

19-5831

No. _____

IN THE

ORIGINAL

SUPREME COURT OF THE UNITED STATES

Washington, D.C. 20543

Supreme Court, U.S.
FILED

JUL 09 2019

OFFICE OF THE CLERK

Lorenzo Davis JR — PETITIONER.
(Your Name)

vs.

SHERWIN Miles — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Illinois Supreme Court

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Lorenzo Davis JR
(Your Name)

P.O. Box 112 S.C.C.
(Address)

Joliet, IL 60434
(City, State, Zip Code)

815-727-3607
(Phone Number)

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SUPREME COURT, U.S.

Question Presented

Is not it Unconstitutional to hold a Person in Prison on Counts that were "Dismissed", did the Illinois Supreme Court make the Right Ruling when it Denied Petitioner, Lorenzo Davis Jr. Motion for Leave to file a Petition for Writ of STATE Habeas Corpus? In which Petitioner is showing that his Article 1, Section 2 of the Illinois Constitution, 5^B and 14TH Amendment Constitutional Rights are being Violated of Due Process. In which Petitioner is sitting in Prison on the Counts that were "Dismissed" there is no Verdict in the Record on the Counts Petitioner went to Trial on. Petitioner is being held in Prison in violation of his Constitutional Rights afforded to him Article 1, Section 2 of the Illinois Constitution, 5^B and 14TH Amendment U.S.C. These Amendments Specifically Provide "Nor shall any Person be Deprived of Life, Liberty or Property without Due Process of Law". Article 1 Section 2 of the Illinois Constitution also Guarantees Due Process. Petitioner is being Deprived of His Right to Liberty! See Appendix A and Exhibits for Full Details, also see Appendix E pages 2-10.

TABLE OF Contents

Appendix - A is Petitioner Petition Motion for leave to file a Writ of Habeas Corpus, and this is same Petition filed in the Trial Court. Pro. SE pages TOTAL 27

Appendix - B is Illinois Supreme Court allowing Petitioner to Proceed as a Poor Person and Placed on Docket. 1 page

Appendix - C is Illinois Supreme Court order to Attorney General office to response to Pro. SE Petition for Writ of Habeas Corpus. 3 pages

Appendix - D is Attorney General response to Petitioner. Pro. SE Petition for Writ of Habeas Corpus. 5 pages

Appendix - E is Petitioner response to Attorney General response in which Petitioner sent it to the Illinois Supreme Court Clerk, and STATE Attorney General office on 26 Apr. 2019. 13 pages

Appendix - F the Clerk ^{of} ~~the~~ the Court sends Petitioner's 26 Apr. 2019 response back with instructions on 6th May 2019. Petitioner did not receive it in cell until 14th May 2019. 1 page

Appendix - G See Appendix E resent 15 May 2019 of Petition Reply to STATE Response 13 pages

Appendix - H the Clerk of the Court returning my reply 1 page

Appendix - I the Denial of Writ of Habeas Corpus. 1 page

TABLE OF Authorities

De Jong - v - STATE OF OREGON 57 S. CT. 255, also
People ex
Cole - v - STATE OF ARKANSAS 68 S. CT. 514, ~~People~~
rel. Merril - v - Hazard, 361 Ill. 60, 196 N. E. 827 (1935).
People ex rel. Holzapple - v - Ragen, 2 Ill. 2d 124, 117, N. E.
2d (1954).

OPINIONS BELOW

NONE the ILLINOIS Supreme Court gives no valid
reason as to not Granting as well as the Denial of
Leave to file a Petition for Writ of Habeas see
Appendix I in this Petition.

JURISDICTION

This Honorable Court has the Authority to hear
this case under 28 U.S.C. Section 1257. The Writ of
Habeas was Docket 28 Jan. 2019 see Appendix B, 19
Mar. 2019 the Court orders Attorney General office to
Respond by 23 Apr. 2019 see Appendix C, 22 Apr. 2019
Attorney General office response see Appendix D,
21 May 2019 Petition Denied see Appendix F in this
Petition.

