

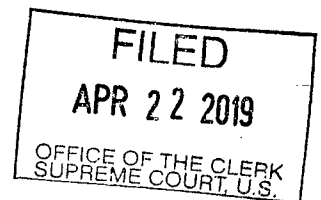
No. 1-15-2039

19-5034 #
Appellate

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES



WELAND DUDLEY — PETITIONER
(Your Name)

vs.

STATE of ILLINOIS — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Appellate Court of Illinois - First Judicial Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

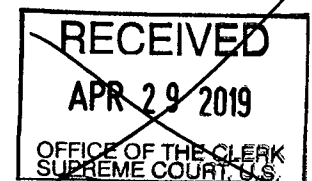
PETITION FOR WRIT OF CERTIORARI

WELAND DUDLEY
(Your Name)

5835 State Route 154
(Address)

Buckneyville, IL 62274
(City, State, Zip Code)

(Phone Number)



QUESTION(S) PRESENTED

GRAND JURY IMPEDED IN THIS CASE THE GRAND JURY WAS IMPEDED (BY) THE STATE(S) ATTORNEY SPECIFICALLY REGARDING THE ELEMENT(S) OF THE CHARGE OF FELONY MURDER AND THE TACTIC(S) IMPOSED (BY) CHICAGO POLICE AND THE CLEAR ACT(S) OF "DEADLY FORCE."

- AFTER BEING IMPEDED (BY) STATE(S) ATTORNEY ROMITO THE GRAND JURY "STILL" RETURNED IN INDICTMENT FOR FELONY MURDER EXPERIENCING THE IMPROPER ACT(S) (BY) THE STATE(S) ATTORNEY CONCERNING THE MOST PERTINENT QUESTION(S) OF THE CHARGE.

EVEN WITH MULTIPLE DESREPINCIES IN THE PROCESS THIS PETITIONER DUDLEY WAS STILL ULTIMATELY FOUND GUILTY.

- A SEVERE VIOLATION OF CPD POLICE SHOOTING POLICY WAS (ALSO) IGNORED (BY) TRIAL COURT LEAVING 1) DEAD 1) CRITICALLY WOUNDED AND 1) PARALYSED 76 SHOT(S) FIRED INTO VEHICAL, HOW IS THERE A QUESTION OF THE MINDFRAME OF ON SCENE OFFICER(S).

THERE IS A WITNESS AND VIDEO SURVEILLANCE FOOTAGE OF THE EVENT WHICH IS IN TOTAL CONTRADICTION TO STATE(S) CLAIM, HOW WAS THIS IGNORED.

IF THE SUPPORTING EVIDENCE WOULD HAVE BEEN PROCESSED CORRECTLY THEIR WOULD BE NO FINDING OF GUILT OF FELONY MURDER.

- PROSECUTORIAL MISCONDUCT IN THE PROCEEDING(S)
- PETITIONER DUDLEY AS PREVIOUS STATED WILL PRESENT TRIAL COURT DOCUMENTATION THAT WILL SHOW THE PROCEDURAL DUE PROCESS VIOLATION(S) WHICH DIRECTLY AFFECTED THE CHARGE OF FELONY MURDER IN THIS CASE.

THE STATE(S) ATTORNEY AFFECTIVELY - IMPEDED THE GRAND JURY PREVENTING SPECIFIC LINE(S) OF QUESTIONING, CONCERNING POLICE TACTIC(S) AND POLICY(S) GOVERNING "DEADLY FORCES."

THE (BY) LAW IS WHOLLY IMPROPER FOR ANY STATES ATTORNEY TO DO INTENTIONALLY, INTERFERING WITH THE GRAND JURY TRIAL DOCUMENTATION (ATTACHED) PLEASE REVIEW THIS PETITIONER HAS CHALLENGED THE RULING(S) OF THE LOWER COURT ON EVERY LEVEL PETITIONER WILL CHALLENGE THE CONVICTION AND SENTENCE IN A COLLATERAL ATTACK OF (POST-CONVICTION) RELIEF AS WELL.

PETITIONER / DEFENDANT DUDLEY (STATE(S)) THAT JUSTICE IS NOT SERVED WITH PROPER DUE PROCESS IS NOT OBSERVED IMPROPER TRIAL COURT PROCEEDING(S) WERE ALLOWED INCORRECT AND IMPROPER TACTIC(S) WERE USED TO OBTAIN SAID CONVICTION.

PETITIONER DUDLEY ASK(S) THIS HIGH COURT TO INTERVIEW AND BRING JUSTICE TO HIM IN THIS WRONGFUL CONVICTION.

