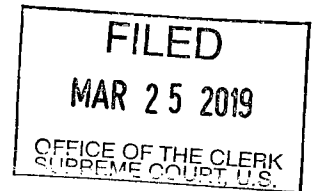


18-9404

No. 18-9404

ORIGINAL



IN THE

SUPREME COURT OF THE UNITED STATES

Devon Lona Lunn — PETITIONER
(Your Name)

vs.

United States of America — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Fourth Circuit of North Carolina Middle District
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Devon Lunn 31369-171
(Your Name)
Secure Female Facility - Hayelton
P.O. Box 3000
(Address)

Burkeston Mills, WV 26525
(City, State, Zip Code)

none
(Phone Number)

QUESTION(S) PRESENTED

- 1) Why did I have to plea to firearms that were not in my possession?
- 2) Why am I convicted of a Conspiracy in which my co-defendant Jonathan Duncan was not convicted on and the other co-defendant Brian Ashbury was found non-reliable?
- 3) Why didn't my lawyer ask for the fingerprint analysis and the locations of the firearms?
- 4) Why didn't my counselor request a copy of the "said" statements that I, Devon Lunn, supposedly gave to Detective David White?
- 5) Why wasn't I given a minimal role reduction?
- 6) Why wasn't the Johnson Act/Rule applied to my case?
- 7) Why wasn't I given my 15% reduction for helping the government?

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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CASES

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1996 U.S. App. Lexis 33463; 96 Cal. Daily Op. Service 9379;	
United States v. Mount	161 F.3d 675 (11th Cir.)
United States v. Baker	8th Cir. (2003)
United States v. Casperson	773 F.2d 216/221 (8th Cir. 1985)
United States v. Rivera-Santiago	872 F.2d 1073 (1st Cir. 1989)
United States v. Arantis	902 F.2d 489 (7th Cir. 1993)
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X United States v. Alonzo	99 F.2d 1422 (8th Cir. 1993)

STATUTES AND RULES

Rule 403

Rule 408

Rule 410

Rule 103(a) preserving a claim of error

(2) if the ruling excludes evidence, a party informs the court of its substance by an offer of proof (which counsel did not)

Rule 801(d)(2)(E)

OTHER

The detective on my case promised me that if I helped them/gave them information he would not prosecute me on the charges that were sent to Federal Court and he told me he wouldn't call the FBI. Also my statement to the detective should not have been admissible without proof of it being made.

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 176 to the petition and is

- ☒ reported at 107 Fed. Appx. 176; 2017 U.S. App. Lexis 26681; 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 _____ 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 December 27, 2017

☒ 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 _____.
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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

In this prison we don't have access to the law books and I don't know how to look up everything so please bare with me and help me because I am doing the best I can.

STATEMENT OF THE CASE

The ~~Defendant~~ ~~was found~~ ~~found~~ pleaded guilty to possession of firearm by felon and conspiracy to distribute cocaine based substance because I was not in clear understanding of my rights. My lawyer told me that I had evidence stacked against me that would put me away for life. I was never introduced to any evidence against me. Also, the statement that the detective said I made to him was not recorded nor was I allowed to see it. The lawyer never asked for fingerprint analyses on the firearms nor did he ask for the locations of the firearms or the dump found in the co-defendant's property. I was scared and I asked the lawyer to find me another lawyer on several occasions. He was told that he wasn't doing his job and I wasn't satisfied with his services. Also, he spoke with my family members on several occasions without my consent about my case. I am also filing this without any help legally. Thank you
Devon Lunn

REASONS FOR GRANTING THE PETITION

El Deon Dunn, was not made aware of the evidence against me nor did my counsel go before the Courts (as I requested) to ask for fingerprint analysis for the firearms, where the drugs were found (and on whom), where the firearms were found, nor did he make available the statement from the codefendant verifying that I had no knowledge of the firearms being on or around the premises. I was denied (by my lawyer) a chance to ask for proof of any of these things to help me. Also, my lawyer did not bring up the fact that the co-defendant in this case was found non-credible nor reliable so why was the conspiracy charge not dismissed. Also, I was not given my 15% reduction for my help with the government nor was the Johnson Rule/Act applied nor was the minimal role reduction applied. I ask the Courts to please consider these factors when reviewing my case.

Thank you

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Devon Henn

Date: April 12, 2019