

Supreme Court, U.S.
FILED

MAY 13 2019

OFFICE OF THE CLERK

19-5599

No.: _____

In The
**SUPREME COURT OF THE UNITED
STATES**

Lisa J. Gillard, *Petitioner*,

v.

People of the State of Illinois, *Respondent*.

On Petition for a Writ of Certiorari to the
Supreme Court of the State of Illinois

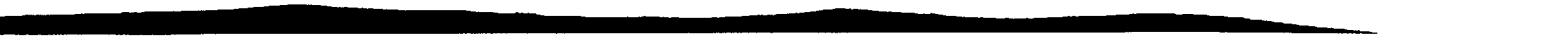
PETITION FOR A WRIT OF CERTIORARI

LISA J. GILLARD
Activist-Humanitarian

THE GILLARD INSTITUTE, INC.
PO Box 805993
Chicago, Illinois (USA) 60680-4121
Email: lisajgillard@gmail.com

*Counsel of Record, Pro Se
Attorney for Petitioner*

ORIGINAL



QUESTION PRESENTED

**1. Does the Fourteenth Amendment of the United
States Constitution apply in the Illinois State Courts?**

LIST OF PARTIES

The parties to the proceeding are:

1. Lisa J. Gillard, an individual citizen in the United States.
2. People of the State of Illinois, through the State's Attorney's Office in Cook County, Illinois.

CORPORATE DISCLOSURES

1. Lisa J. Gillard is an individual citizen in the State of Illinois and in the United States of America; and d/b/a THE GILLARD INSTITUTE, INC., L. Jacqueline Gillard, and L. Jacqueline Gillard Films and Entertainment Company.
2. People of the State of Illinois is a body politic.

TABLE OF CONTENTS

	Page
Question Presented	1
Party's	2
Corporate Disclosure	2
Cases	4
Introduction	5
Opinion Below	6
Constitutional Provisions	6
Statement on the Case	6
Reason for Granting Petition	9
Conclusion	11
Certificate of Service	13

APPENDIX

Illinois Supreme Court Reconsideration	A
Illinois Supreme Court Decision	B
Illinois Appellate Court for 1st Dist. Decision	C
Miscellaneous Document for the Record	D

TABLE OF CONTENTS

Cases

<i>Adair v. U.S.</i> , 208 U.S. 161 (1908)	8
<i>Allgeyer v. Louisiana</i> , 165 U.S. 578 (1897).....	8
<i>Apprendi v. New Jersey</i> , 530 U.S. 466 (2000).	7
<i>Brady v. Maryland</i> , 363 U.S. 83 (1963).....	8
<i>Bus v. Sebelius</i> , 132 S. Ct. 3566.....	8
<i>Carey v. Piphus</i> , 435 U.S. 247 (1978).....	10
<i>Giglio v. United States</i> , 405 U.S. 150 (1972)...	9
<i>Gillard v. Illinois</i> , 18-6947.....	7
<i>Gillard v. Illinois</i> , 18-8927.....	7
<i>In re Oliver</i> , 333 U.S. 257 (1948).....	10
<i>Lochner v. New York</i> , 198 U.S. 45 (1905).....	8
<i>Solesbee v. Balkcom</i> , 335 U.S. 9, 16 (1950)...	11
<i>Vitek v Jones</i> , 445 U.S. 480 (1980).....	10

State Statutes

720 ILCS, Section 5/26.5-2 (West 2014).....	7
---	---

U.S. Constitution

Fourteenth Amendment of U.S. Constitution.	7
--	---

PETITION FOR WRIT OF CERTIORARI

Petitioner Lisa J. Gillard respectfully prays that a writ of certiorari issue to review the judgments in the Illinois Courts below.

INTRODUCTION

Ms. Gillard, since her very first federal case in Seventh Circuit under No. 09-3449 (7th Cir. 2010), is denied her equal rights protections in the state of Illinois. By labeling her as a frivolous filer on all records, the Seventh Circuit places Gillard's cases, in Illinois and other jurisdictions in the United States of America, in a "clear" and "present" danger of the integrity and fairness by the Courts under the rule of law as a matter of principle. To this end, the First, Fifth, and Fourteenth Amendments of the United States Constitution guarantee a right of redress, due process, and substantive due process rights for Gillard. Further, as an Afro African American, senior citizen, 52, and a person with a cognitive disability, Ms. Gillard is legally-protected under the law. U.S. Const. Amend. 1, V, and XIV, sec. 1.

OPINION BELOW

The opinion of the Illinois Supreme Court appears at appendix A (motion for reconsideration of the order of April 10, 2019, denying petitioner for leave to appeal) is entered on January 31, 2019.

JURISDICTION

The Illinois Supreme Court issued its decision on April 10, 2019. A copy is attached at appendix A and B. The decision by the Illinois Appellate Court for the First District is entered on September 28, 2018. A copy is attached at appendix C. A miscellaneous document is attached at appendix D. The jurisdiction of this Court is invoked under 28 U.S.C, §1257 (a).