- PETITIONER (RAISES) DUE PROCESS VIOLATION
- PETITIONER (CITES) WRONGFUL CONVICTION

IN CASE NO 12CR9682 Appellate NO 1-15-2039

PETITIONER DUDLEY CAN SHOW A WRONGFUL CONVICTION IN THIS CASE IN A FINDING OF "GUILT OF FELONY MURDER.

THE PETITIONER / DEFENDANT IN THIS CASE PRAYS FOR A SUPREME COURT REVIEW OF THE FACTS THAT ARE NOW PRESENTED TO THIS HONORABLE HIGH COURT.

PETITIONER HAS RECEIVED A 25 YEAR SENTENCE (BY) THE (LOWER) COURT OF COOK COUNTY ABSENT OF

- PROPER DUE PROCESS OF LAW IN VIOLATION OF THE 5TH AND 14TH AMENDMENTS OF THE UNITED STATES CONSTITUTION.

PETITIONER DUDLEY DID CONTACT (VIA) PUBLIC DEFENDER (APPELLATE) OFFICE.

1) MR JAMES E CHADD

2) PATRICIA MYSA

3) REBECCA COHEN

(ALL) RAISED SIGNIFICANT LEGAL ARGUMENTS AND (CITED) ILLINOIS CRIMINAL LAW AS WELL AS MULTIPLE SUPREME COURT - RULINGS IN SUPPORT OF THE IMPROPER CHARGE OF FELONY MURDER.

- PETITIONER PRAYS THAT THIS HIGH COURT WILL GIVE A REVIEW OF THE APPELLATE COURT'S RULING IN THIS CASE.

ABUSE OF DISCRETION (BY) PRESIDING

JUDGE

AS STATED IN DEFENDANT/PETITIONER DUDLEY CHALLENGING MOTION(S) WHICH WERE (ALL) DENIED MOTION(S) WHICH WERE PROPER IN LAW AND PRESIDENT GOVERNING LAW, ILLINOIS CRIMINAL LAW AND SUPREME COURT - "RULING(S) GOVERNING FELONY MURDER, NO LEGAL DISCRETION WAS USED IN CONSIDERING LEGAL PRESIDENT (ALL) MOTION(S) WERE SIMPLY (DENIED)

- THE TRIAL COURT (ALSO) (ALLOWED) INCONSISTANT STATEMENT(S) GIVEN (BY) CHICAGO POLICE WERE THE TEIR OF FACT(S) DID NOT SUPPORT AND/OR CORROBORATE THE STATEMENT(S) GIVEN TO THE COURT, WITNESS TESTIMONY WAS NOT GIVEN LEGAL CONSIDERATION.

THE DEFENDANT IN THIS CASE PRESENTED "CLEAR EVIDENCE THAT THE ON SCENE WITNESSES(S) ACCOUNT(S) OF THE EVENT(S) - CONTRADICTED THE

- CHICAGO POLICE(S) ACCOUNT OF THE EVENT

- THIS WAS GIVEN NO LEGAL CONSIDERATION (BY) TRIAL JUDGE LINN.

THIS WAS A CONSISTANT PATTERN IN THE PROCEEDING(S) IN PEOPLES V DUDLEY.

• • TRIAL COURT (ERRED) IN TESTIMONIAL EVIDENCE

WHICH INFACT LEAD TO A IMPROPER AND WRONGFUL CONVICTION PETITIONER CAN SHOW PROCEDURAL VIOLATION (S) OF FACT FINDING IN THE EVIDENCE PRESENTED (BY) THE STATE (S) ATTORNEY. 1) MR ROMITO 2) MR HODAN

THESE IMPROPER TACTIC (S) LEAD TO A WRONGFUL CONVICTION (ALSO) PRESENT (S) ISSUE (S) OF FUNDAMENTAL FAIRNESS OF PROPER DUE PROCESS

PETITIONER DUDLEY WILL NOW PRESENT TRIAL COURT RECORD (S) AND WITNESS TESTIMONY WHICH TOTALLY AND ABSOLUTELY CONTRADICT (S) THE CHICAGO POLICE (S) AND STATES ATTORNEY (S) CLAIM (S) WHICH INFACT LEAD TO THE CONVICTION IN THIS CASE.

TESTIMONIAL EVIDENCE GIVEN IN THIS CASE (BY) CHICAGO POLICE CONCERNING THE SHOOTING AND KILLING OF OFFENDER MR STRONG AND THE NEAR FATAL SHOOTING OF PETITIONER DUDLEY.

PETITIONER DUDLEY WILL (ATTACH) THE PRETINENT TESTIMONIAL EVIDENCE (VIA) INDEPENDENT POLICE REVIEW AND AUTHORITY AND ON SCENE EYE WITNESS TESTIMONIAL (S) IN TOTAL CONTRADICTION OF (CPD) SERIES (S) OF EVENT (S).

