NC since late 1960s with no element of substantive due process to be found in civil or criminal or administrative justice system? There is no consistency of opinions as witnessed by Judge Tyson misread of the Good Faith Exception principle to find for denying Motion to Suppress in this case. **Is common law replaced by statute with no check on due process.** Administrative Law is similarly corrupted by itself declaring that its process satisfies due process. *Peace v NC ESC*, 349 NC 315, HN14, Chief Judge Lake, 5/29/1998. NC APA procedure illegally allows no trial as mandated by US Constitution. **Administrative Law in NC...Constitutional or not? . So, do NC courts have any jurisdiction in my case for the courts having violated so many basic principles of the US Constitution...4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup> amendments out of hand and equal rights amendment in 14<sup>th</sup>.amendment?** Speedy trial, excessive bail, inconsistent decisions, no use of investigators, public defenders who are legendary for their allegiance to aDAs to delay and incarcerate and seize and elicit pleas. To load up the Rap sheet to predestine the outcome. I submit this is a national phenomenon. **Is predatory policing and prosecution a national phenomenon executed by an unregulated monopoly behaving like RICO?**

In support: Voters in 1980 in NC passed a voter referendum on an amendment to the NC Constitution that became Article IV, Section 22. NC State Board of Elections interpret that to restrict who can file to run for judge in NC. That is at the core of the NC US Congressional District 9 election in 2018 I trust the US Supreme Court will note as it considers and comes to a decision in that related matter. The constitutional referendum matter in 1980 was unnecessarily confusing using reserved words whose meaning voters only learned after the election: "Practice of law" in that 1980 referendum is reserved to lawyers defined as JDs in GS84 NC as voters were told after the vote. The Referendum said only those duly authorized to practice law were allowed to be judges in NC. So, judges must hold a JD in NC since 1980 to file to run for judicial office. NC SBOE declare what is a judicial office. So, DA's the same, and defense attorneys the same. JD's are awarded by ABA certified law schools since mid 1960s in NC in another voter referendum to change the NC Constitution. Lawyers were formerly university certified LLB, LLM, LLD. The referendum changed the degree and the certifying body. ABA manages NC Bar Exam and mandate only JD's be allowed to sit for their Bar Exam. No "country lawyer" path to sitting the Bar by experience and reading law exists in NC since. Is this restraint of trade violation? There is no appeal of the PDR declaration. The court itself declares itself to meet due process in NCAPA matters since about 1985 even though denying trial. There is then no Post Conviction Review PCR process in NC to check judicial misconduct. The accused gets one bite of the apple so to speak. And when the Administrative Law Judge and prosecutor alignment is improperly symbiotic, a situation like the FISA court in news of late can exist where the judge can be deceived and the accused be wrongfully convicted

with no recourse. I know a case like this now Teague v NCDOT 281P06. The matter was brought in federal court 42 USC 1983 separately and via appeal but administratively derailed at the 4<sup>th</sup> Circuit due to motions having been scanned in in error by the court itself. Pro se and pro per litigants are not allowed to file and pursue cases electronically in the Eastern District of NC federal court to this day. They are in 4<sup>th</sup> Circuit US Court of Appeals. 4<sup>th</sup> Circuit Court of Appeals (09-1605 and 10-1385) and U.S. Supreme Court (09-8582) It went on from there only administratively rejected. Is the JD as ABA certified lawyer the only kind of practicing lawyer allowed in our courts and as judges? Is American Jurisprudence only what ABA says it is? When substantive due process is being ignored in favor of procedural due process, can that form of justice stand and count as stare decisis to build on as settled. Is it true that when a case is not appealed to the highest court in a state or in the land, that case is not settled beyond per curiam and does not constitute settled law for establishing precedent?. Does that approach apply for findings at US District Court: it would appear to apply within the boundaries of that court which means it cannot have jurisdiction on national topics. I submit the matter affects the current issue with who won 9<sup>th</sup> Congressional District in NC and how voting boundaries are drawn. I note, in passing, that Lexis Nexis and WestLaw services allow HeadNotes to be included in searches and those notes are not part of the case for precedent and reference purposes I submit.

## LIST OF PARTIES

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

[ x] 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: The state: NC Public Safety exists over municipal and county cops, NC AOC Admin. Office of the Courts guide the judicial process for the NC Supreme Court Chief Justice, NC OAH, the DA, Indigent Services over Public Defenders and appellate defenders, Trial Court system and appellate court system, intermediate and NC Supreme Court (Clerk of Court Superior Court, Clerk NCCOA, and Clerk NC Supreme Court). So, without objection filing the case with the NC Supreme Court and NCCOA suffices for the State.

