

19-5462  
No. \_\_\_\_\_

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

WASHINGTON DC 20543

Supreme Court, U.S.  
FILED

JUL 26 2019

OFFICE OF THE CLERK

WAYNE PETTAWAY — PETITIONER  
(Your Name)

vs.

SUPERMICHAEL CLARK — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

WAYNE PETTAWAY  
(Your Name)

I-A-CE114/10745/ROUTE-18  
(Address)

Albion, PA 16475  
(City, State, Zip Code)

\_\_\_\_\_  
(Phone Number)

QUESTION(S) PRESENTED

WAS ALL THE DEFENSE COUNSELS  
INEFFECTIVE

WAS THERE GOVERNMENT INTERFERENCE

WAS THERE GROUNDS FOR A OUTSTANDING  
WARRANT FOR MY ARREST

WAS THERE HOSPITAL RECORDS EVER

WAS THERE EVIDENCE OF ROBBERY

WAS THERE EVIDENCE OF AGGRAVATED  
ASSAULT

WAS EXCULPATORY EVIDENCE  
WITHHELD FOR 14 IN HALF YEARS

WAS PERJURED TESTIMONY USED

WAS THE MAGISTRATE PREJUDICE  
TOWARD THE THE DEFENDANT

WAS TRIAL JUDGE PREJUDICE  
TOWARD THE DEFENDANT

WAS THE APPEAL DEFENCE LAWYERS  
INEFFECTIVE

## 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:

COMMON PLEAS COURT  
STATE SUPERIOR COURT  
STATE SUPREME COURT  
DISTRICT COURT

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# TABLE OF AUTHORITIES CITED

## CASES

## PAGE NUMBER

U.S. V. LOTT, 854 F. 2d 244, 247, 249 (7TH CIR. 1988);	
RATIONAL OF HARRIS V. N.Y. 401 U.S. 222 (1971);	
COLEMAN V. ALA, 399 U.S. 1, 7-10 (1970);	
DITCH V. GRACE, 479 F. 3d 249, 253 (3d CIR. 2007);	
U.S. V. AYALA, 601 F. 3d 256, 272 (4TH CIR. 2010);	
WESTBROOK V. THALER, 585 F. 3d 345, 253 (5TH CIR. 2009);	
VAN V. JONES, 475 F. 3d 292, 300 (6TH CIR. 2007);	
DANCY V. U.S. 361 F. 2d 75, 78 (D.C. CIR. 1965);	
763, SEE FED. R. CRIM. P. 5.1. (E);	
768, SEE, E.G., V. COLEY, 441 F. 2d 1299, 1301 (5TH CIR. 1971)	

## STATUTES AND RULES

8701 8702 8703 8725 8902 8921 8932 8933 8934 8951 8952 8953
8954 9101 9102 9105 9189 9121 9123 9124 9125 9130 9131 9133
9134 9136 9148 9162 9303 9303 9501 9541 9542 9543 9543.1 9544
9545 9546 9702 9714 9721 9728 9730 9730.1 9732 9756 9764

Testimony AT PRELIMINARY HEARING DURING WHICH DEFENDANT  
 RECEIVED INEFFECTIVE REPRESENTATION ADMISSIBLE AT TRIAL FOR  
 IMPEACHMENT PURPOSES UNDER ANTI-PERJURY  
 RIGHT TO COUNSEL ATTACHES AT ALL CRITICAL STAGES AT PRELIMINARY  
 HEARING, BECAUSE HEARING IS CRITICAL STAGES OF CRIMINAL PROCESS  
 6TH AMENDMENT RIGHT TO EFFECTIVE COUNSEL ATTACHES AT ALL CRITICAL  
 STAGES OF CASE FORMAL INITIATION OF ADVERSARIAL JUDICIAL PROCEEDING  
 EVENT IS CRITICAL STAGE DEPENDS ON WHETHER THERE IS A REASONABLE PROBABILITY  
 THAT THE DEFENDANT'S CASE WILL SUFFER SIGNIFICANT CONSEQUENCES WITHOUT  
 COUNSEL; ERROR NOT HARMLESS WHERE DEFENDANT PREJUDICED BY LACK OF  
 INFORMATION THAT COULD HAVE BEEN ACQUIRED BY COUNSEL AT PRELIMINARY  
 HEARING.

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 E 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 D 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 C 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 MAY 2 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 2016.  
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

4TH	5TH	6TH	7TH	8TH	14TH
8701	8702	8703	8725		
8901	8902	8921	8932		
8933	8934	8951	8952		
8953	8954	9101	9102		
9105	9189	9121	9123		
9124	9125	9130	9131		
9133	9134	9136	9148		
9162	9301	9303	9501		
9541	9542	9543.1	9543		
9544	9545	9546	9702		
9714	9721	9728	9730		
9730.1	9732	9756	9764		



## STATEMENT OF THE CASE

AGGRAVATED ASSAULT/LACK OF  
VALUE OF HUMAN LIFE - USE OF  
WEAPON NAMELY A BOTTLE CUTTER  
FOR THE USE OF THIS WEAPON  
FOR REASON

THE VICTIM RECEIVED EIGHT STAPPLES  
UPON HIS SCALP OR HEAD WHO  
HAD RIPS UPON HIS SCALP HAD  
TO BE STAPPLED AND STITCHES UPON  
HIS ARM

Burglary/Robbery, I WAS  
NOT CHARGE WITH ROBBERY  
UNTIL A YEAR LATER, ROBBERY  
WAS NOT LISTED WHEN  
I WAS INITIALLY CHARGED

## REASONS FOR GRANTING THE PETITION

THERE ARE NO RECORDS OF  
WARGO JOHN WILLIAMS EVER  
BEING AT MCKEESPORT HOSPITAL  
GETTING STAPPLE PLACE UPON  
HIS SCALP OF INJURIES  
BEING HIT WITH A PAIR OF  
BOLT CUTTERS TO SUBSTANTIATED  
AGGRAVATED ASSAULT - LACK OF  
VALUE OF HUMAN LIFE

THERE IS NO RECORD TO  
SUBSTANTIATE ROBBERY AT ALL  
OR BURGLARY

A Brady v. Maryland VIOLATION  
EXCULPATORY EVIDENCE WITHHELD BY  
THE WITNESS - POLICE OFFICE - DISTRICT ATTORNEY  
"I AM INNOCENT VICTIM"  
GOVERNMENT INTERFERENCE  
INEFFECTIVE ASSISTANT

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Wayne Pittaway

Date: 7-25-19