DEFENDANT CAN SHOW THAT DURING THE (LOWER) COURT TRIAL PROCEDURE THIS "EVIDENCE WAS NOT ADJUDICATED.

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:

<u>PRESIDING JUDGE</u>	<u>JAMES LINN</u>
<u>STATE ATTORNEY</u>	<u>KIMBERLY FOXY</u>
<u>ASSISTANT STATE ATTORNEY</u>	<u>ASHLEY BOMITO</u>
<u>ASSISTANT STATE ATTORNEY</u>	<u>JOSEPH HODAL</u>

<u>OFFICIAL COURT REPORTER</u>	<u>PAUL W O'CONNOR</u>
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CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- PETITIONER DUDLEY AS BEFORE STATES CONSTITUTIONAL VIOLATION(S) OF THE 5TH AND 14TH AMENDMENT(S)
- PETITIONER (ALSO) CITE(S) AND 8TH AMENDMENT VIOLATION OF CRUEL AND UNUSUAL PUNISHMENT IN WRONGFUL CONVICTION.
- PETITIONER (ALSO) BRING(S) A CLAIM OF PROCEDURAL DUE PROCESS.

TRIAL COURT ERRED IN NUMEROUS INSTANCES IN THE ABSENCE OF FACT FINDING.

IN THIS CASE CLEAR EVIDENCE EXIST(S) TO ESTABLISH THE FACT(S) IN THIS CASE, THE WITNESS TESTIMONY AND THE VIDEO SURVEILLANCE FOOTAGE.

THERE IS PROSECUTORIAL MISCONDUCT (BY) THE ASSISTANT STATES ATTORNEY "THAT PREVENT(S) THE GRAND JURY FROM RETURNING A MEANINGFUL INDICTMENT (BY) MISLEADING OR COERING IT "CAUSING SUBSTANTIAL INJUSTICE TO THE DEFENDANT WILL "WARRANT A DISMISSAL OF THE INDICTMENT PEOPLE V LINZY 398 NE 20 1 (1979).

PETITIONER STATE(S) ABUSES OF DISCRETION (BY) PRESIDING JUDGES AS WELL AS (PLAIN ERROR) VIOLATION WHICH DID IMPACT (PREJUDICE THE PROCEEDING ENDING IN A WRONGFUL CONVICTION ON THE CHARGE OF HELVOLY MURDER.

• • PETITIONER DUDLEY(CITE'S) BRADY VIOLATION

• PETITIONER BRINGS A CLAIM OF A BRADY VIOLATION THE INTENTIONALLY WITHHELD DOCUMENTATION THAT WOULD HAVE CHANGED THE OUTCOME OF THE PROCEEDING(S) HAD IT BEEN AVAILABLE TO THE DEFENDANT THIS ALSO EFFECTED THE DEFENDANT(S) ABILITY TO PREPARE A PROPER DEFENSE.

THE DEFENDANT NOW PRESENTS A INDEPENDENT POLICE REVIEW AND AUTHORITY TO SUPPORT THE PETITIONER/DEFENDANT DUDLEY(S) CLAIM(S).

THE DEFICIENCIES IN THE LOWER COURT PROCEEDINGS CAUSE PROCEDURAL DEFAULT AND SEVERE FUNDAMENTAL FAIRNESS ISSUE(S) PUTTING THE ENTIRE CONVICTION INTO QUESTION (BASED ON PROPER DUE PROCESS WHICH EVERY DEFENDANT IS LEGALLY — ENTITLED TO UNDER THE 5TH 6TH AND 14TH AMENDMENT(S) OF THE UNITED STATES CONSTITUTION.

IN THIS CASE THE COOK COUNTY COURT FAILED TO PROTECT THE DUE PROCESS RIGHT(S) OF THE DEFENDANT ULTIMATELY CAUSING A WRONGFUL CONVICTION.

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 _____.
A copy of that decision appears at Appendix A.

☐ A timely petition for rehearing was thereafter denied on the following date: MAY 17 2018, and a copy of the order denying rehearing appears at Appendix A.

☐ 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).

STATEMENT OF THE CASE No# 12CR9682

IN THIS CASE THERE WERE (3) OFFENDER(S) WHO SET OUT TO COMMIT A BURGLARY (UNARMED).

- THE STATE DID NOT PROVE BEYOND A REASONABLE DOUBT THAT RENAUD DUDNEY "COMMITTED FELONY MURDER.