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APPENDIX C211P18, State v Teague Joeiii

APPENDIX D North Carolina Law Review, 9/1/92 Good Faith Exception

APPENDIX E PDR State v Teague, joe iii 07102018

APPENDIX F Reply Brief, State v Teague, joeiii COA171134dated04042019

APPENDIX G Defendant Brief StatevTeague,joeiiicoal71134dated01222018

APPENDIX H Washington v State Vacated & Dismissed with Prejudice for violation of speedy trial rights, pretrial incarceration, and butchered evidence with no justification to ruin a host of lives & taint the judicial process (my words)

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## AUTHORITIES CITED

### CASES

Washington v State NCCOA 07-1517

### PAGE NUMBER

Appendix H

Cases etal Appellate Defender Record & Briefs for COA17-1314 Appendix E,F,G

Ref. from former NC Supreme Court Chief Justice Jim Exum      Appendix D  
Stating “good faith exception” principle not allowed in NC.

*State Constitutions can be less restrictive never more restrictive than Federal law (supremacy clause) so COA17-1134 Decision wrongly yields unlimited authority in NC to cops seeking warrants, and it guides Magistrates to concede singular authority of cops when they come seeking a warrant as if a normal common man response without recourse, because our courts have shown they will accept without question that collusion between affiant and Magistrate to erode the rights of our citizens which must be reigned in and corrected now and for past violations. Sr. Superior Court Judges are appointed by the Chief Justice of NC Supreme Court. The Sr. Judge hires all Magistrates and they look to him or her for guidance. The Chief Justice also appoints Chief Administrative Law Judge who hires all Administrative Law Judges and is responsible for their body of work no different than for our FISA courts in context there. Washington was an egregious uncorrectable wrong no less than the current case at Bar which is a pattern and sign of a whole branch of govt certified by only one body, and it in Chicago. Only they are allowed to even run for judge. Practice law is likewise restricted to only that certified class and only they can sanction their own. Constitutional is theirs to declare. Respectfully, our Criminal Justice system cannot stand another day of this. Our prisons and detention centers are overflowing creating a whole new underclass fed by our halls of education. Article IV, Section 22 of NC Constitution seems a*

*place to start. NC already has walls in the form of prisons and the wrongful systems that feed it.*

## STATUTES AND RULES

GS150B, GS15a, NC Constitution (1868 and 1971), GS7A, US Constitution

## OTHER

Note: appeal by Appellate Defender office was not pursued after NCCOA17-1134 Decision 6/25/18 written without dissent of 3 judge panel. There were some protected days for maternity leave for attorney assigned to case that I'm told did not affect decision to appeal to en banc hearing or rehearing for problem with misuse of good faith exception in NCCOA Panel Decision to affirm Trial Court Judge Morgan Plea Order and acknowledging appeal right on denial of Motion to Suppress core evidence. Denial was by another Judge. Judge Morgan took his seat duly elected just prior on NC Supreme Court directly after this case. PDR's are received by Chief Justice who distributes them to Justices via shuck system for traditional up or down vote to hear. There is no mandatory check on how PDR is distributed by Chief Justice. 281P06 is matter I have some personal knowledge of where not all material was distributed and there was no process to dispute or rehear forever. The Daye case in the brief by the Appellate Defender Katz did note the issue of Good Faith Exception abuse and in the PDR to NC Supreme Court following the NCCOA decision affirming the Trial Court Plea Order and Sentencing by the Trial Court preserving the appeal of the Motion to Suppress previously denied by another Superior Court Judge: Judge Doughton.



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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:

**NCCOA 17-1134 Teague, State v Teague, III, Joe E.**

☐ reported at;  
or, ☐ has been designated for publication but is not yet reported;  
or, ☐ is unpublished.

The opinion of the NC Trial Court \_\_\_\_\_ to the petition and is

☒ reported at **14CVS205326/7 State v Teague Joeiii**

or, ☐ has been designated for publication but is not yet reported;

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or, [ ] is unpublished. Included in Record for NCCOA17-1134 submitted by Jilian Katz, Appellate Defender. [www.nccourts.org](http://www.nccourts.org) and look for electronic filing, search Teague and find case and look for record on appeal.