Constitutional and STATUTORY Provisions

Pursuant to 735 ILCS 5/10-124 Habeas Corpus Relief in which Petitioner is being held "illegally" on Process of the Court. #1- Where the Court has exceeded the

limit of its Jurisdiction either as to Matter, Place, Sum

or Person. #2- Where the Process, though in proper form, has been issued in a case or under circumstances

where the Law does not allow Process to be entered

for imprisonment or arrest. #3- Where the Process is

defective in some "Substantial form Required by

Law". Constitutional Violations of Petitioner's Rights

5th and 14th and art. I Section 2 of the Illinois Constitution

these Rights Specifically Provide "Nor Shall any Person

be Deprived of Life, Liberty or Property without

Due Process of Law". See Appendix A pages 1-5,

and Exhibits for full Detail, Also Appendix E pages 1-13.

STATEMENT OF CASE

Petitioner Filed State Habeas Corpus to the Trial Court on 7 MAY 2018. Rock Island County as of this Petition being brought before this Honorable Court. The Clerk nor any one else has sent Petitioner any type of feedback. 14 MAY 2018 all parties notified and Counsel appointed of STATE Habeas Petition see Ex. X in State Habeas Appendix A. Petitioner went to the Illinois Supreme Court with the Petition on 22 Jan. 2019, and it was placed on the Docket 28 Jan. 2019 see Appendix B. ON 19 Mar. 2019 the Illinois Supreme Court Orders the Attorney General to response to Petitioner Motion for leave to file a Petition for Writ of Habeas Corpus by 23 Apr. 2019. See Appendix C. ON 22 Apr. 2019 Attorney General office response to Petitioner Original Petition. See Appendix D. Petitioner receives the State Attorney General Brief in cell on 26th Apr. 2019 in which Petitioner Sends response back on 28th Apr. 2019 see Appendix E + G the same just different dates, ON 6 May 2019 the Clerk sent back Petitioner response with instructions in which Petitioner did not receive in cell until 14 May 2019. See Appendix F. Petitioner sent corrected reply motion to Illinois Supreme Court on 15th of May 2019 ^{with} ~~the~~ a letter to Clerk see Appendix G. ON 20 May 2019 the Clerk Sends back petitioner Reply see Appendix H. ON 21 May 2019 the Court Denied Petition see Appendix I.

Reason for Granting the Petition

This Petition should be granted, because we have a
 Person sitting in Person who has not been found Guilty of
 a offense. Petitioner at the Start of Trial the State had
 a Motion filed to "Dismiss" Counts one + two, Petitioners
 original Charges, and states on the record that will
 leave Counts three and four. The Trial Judge reads the
 very same motion in open court, and grants thus said
 Motion, and states we will be proceeding on Counts
 three and four. Now if any Verdict come back it must be
 on Counts three or four in which the Jury come back
 Guilty on Counts one + two the two Counts that were
 "Dismissed" no Verdict at all on Counts three nor
 four. There fore now the Trial Court had relinquished the
 Jurisdictional Authority to do anything to Petitioner,
 because no Subject Matter nor Personal Matter was
 Present. See Appendix A pages 1-5, and Exhibits, see
 also Appendix E for full Detail. The State Attorney
 General in there response page 1 says that those
 Counts of three and four were re numbered Prior
 to Trial to Counts one + two to AVOID Jury Confusion
 in which this Never happen. Nor does the STATE Cite
 any legal Case Law to show this can be done. See
 Appendix D page 1. Petitioner lays this all out in
 Appendix A pages 1-5 and Exhibits. Where the STATES

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Say that the State lets it be known of such in Ex.

N1 is the Sentencing Phase the Trial is over.

Petitioner Appendix A+E explains in full detail
of Above Mentioned.

Conclusion

Wherefore, the Pro SE, Petitioner - Appellant Lorenzo Davis Jr. Respectfully Request this Honorable Supreme Court of the UNITED STATES OF AMERICA to GRANT this Writ of Certiorari. GRANTING Petitioner an Immediate Release or any other available Relief. The Petition for A Writ of Certiorari Should be Granted.

Respectfully Submitted

Lorenzo ~~D~~ Jr.

Lorenzo Davis Jr.

S. C. C.

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