

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.

SUPER MICHAEL 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-CE14/10745/ROUTE-18

(Address)

Albion, PA 16475

(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

WAS ALL THE DEFENSE COUNSLS INEFFECTIVE

WAS THERE GOVERNMENT INFERENCE

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 EXONERATORY EVIDENCE WITHHELD FOR 14 IN HALF YEARS

WAS PERJURIED TESTIMONY USED

WAS THE MAGISTRATE PREJUDICE TOWARD 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

TABLE OF CONTENTS

OPINIONS BELOW.....	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	
STATEMENT OF THE CASE	
REASONS FOR GRANTING THE WRIT	
CONCLUSION.....	

INDEX TO APPENDICES

APPENDIX A DECISION OF STATE Trial Court

APPENDIX B DECISION OF STATE Superior Court

APPENDIX C DECISION OF STATE Supreme Court

APPENDIX D DECISION OF DISTRICT Court

APPENDIX E DECISION OF Court of Appeals

APPENDIX F

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);	
CEJEMAN 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 8793 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
 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	8902	8903	8925		
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 BOTT CUTTER
FOR THE USE OF THIS WEAPON
FOR REASON

THE VICTIM RECEIVED EIGHT STAPLES
UPON HIS SCALP OR HEAD WHO
HAD RIPS UPON HIS SCALP HAD
TO BE STAPPED 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 MCKEESSPORT HOSPITAL
GETTING STAPLE PLACE UPON
HIS SCALP OF INJURIES
BEING HIT WITH A PAIR OF
BOLT CUTTERS TO SUBSTANTIATE
AGGRAVATED ASSAULT - LACK OF
VALUE OF HUMAN LIFE

THERE IS NO RECORD TO
SUBSTANTIATE ROBBERY AT ALL
OR BURGLARY

A BRADY V. MARYLAND VIOLATION
EXONERATORY EVIDENCE WITHHELD BY
THE WITNESS - POLICE OFFICE - DISTRICT ATTORNEY

"I AM INNOCENT VICTIM"
GOVERNMENT INFERENCE
INEFFECTIVE ASSISTANT

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Wayne Pittaway

Date: 7-25-19