1.

## 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).

[x] For cases from **state courts**:

The date on which the highest state court decided my case was 10/24/18

A copy of that decision appears at Appendix C\_\_\_\_\_.

[ ] A timely petition for rehearing was thereafter denied on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_. Not allowed in North Carolina.

[ ]x An extension of time to file the petition for a writ of certiorari was granted to and including 1/30/19 \_\_\_\_\_ (date) in

Application US Supreme Court, 60 days from that date for corrected petition by Mr. Levitan correspondence 1/30/19 for SSH, US SC Clerk from first filing 1/21/2019 to accommodate 90 days from 10/24/19 PDR Denial .

The jurisdiction of this Court is invoked under 28 U. S. C. 1257(a).

Note: Appellate Defender designated attorney, was away on maternity leave and matter was not pursued beyond COA17-1134 and PDR filed subsequently denied by NC Supreme Court 10/24/19 electronically but not further addressed. No En Banc hearing or request for rehearing at NC Court of Appeals or NC Supreme Court. Appellate Defender made an effective appearance. The matter of Good Faith Exception was just ordained by NCCOA Decision 6/5/18.

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Speedy Trial

Good Faith Exceptions to Warrants issuing Probable Cause

Suppression of Evidence

Procedural and Substantive Due Process

Equal Justice

JDs have unregulated monopoly in NC

Excessive Bail.

NCGS is unconstitutional for arbitrarily assessing disposition, hearing and appeal from an intermediate court of appeals NC Court of Appeals. In that only JD's can be lawyers and practice law per GS84 in NC, those caught up in justice system are at the mercy of what JD's understand, how they practice, their unilateral decisions, and grounds for and pursuit of appeal if at all. When cops misbehave as in Duke lacrosse, their acts are compounded by a court that seems too quick to affirm and accept and pile on the mistakes coming to it establishing stare decisis which further compounds the abuse. Individuals caught up in the process sit in jail minimum of a year as the DA de jure has time to coerce a false plea from the person of interest to start a process of fines and penalties based on

advisory sentencing table. It's a process that is a pattern statewide and beyond it appears. The taint from the court charging and sentencing creates record that establishes each person in it as unable to find employment, housing or even a church family. The process is flawed with repercussions in every corner of our America.

## STATEMENT OF THE CASE

To Do: Concise statement containing facts material to the consideration of the questions presented; summarizing relevant facts in proceedings below. Concise and relevant to facts of the case. There are limits to my circumstance and I trust you will recognize I'm not an ABA schooled lawyer. One cannot sit for the Bar exam in NC without a JD degree...

Question 1 Was NCCOA 17-1134 Dispositive on matter of Good Faith Exception?

Question 2 Was Order from Trial Court effecting Plea and preserving right to appeal Motion to Suppress Evidence legally correct not being fully dispositive of all issues brought to it on appeal in the case?

Question 3 Is judicial procedures in NC Constitution for PDR constitutional with no way to appeal or handle new evidence. Does it violate due process and equal justice and all the rights guaranteed by US Constitution. Forgive me but I'm not a lawyer. Allow me to ramble a little without being severely punished for it. There is a procedural element here but a substantive one I hope I can come to sufficiently clearly to secure your help.

Respectfully, I begin. Unless there is some other explanation, Detective Braswell lied; Trial Judge improperly dismissed Motion to Suppress underlying evidence 10/30/16; Trial Court heard evidence week of 12/8/16 gathered based on anonymous witness' uncorroborated report of narcotics activity and unspecific Affidavit by RPD Det. N.D. Braswell with personal vendetta against me accepted it as probable cause to conduct trash pull and non-specific no knock search warrant. Directed Verdict accepted the Denial of the prior Judge of Motion to Suppress. There was an earlier Motion by original attorney to Suppress never considered by that court that worked to confuse the answer. The aDA at the time wrote the Order by that original Judge Doughton 10/30/16 subsequently accepted as true by Judge Mike Morgan in his Order/Judgment 12/8/16 to accept the Plea for 2 years probation, fine and preserving the Motion to Suppress on appeal by Appellate Defender. Coincidentally on same day the Response Brief was due 3/21/18 at NCCOA for 17-1134, a suspicious package was found at Federal Express in Raleigh Atlantic Avenue I understand by dog which when package opened was said to have Marijuana wax containers inside addressed with a name like mine and with my home address written on it. I was arrested the next day and remain in detention since. Trial pending as usual unless I plea to something I did not do and have no knowledge of. The NCCOA court accepted the Response Brief and essentially rewrote sua sponte itself the Search Warrant providing specificity enough to satisfy itself it could Deny the Motion to Suppress. That appellate court Decision was not dispositive in that it failed to address the Daye case which found reason for Search Warrant must include minimum specificity and cause to establish probable cause and without those elements should not be granted. Good Faith Exception principle is not accepted in NC but it was circumvented by NCCOA Decision when it simply supplied its own dates to cure the missing elements of the Warrant in its Decision 6/5/18.. Databases consulted in Affidavit for Search Warrant were never explored. I had just moved into 621 Manchester when Detective Braswell appeared. He knew my mom but avoided mentioning knowing my dad. There were issues with O/T abuse at RPD so it was not surprising that an entire swat team showed up early morning 3/7/14 to serve the search