CONSTITUTIONAL PROVISIONS

Fourteenth Amendment

The Fourteenth Amendment of the United States Constitution provides in pertinent part: No State shall ... deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. U.S. Const. Amend. XIV, sec. 1.

STATEMENT OF THE CASE

Petitioner Lisa J. Gillard was convicted and found guilty by bench trial of harassment by telephone (720 ILCS, Section 5/26.5-2 (West 2014) and sentenced 10 days in the Cook County Department of Corrections, which the State's Attorney illegally changed the Court's agreement from (after 2-day court hearings) an I-Bond to a D-Bond after the agreement was made in court with defendant (which ended up 10-days in all); A1 ¶ 2. Ms. Gillard has maintained her innocence in all of her criminal as well as corrupt proceedings against her by the state of Illinois.

This case, like the prior case *Gillard v. Illinois*, No. 18-6947 and the second one *Gillard v. Illinois* No. 18-8927, has come to a broader proposition; however, in criminal prosecution, every essential element of the offense must be proved beyond a reasonable doubt.” *Apprendi v. New Jersey*, 530 U.S. 466, 477 (2000). Due process, as a result, has an independent meaning in criminal convictions. The reviewing court was mistakenly misguided on the federal provisions on

due process rules in the state of Illinois criminal courts systems on this appeal.

The point is: Due Process Clause could protect substantive rights against state infringement. *Bus v. Sebelius*, 132 S. Ct. 2566, 2599-2600 (2012).

Historically, the United States Supreme Court expanded its jurisdiction by holding the states to a substantive due process standard on reasonableness.

Allgeyer v. Louisiana, 165 U.S. 578 (1897) ("the Court overturned a Louisiana law requiring all corporations doing business with Louisiana residents to pay fees to the state."); *Lochner v. New York*, 198 U.S. 45 (1905) ("the Court found a maximum-hour statute unconstitutional."); *Adair v. U.S.*, 208 U.S. 161 (1908) ("the Court voided a federal law barring dismissals of interstate common carriers worker because they were members of unions.").

Under the *Brady* rule, the Supreme Court ruled that suppression by the prosecution of evidence favorable to a defendant who has requested it violates due process. *Brady v. Maryland*, 363 U.S. 83 (1963).

Petitioner now seeks a writ for certiorari from this Court the one most important question presented in this case.

REASON FOR GRANTING THE PETITION

THE FOURTEENTH AMENDMENT APPLIES TO CRIMINAL CASES IN THE STATE OF ILLINOIS FOR ALL CITIZENS, ESPCEIALLY BLACK MINORITIES AND THE POOR

The United States Constitution is under attack in the state and federal courts nationwide due to a lack of integrity, due process, equal rights protections, and transparency by the judiciary, particularly for black minorities and the poor. The central aim of the due process doctrine after all is to assure fair procedure when the government imposes a burden on an individual. The doctrine seeks to prevent arbitrary government, avoid mistaken deprivations, allow persons to know about and respond to charges against them, and promote a sense of the legitimacy of official behavior. *Giglio v. United States*, 405 U.S. 150 (1972) ("the Court held that the prosecution's failure to inform the jury that a witness had been promised not to be prosecuted in exchange for his testimony was a

failure to fulfill the duty to present all material evidence to the jury, and constituted a violation of due process, requiring a new trial."); *Carey v. Piphus*, 435 U.S. 247 (1978) ("the Court held that public officials can be held financially liable for violating a student's due process rights under the Fourteenth Amendment."); *Vitek v Jones*, 445 U.S. 480 (1980) ("the Court found that due process must be afforded before an inmate in solitary confinement was transferred from a state prison to state mental hospital, where he would be forced to undergo behavioral modification. The Court rejected the state's argument that inmates had already lost their liberty, so that transfer from one state institution to another).

The Due Process Clause requires that the procedures used to determine the guilt or innocence of the defendant comport with "fundamental ideals on fair play and justice." *In re Oliver*, 333 U.S. 257 (1948) ("Due Process 'represent(s) a profound attitude of fairness between man and [wo]man, and more

particularly between the individual and the government."); *Solesbee v. Balkcom*, 335 U.S. 9, 16 (1950) ("Due process is that which comports with the deepest notions of what is fair and right and just.").

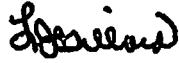
The U.S. Supreme Court must decide on whether a state court must apply due process in criminal convictions or whether a state court may use a broader standard for criminal hearings in Illinois, and reverse order with a \$51 million dollars remedy.

CONCLUSION

The petition for a writ of certiorari should be granted.

13 May, 2019

Respectfully submitted,


Activist and Humanitarian

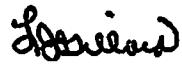
*Counsel of Record, Pro Se
Attorney for Petitioner*

VERIFICATION

I, LISA J. GILLARD, hereby certify that under the penalty of perjury that the statements in this said document is true and accurate to the best of my ability and knowledge.

13 May, 2019

Respectfully submitted,


Activist and Humanitarian

*Counsel of Record, Pro Se
Attorney for Petitioner*