PETITIONER DUDNEY STATES FOR THIS HIGH COURT THAT "DAVID STRONG'S DEATH WAS "NOT A FORESEEABLE CONSEQUENCE OF THE BURGLARY - BUT WAS IN FACT CAUSED (BY) EXCESSIVE FORCE IN BEING SHOT MULTIPLE TIMES (S) (BY) THE CHICAGO POLICE IN VIOLATION OF THE (CPD) SHOOTING POLICY OF UNARMED SUSPECT(S).

- PETITIONER CAN SHOW A CLEAR VIOLATION OF TRIAL COURT PROCEDURE IN THAT "NO ELEMENT OF THE CHARGE WAS MET (BY) THE STATES ATTORNEY WHICH IS A LEGAL REQUIREMENT OF CRIMINAL TRIAL COURT RULE IN THIS CASE THERE ARE NUMEROUS PROCEDURAL AND TRIAL COURT ERROR(S) WHICH BECAME "HARMFUL IN IT(S) EFFECT TO THE PROCEEDING(S), IT IN FACT LEAD TO A WRONGFUL CONVICTION.

INCONSISTANT STATEMENT(S) GIVEN(BY) CPD POLICE OFFICER(S)

- PETITIONER CAN SHOW UPON A PROPER REVIEW OF THE ATTACHED RECORD, AND ON SCENE WITNESS A (MR HERNANDEZ, GAVE TESTIMONY CONTRARY TO THE ON SCENE CHICAGO POLICE WHO IN FACT DID THE SHOOTING.
- ILLINOIS CRIMINAL CODE (720 ILCS 5/7-5. STATES POLICE OFFICER(S) ARE NOT JUSTIFIED USING DEADLY FORCE IN MAKING AN ARREST EXCEPT AS AUTHORIZED UNDER 720 ILCS 5/7-5 IN *KHEIL V RYAN* THE 7TH CIRCUIT HELD THAT THE ACTION(S) OF AN OFFICER IN SHOOTING AN "UNARMED FLEEING BURGLARY SUSPECT, UNJUSTIFIED,
- 8 CHICAGO POLICE OFFICER(S) GAVE CONTRICTING ACCOUNT(S) OF THE MASSIVE OVERWHELMING SHOOTING EVENT.

IN THIS EVENT (76) SHOT(S) WERE FIRED INTO THE VEHICAL (76) SHOT(S).

THIS CLEARLY SHOW(S) THE FRAME OF MIND OF THE ON SCENE OFFICER(S) - THIS TO THE LOWER COURT GAVE NO CREDENCE TO CLEAR EVIDENCE THIS IS THE TONE OF THIS ENTIRE PROCEEDING.

PETITIONER ASK(S) FOR A SUPREME COURT REVIEW A QUESTION OF COMPLETE FUNDAMENTAL FAIRNESS AND WRONGFUL CONVICTION SHOULD COMPEL THIS HIGH COURT TO ACT.

REASONS FOR GRANTING THE PETITION

DEPRIVATION OF LIBERTY - PETITIONER BRINGS A CLAIM OF DEPRIVATION OF LIBERTY IN THE FORM OF WRONGFUL CONVICTION OF FELONY MURDER.

PETITIONER HAS SHOWN A FUNDAMENTAL FAIRNESS ISSUE WITH THE ENTIRE PROCESS OF HIS CRIMINAL PROCEEDING, DUE PROCESS IS ALSO VIOLATED AS WELL AS PROPER TRIAL COURT PROCEDURE, ERROR IN THE ADMITTANCE OF UNCORROBORATED TESTIMONIAL EVIDENCE WHICH WAS GIVEN CREDENCE OVER FACTUAL ON SCENE EYEWITNESS TESTIMONY.

PETITIONER DOWNEY PRAYS THAT THIS HIGH COURT WILL GIVE A FAIR AND PROPER REVIEW OF THE TRIAL COURT ERROR COMMITTED (BY) THE COOK COUNTY COURT.

THESE PROCEDURAL VIOLATIONS INCLUDE, IMPEDING THE GRAND JURY (BY) STATE ATTORNEY.

THESE ACTS ALONE HAS IN FACT CAUSED A DEPRIVATION OF PROPER DUE PROCESS OF LAW IN - A TRIAL PROCEEDING "AND IN ITS EFFECT HAS CAUSED A WRONGFUL CONVICTION.

THEREFORE THE PETITIONER CHALLENGES THIS CONVICTION AND SENTENCE IN ITS ENTIRETY.

BASE UPON THE FACTS PRESENTED TO THIS HIGH COURT
THE PETITIONER LELAND DUDLEY RESPECTFULLY ASK
FOR A SUPREME COURT REVIEW IN THIS CASE ^{NO#}
12CR9682
1-15-2039 (APPELLATE) #

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Leland Dudley

Date: 4-11-19