warrant and knocked my front door down. I and my room mate were asleep in our rooms. Rashomon effect should apply for differences in how the two cases (my roommate's and my own) were pursued. My family pet dog Coey about 15 years old then nearly had a heart attack and never recovered. The disposition of my roommate case was not discussed and if his case was related to mine and how it contributed to mine. There had been a curious package that appeared on our door step a couple days prior to the police arriving in that case – a leafy substance that appeared to be marijuana. aDA at the time wrote the Order for Judge Doughton 10/30/16 denying the Motion to Suppress. The Search Warrant was sometime 2014 seemed open ended. Cop in a hurry and would address dates on the warrant on return like. There is history of that being a pattern. The Trial was week of 12/8/16. There were no traditional drugs no narcotics. The leafy stuff was what it was as it appeared. The money taken was for first month rent and deposit as we had just moved in. I was told by a neighbor the anonymous tipster was our neighbor who had a mental disorder and would say anything. I thought being cordial with her would be enough. It was not. The house was torn down immediately after we had to vacate the house upon bailing out so I could continue Wake Tech classes. New house built on site so there were motivating circumstances in play with all this. Owner returned most of rent and downpayment. Although promised, I never had copy of lease after we began renting. Owners were NCSU professors we were told. I had been attending Wake Tech and was beginning classes at NCSU Jan 2015. I am a member of Trinity Baptist since 1998 which is right next door. Det. Braswell has been diligent in trying to establish the house we had just moved into was within 1000 feet of a church school for additional charges. Trinity Baptist is where my family have been members since I was born. My birthdate on charges by Det. Braswell is wrong. Defect. It has been wrong since I was first introduced to the court system in 2006...it thinking I was 18 and not eligible for felony diversion program then on charges similarly constructed on interview by a homeowner and bike claimed missing by homeowner and last seen in garage at night to charge larceny and burglary but I could take alford plea to avoid jail time which I did against the wishes of my parents in court in the old courthouse. This all flowed from public school unsupervised suspension as sanction for late homework. That led to issues with my curfew and Judge Stephens allowed me to just serve the 6 months detention in that case so I could finish my GED finishing in summer 2008. I was sent to Polk thinking I was 19 at the time. They eventually corrected that mistake and I was sent to Morganton for youth offenders. After finishing there I was trying to find my way and taking classes at Wake Tech until 2014. There was some history with Detective Braswell ever since the bike matter. I had been living with my parents up to Manchester. That is pretty much the Statement of the Case as I know it. I was a Special Education student at Wake Co. Public School System thru sophomore year at Sanderson HS. Broughton first year but my home address was reassigned due to new bus route. My birthday is 9/2/88 not 4/1/88 wherever that came from. Homework is not my favorite thing to do. I was held back in 6<sup>th</sup> grade because I did not write the requisite 3 sentences on an end of grade writing test and was unable to get that resolved. That forced me to different classmates. It made me out of place in my new school. I eventually was successful but 8<sup>th</sup> grade was difficult, and I ended up in Alternative School near Fairgrounds. I attended Broughton HS one year. I liked it but I wasn't as successful there as I needed to be. New bussing plan assigned me to Sanderson HS where I was again out of place. In my spare time, I have learned how to find salvaged Audi's and restore them for sale. That was dream for Manchester: to

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finish welding program and business degree there. The vehicles are where is, as is and I had to clean them up wherever I could find them. From time to time there is all kind of trash including marijuana peripherals in them that I have to dispose of. Pretty sure that was issue in storage shed and in my room at home at my parents. So, motion to suppress illegally obtained search warrant is pivotal in the case at hand and the current one where I'm detained calculating my bail based on 2014 matter I'm trying to resolve with this appeal. Words matter. Age matters. Original mistakes in judicial system matter. Expungement would help excessive bail issue for not just me.

