

No. 19-5288

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

JUL 17 2019

OFFICE OF THE CLERK

Otis Brascom — PETITIONER
(Your Name)

vs.

Paul Penzone — RESPONDENT(S)

ON PETITION FOR AN EXTRAORDINARY WRIT OF MANDAMUS/PROHIBITION TO

Superior Court of Maricopa Arizona
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR AN EXTRAORDINARY WRIT OF MANDAMUS/PROHIBITION

Otis Brascom
(Your Name)

Lower Buckeye Jail
3250 Lower Buckeye Rd.
(Address)

Phoenix, AZ 85009
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

* False complaint and indictment in violation of rule-13.1a, c

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:

State of Arizona v Otis Brascom

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PETITION FOR AN EXTRAORDINARY WRIT OF MANDAMUS/PROHIBITION

OPINIONS BELOW

☒ reported at N/A; 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☐ is unpublished.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 N/A.

☐ 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: N/A, and a copy of the order denying rehearing appears at Appendix N/A.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including N/A (date) on N/A (date) in Application No. N/A A N/A.

[REDACTED]

☒ For cases from state courts:

Superior Court of Maricopa Arizona
The date [REDACTED] decided my case was 9-30-18.
A copy of that decision appears at Appendix A-1.

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

☐ An extension of time to file the petition for a writ of certiorari was granted to and including N/A (date) on N/A (date) in Application No. N/A A N/A.

[REDACTED]

The jurisdiction of this Court is invoked under 28 U.S.C. §1251(b) and Article III of the Constitution of the United States

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

* COUNT 1:

* OTIS B. BRASCOM, on or about April 12, 2018, knowing, or having reason to know, that Ryan Snider was a peace officer, intentionally, knowingly or recklessly did cause physical injury to Ryan Snider, a peace officer, in violation of A.R.S. §§ 13-1203, 13-1204, 13-701, 13-702, and 13-801.

* COUNT 2:

* OTIS B. BRASCOM, on or about April 12, 2018, knowing, or having reason to know, that Taylor Whitlock was a peace officer, intentionally, knowingly or recklessly did cause physical injury to Taylor Whitlock, a peace officer, in violation of A.R.S. §§ 13-1203, 13-1204, 13-701, 13-702, and 13-801.

* COUNT 3:

* OTIS B. BRASCOM, on or about April 12, 2018, intentionally prevented or attempted to prevent Ryan Snider, a person reasonably known to him to be a peace officer, acting under color of his official authority, from effecting an arrest by using or threatening to use physical force against the peace officer, in violation of A.R.S. §§ 13-2508, 13-701, 13-702, and 13-801.

* COUNT 4:

* OTIS B. BRASCOM, on or about April 12, 2018, knowingly did enter or remain unlawfully in or on the non-residential structure of CBC Advisors Retail Development, located at 2000 N. 7th street, in violation of A.R.S. §§ 13-1503, 13-1501, 13-707, and 13-802.

STATEMENT OF THE CASE

* I was arrested on 9-29-18 for a bench warrant and was booked by Scottsdale police and transfer to the county jail to appear in the superior court on 9-30-18, for the file complaint and release condition. A supervening indictment was on 10-16-18, follow by a rule-11 court. All other court date has been vacated. On 2-14-2019, release from rule-11 court.

REASONS FOR GRANTING THE PETITION

* The Superior Court of Maricopa has decided an important question of Federal law that has not been, but should be, settled by this Court. That the \$1,600 bail is
* illegal, considering that the complaint is false.

CONCLUSION

The petition for an extraordinary writ of mandamus/prohibition should be granted.

Respectfully submitted,

Otis Brascom

Date: May 21 2019