

QUESTION(S) PRESENTED

Whether the appellate court erred by not applying Supreme Court Rule 615(b)(1) and (b)(4).

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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TABLE OF AUTHORITIES CITED

CASES

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STATUTES AND RULES

Supreme Court Rule 615(b)(1) and (b)(4), authorizes a reviewing court's modification or reduction of a criminal sentence on appeal.

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 is unpublished.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 is unpublished.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 is unpublished.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 State of Illinois Appellate 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 is unpublished.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 Aug 9, 2018.
A copy of that decision appears at Appendix A.

A timely petition for rehearing was thereafter denied on the following date: Sep. 13, 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

STATEMENT OF THE CASE

Defendant, Kurtis Worley, was charged with the first-degree murder of his wife, Martha Worley, and the attempted first-degree murder of his stepson, A.H. Both charges arose from a single incident which occurred on July 26, 2013. On January 15, 2016, defendant entered an open plea to both charges. Defendant was sentenced to terms of 40 and 12 years to be served consecutively.

Proceedings from the Appellate court, we may not substitute our judgement of the trial court merely because we might weigh the pertinent factors differently. (Even a sentence within statutory limits may involve an abuse of discretion such that a reviewing court should exercise its power under Supreme Court Rule 615 (b)(1) and (b)(4). (People v. Steffens (1985), 131 Ill. App. 3d 141, 86 Ill. Dec. 392, 475 N.E. 2d 606). (Jones, 213 Ill. Dec. at 664, 659 N.E. 2d at 1311). (134 Ill. 2d R. 615 (b)(4)).

REASONS FOR GRANTING THE PETITION

Defendant Kurtis D. Worley, lived a law-abiding life with no criminal background before this event. He expressed true remorse for his inexplicable behavior. Because defendant admitted guilt, expressed remorse, chose not to put his family through the trauma of a trial, and committed no other crimes during his life, and defendant has rehabilitative potential. If the sentence stands, future offenders will have less incentive to enter guilty pleas, and victims would therefore needlessy experience the trauma of a trial.

Wherefore, Petitioner, Kurtis D. Worley, Pursuant to Supreme Court Rule 615, respectfully request that this Honorable Court grant whatever relief this Court deems just.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Kurtis Worley Pro se

Date: 4-24-2019