Apologies if I'm too direct but I've been detained for over a year now. Bail was set in 3/22/18 with the 2014 case contributing to the bail calculation based on charges. \$150k. A mysterious package put me on the hook in the current matter. It's the pattern to exact a Plea for something folks didn't do. I had 2 seizure bouts in 2017 June and November and another 2/19/18 and they were was affecting my school. I'm taking meds still for that. I've included the Appellate Defender Appeal brief, reply brief for 17-1134 and the PDR because I felt they were accurate about how things transpired. One is picked up on charges; ones tries to sort that out but good lawyers are not cheap. I felt Counselor Polk did good, and then helped me with the Appellate Defender. I felt Attorney Katz believed in my case. Even NCCOA Chief Judge McGee's Decision on the Daye case was at odds with Judge Tyson's Decision on my case. Even federal case law requires some specificity on warrants. But, there was no dissension on the COA Panel that decided COA 17-1134. There was not one of 7 of NC Supreme Court Justices who chose to look at the PDR. I was a Boy Scout and feel wronged by people who should know better. There is no one to right an obvious wrong. It just seems like one vocation is controlling the whole process of law and justice. Citizenship was my strong suit in Scouts. I made it to Scout Eagle project in Troup 214 before my dad lost his job at NCDOT and Scouting became less important to me.

## REASONS FOR GRANTING THE PETITION

Mission: I will try to show why the lower court decision is erroneous but the national importance of having the US Supreme Court decide the question involved. Show why decisions in my court are in conflict with another. Important to me and to others. To be concise as possible within this context.

The matter of good faith exception not being consistently applied in NC. The fact that judicial decision are not fully dispositive of issues being appealed. There are matters the court chooses not to get to it says, having decided for one party on one issue or another, but that just delays justice as I see it. Allowing cops to secure warrants for any reason because a Magistrate thinks the cop

knows best and courts have supported that is a terrible cross to bear. It ruins the cop and it ruins their standing in the community. Our leaders condone that though. The Duke lacrosse matter comes to mind. Detective Gottlieb has had his own story and DA Nifong but they were doing what they were trained to do by NC AG and our courts. The Washington v State 07-1517 NCCOA matter is instructive. With time of the essence, I trust my research for the NCCOA case no. is adequate. The codified case reference is not so readily available to me. In the second matter, when a Judgement is not fully addressed, it is justice denied I submit. When only JDs can run for Judge, make law, interpret and administer law, the process is absolutely assigned to the way they work or don't. I took from 2014 to 2016 to get to the Trial Court. It has taken to today to get to you. Still no justice in sight. I am not the only one in this circumstance I submit. Criminal justice reform just passed Congress. I submit criminal justice is not a problem, it is those in exclusive charge of it...those who charge, those who prosecute, the info system used to set bail, the taint that applies to a person with a court history, the ability of folks in the court to pick and choose who they focus on. We are not all equal and just by putting us together cannot make it so. Booker T Washington had something to say on that. Smollette for instance in Chicago. Race and intermarrying does not make it so. We are better sometimes to learn and grow apart and then work together to accomplish great. TV shows like Bull and Proven Innocent hit too close to home and to truth. And, finally, practice law should not be restricted to JD certified by ABA. US Supreme Court Judges do not require a JD to be nominated per the US Constitution...only 18 years of age and good morals. Not everyone is guilty and not everyone is innocent. I can say for sure with so many laws, everyone is guilty of something and can be proved so in a court of law. In NC we don't have a probable cause hearing. ADA goes to grand jury for charge. A grand jury will indict anyone because there is only one side presented. Perry Mason sequels shows the importance of probable cause hearing. It shows the importance of investigators. A defense attorney and the accused if they alone appeal to a grand jury can illicit an indictment against the prosecutor and DA/AG. Rashomon is a classis movie on differences in what we all see when looking at the same event.



