

18-9528

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

ORIGINAL

CV-18-17370

IN THE

SUPREME COURT OF THE UNITED STATES

Supreme Court of the U.S.  
FILED

MAY 16 2019

OFFICE OF THE CLERK

Edward F. Marks

— PETITIONER

(Your Name)

Wahil Benovitch

Attorney For Respondent RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Court of Appeals Arizona

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

PETITION FOR WRIT OF CERTIORARI

Edward F. Marks

(Your Name)

PO Box 24401

(Address)

TUCSON ARIZONA 85734

(City, State, Zip Code)

520-574-0024

(Phone Number)

RECEIVED

MAY 30 2019

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

QUESTION(S) PRESENTED

- 1<sup>o</sup> Did The Trial Court Abuse Its Discretion, Feb 14th, 2012 By Not Allowing Witness, And Exculpatory Evidence, Such As Forensic Investigator's Report,
- 2<sup>o</sup> Did The Trial Abuse Its Discretion By Not Allowing Testimony, At Chase Counsel Of His Own, 6th Amendment And 14th Amendment Violation,
- 3<sup>o</sup> Court Of Appeals Sanction Attorney Mar 15th, 2015. Trial State Bar, And Was Suspendd, 1-CA-02-14-0806, Court Never Notified Testimony, Could Have Ask For New Appointed Counsel
- 4<sup>o</sup> Jury Was Mis Informed, When The Judge Fails To properly instruct As To Lesson Of Crime, 5 Yrs Instead Of 15/75 Years
- 5<sup>o</sup> Attorney At Trial Denise Dees Offense Him States He might Have Bumped His Arm May 2nd sentencing he would like him To Receive The Lesson, presumptive 5 years

## 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:

1. Edward Morris Defendant, CR-2017-00883
2. Jason D. Cohen passenger and witness
3. Amelia Ferrara wife, and witness
4. Prosecutor James Zack Mohave County  
Sharon McCleary Sheriff Arizona  
July 15th 2011 - DZAC Road
5. Verlynn Jannel Clerk of Superior Court
6. Denise Dees Attorney, Public Defenders  
Office Mohave County, 928-753-0734
7. Don Simpson, private investigator  
Appointed through Public Defenders
8. Benjamin Brewer, Law Firm -  
911- Duce of clouds DR Shaw Law, AZ,
9. Danner C Kaiser Law Firm 701 Birch, 50  
Flagstaff AZ,

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# TABLE OF AUTHORITIES CITED

## CASES

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MILKE VS, STATE OF ARIZONA,  
 MOONEY VS ARIZONA  
 UNITED STATES SUPREME COURT  
 BRADY VS MARYLAND, 373 US 83 (1963)  
 PYLE, V, KANSAS evidence withheld by  
 prosecution, reversible to the accused  
 US, SUPREME COURT TRANS PER HEARINGS  
 KENT VS, UNITED STATES 383 US, 841, 86 S.Ct  
 1045. (1966)

## STATUTES AND RULES

STATUTES 18, U.S.C. 1621-1622  
 PROSECUTOR MISCONDUCT, VIOLATING RULES  
 OF COURT, FALSELY ACCUSED OF A CRIME,  
 STRUCTURAL ERROR, MADAY VS, STATE ARIZ, 204  
 424 (2004) Ring, 204 ARIZ 534 552  
 9146, 65 P3d 975, 193 STRUCTURAL ERROR  
 Judge

## 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 A to the petition and is 9TH CIR

☒ reported at COURT OF APPEALS; 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 B to the petition and is

☒ reported at U.S DIST COURT; 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 C to the petition and is

☒ reported at AZ COURT OF APPEALS; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

The opinion of the MCRAVE COUNTY COURT court appears at Appendix D to the petition and is

☒ reported at KINGMAN, AZ; 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 MARCH 16TH 2019.

☒ 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 APRIL 30TH 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

Milke vs, Muroz, 236 ARIZ, 276, 2074

STATE IS OBLIGATED TO TURN OVER EVIDENCE

1-CA-SA-14-C108

9TH CIR COURT, ALSO, GIGLIO ~~PROV~~ MILKE  
STATE OF ARIZONA, VIOLATED MILKE,

KEEBLE VS, UNITED STATES, 412 US 205  
1973 Lesson included weak evidence ~~PROV~~  
TO ESTABLISH SOME ELEMENT OF THE OFFENSE  
OREGONLY CHARGE Rule 311C SAME VS,

UNITED STATES, 380, U.S.-343-349-1965

STEVENSON VS, UNITED STATES 1896, US VS  
BARRETT, 870 F.2d 953, 3rd CIR COURT 1989  
GUILTY VERDICT WAS VIOLATED ON APPEAL, WITH  
NEW TRIAL ORDERED, 1-CA-CR-12-C284



Arizona, CR-2017-00853

STATEMENT OF THE CASE

JULY 15TH 2017 TRAFFIC STOP ON AZTOL  
ROAD PORT MUAHVE AZ, ACCUSED OF  
ROLLING STOP, ACCUSED DRIVING ON SUSPENDED  
LIC, DO2636974. ACCUSED OF FELONY  
FLIGHT ACCUSED OF BUMPING OFFICER  
SHAWN MCCLENNY WHILE DRIVING AWAY

## REASONS FOR GRANTING THE PETITION

THE PETITIONER TOOK THE WITNESS STAND IN HIS OWN SELF PROCLAIMED INNOCENTS - THE STATE OF ARIZONA, COUNTY OF MARICOPA HAVE VIOLATED THE 4TH 5TH 6TH, 8TH AND 14TH AMENDMENTS UNDER THE UNITED STATES CONSTITUTION

OFFICER MCCLEARY LIED UNDER OATH AT THE JURY TRIAL, ACCUSING PERKINS OF A CRIME OF ASSAULT, THAT HE DID NOT COMMIT, HE LIED ABOUT HIS ENCOUNTER AT THE TRAFFIC STOP, CLAIMING HE WAS ON SANTA MARGARITA STREET, WHEN HE TOLD THE JURY, HE WAS ON MOUNTAIN VIEW ROAD HEADING NORTH TO AZTEC ROAD,

REQUEST FOR RELIEF

VACATE THE EXCESSIVE 15.75 YRS  
SENTENCE AND OBTAIN A SETTLEMENT  
WITH RELEASE 2,000,000 \$

2.1 million dollars -

7 1/2 years WRONGFUL  
IMPRISONMENT

#### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Edmond K. Morris 195949

Date: MAY 21<sup>ST</sup> 2019