I'm falsely accused and held for over a year now and accused with no trial complicated by the 2014 matter being appealed to you. I finally gave up on my assigned Public Defender and asked for a replacement. The current matter has the same MO as my 2014 incident: local cop creates some accusation and uses it to find something else. It seems I'm targeted by certain folks in law enforcement active and condoners and it is normal for the aDA to try to exact a Plea for something from me or all his charge. It's just the way the system works when one gets caught up in it. Speedy trial has been ignored. All constitutional rights reserved means nothing in NC. Reason: because I'm not guilty and the process is broken. I've been out of NCSU a year now. I'm 30.

We have new Sheriff in town and many of those involved are no longer involved. My mom's car was seized, but finally released after storage bill going on \$2k. My dad's collector never fired 9mm Browning pistol was seized and has not been released even though forms filed and personal request made to aDA. NC Dept. of Revenue garnished my bank account for the current case even though that case has never been to trial. This original case is now here in your hands on appeal. The probation officer has visited me on the 14CRS205326 case. It involved 2 year probation from 12/8/16. The current case began 3/22/18 so there is some overlap if that 2014 Motion to Suppress evidence in that case is not resolved. NC DOR sent regular letters threatening to put a lien on my mom and dad's home thinking that Joe Teague is me in the current case. I'm guessing they've kept my rent money when they executed the warrant at 621 Manchester 3/7/14 or NC Dept. of Revenue would be sending me letters for that too. The current case 18CRS205570 et al was launched on the day the state's response brief was due for the 2014 NCCOA 17-1134, i.e. 3/21/18. My dad is Joe Teague Jr. I'm Joe Teague III. There are a ton of Joe Teagues I've come to learn when looking for my court dates. I'm currently in Detention for over a year now on excessive bail for this current case. I'm not a risk to go anywhere except home and try to finish school and get on with my life. Police have what they seized in this matter from 2014 and now what they seized in a second matter as a way I submit with all the appearances of being rigged to interrupt the appeal process for the 2014 matter. There is no

presumption of innocence. In that only JD's can practice law in NC they say, it is an unregulated monopoly with ends predisposed with wrongful ends from where I sit. I thought early on I could just pay the fines when I was stopped, but then that just led to a Rap sheet which gave cause to pick me up again.

Expungement was the way out, but that's not easy when one is the subject of a BOLO 24/7 it feels like. Be on the lookout written it seems by a cop who thinks he might score a win if I ever lose this case and he can take my car or house.

This is a pattern and I'm not the only one feeling there should be a better way.

No offense. It just can't be this simple to correct. I submit my situation plays out nationwide. Injustice makes criminals out of all of us on both sides. Article

IV, Section 22 of NC Constitution is unconstitutional requiring JDs be judges.

Our current justice system violates due process because it is not fair. There is no way to correct a mistake and the process takes too long and costs too much.

Corporate law suits are just a check writing process. Law is a procedure but it makes mistakes. A lot of them if Rashomon is right. Cops are peace keepers,

not ticket writers. Our judicial system makes mistakes. It is a mistake to allow only one pedigree to sit in judgment of everyone else. A JD has no substantive training and yet they sit in review of all vocations from Engineers to MD's and Accountants and Dentists. We allow reconstructed memory to act as truth.

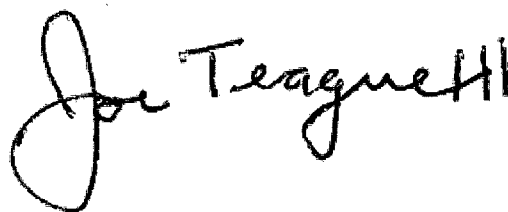
Rashomon addressed that.

Thankyou for your help in making things right in my case: Judge Tyson needs more training, Detective Braswell needs some jail time, NC SBOE should have non lawyers in charge. Law is a great vocation. It just shouldn't have exclusive domain. When it does our education suffers; our interest rates get out of hand; prayer in school is lost; busing and tolerance and diversity and everything is OK reigns. I've had a lot of time to read my Bible lately and the 10 commandments are a pretty good gauge of crime I think. And for me, I need to be further away from habits I learned in High School. My family needs me and I need them. I have a life to get on with. I'd like to think when I get things resolved I won't have a BOLO out on me for next time. Thank you taking my case.

Respectfully, I'd like to address your court.

## CONCLUSION

The petition for a writ of certiorari must be granted and to halt the injustice to those illegally detained with rights infringed while the answer is coming.

A handwritten signature in black ink that reads "Joe Teague III". The signature is written in a cursive style with a large, looping initial "J".

Respectfully submitted,  
Joe E. Teague, III, Pro Per,  
Date: March 26, 2019

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