

19-6270
CASE NO. _____

ORIGINAL

In The
Supreme Court of the United States

Darren Paul Odell,
Petitioner,

v.

State of Minnesota,
Respondent.

On Petition for Writ of Certiorari to the
Supreme Court of the State of Minnesota.

PETITION FOR WRIT OF CERTIORARI

Darren Paul Odell
OID # 210573
MCF-Rush City
7600 525th Street
Rush City, MN 55069
(*Pro Se* Appellant)

QUESTIONS PRESENTED

I.

(1) Article from Summer 2016 issue in Cure-Sort News Vol. 25, Issue 3 under heading, **Letters From Across the Nation**, which are damaging. Info found at www.cure-sort.org on Mr. Farnsworth, Mr. Odell's leading expert. Can all letters be looked into?

- (1) In this article from **Letters From Across the Nation**, which are damaging letters across the U.S.A., from Mr. Odell's state expert Mr. Farnsworth who persuaded the courts against Mr. Odell, who in this article, in light of all the evidence Minnesota Courts need to be questioned now from 2016 news?
- (2) As well as Mr. Odell's public defenders. **Mr. Farnsworth violates his clients Constitutional Rights of the State and Federal** and Minnesota gets away with this and protects him according to this article.
- (3) In Mr. Odell's earlier 7pg. Petition for Post-Conviction Relief started in 2017-2018 in the "Interest-of-Justice" exception on this 2016 article on 590.01, subd. 4(b) (5)'s (2008). Why was it time-barred, when Mr. Odell started his post-conviction claim on this in 2017?
- (4) Now in the U.S. Supreme Court in *Gassler v. State 787 (4)(b) (2008)*, provides that if a petitioner can satisfy **any of the five exceptions the time bar does not apply**. Now Mr. Odell would like to use any Federal case laws and decisions from the U.S. Supreme Court to proceed?
- (5) Mr. Odell's latest A 19-0059, on why Judge Lillehaug with all due respect brought up Mr. Odell upon newly discovered evidence (rules) may not be brought up for impeachment purposes on Minn. Stat. 590.1, subd. 4(b)(2)?
 - 1.) Mr. Odell never brought up newly discovered evidence standard or
 - 2.) Impeachment in any of his appeal work ever!
- (6) Also in *Gassler v. State 787* even though the trial court could consider the "Interest-of-Justice" exception without establishment of newly discovered evidence. Mr. Odell would like to use any Federal case law and decisions from the Supreme Court to proceed?
- (7) In *Gassler v. State 787*: The post-conviction court erred when it failed to consider whether Minn. Stat. § 590.01, subd. 4 (b) (5)'s (2008) "Interests-of-Justice" exception to the statutory time bar permitted appellant's post-conviction to be heard. Federal Ruling now?
- (8) Bryan Leary who was part of Mr. Odell's defense counsel at sentencing was recently in the Minneapolis Star & Tribune paper for a client Nathan Lehman and Bryan Leary took a "straight plea" for 61 years instead of prosecutions 41 year "plea" deal. Client was civilly committed 2 weeks prior.

- (9) Why Nathan Lehman could represent himself without taking a prosecution "plea deal" of 41 yrs. and self incriminates himself for 61 yrs. And yet prosecution knew that Nathan Lehman was Civilly Committed Mentally Ill just 2 weeks before this crime and thus gave him a "plea deal" for 41 yrs.
- (1) Mr. Odell is now questioning with all due respect to Bryan Leary his professionalism as a public Defender and getting over on his client as well who is mentally ill and no one questioned Bryan Leary's outcome and Mr. Odell's defense of Bryan Leary getting around the **American Bar Association Standards for the Defense Basic guidelines** which are found in *United States v. DeCoster, 487 F. 2d 1197 (1973)* The Supreme Court has, for example, recognized the attorney's role in **protecting the client's, privilege against self-incrimination.** Federal Ruling now on Mr. Odell.
- (2) And yet defense would not let Mr. Odell participate in his own defense what so ever whether incompetent or competent. And even none of Mr. Odell's court proceedings of yes or no questions in court was not allowed by his defense team, to question Mr. Odell effectively in open court. Thus Mr. Odell did waive his right to a jury trial at the end of his proceedings, putting everything on his public defenders as the right thing to do, by the public defenders recommendation on this.
- (11) Mr. Odell is not defending this felon any way, but to show the courts that his professional ethics are as bad as Mr. Odell's leading doctor Mr. Farnsworth professional ethics from **Letters From Across the Nation**, which are damaging letters across the U.S.A. Federal Ruling now.

LIST OF PARTIES

Keith Ellison
State Attorney General
1800 Bremer Tower
445 Minnesota Street
St. Paul, MN 55101-2134
651-296-3353
RESPONDENT

Tony Palumbo
Anoka County Attorney
Anoka County Government Center
2100 3rd Ave Ste. # 720
Anoka, MN 55303-2265
763-324-5386
RESPONDENT

RELATED CASES

Direct Appeal-opinion; State v. Odell, 676 N.W.2d 646; 2004 Minn. Lexis 120, 8 No. Minn. Lawyer 11; The opinion **Appendix D** by Minnesota Supreme Court.

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TABLE OF AUTHORITIES CITED

Please refer to 38 pg. Memorandum in Support of Post-Conviction Petition due to limited time in law library and frequent lockdowns. All cases cited there within.

Berryman v. Morton,
100 F. 3d 1089 at 1096 (3rd Cir. 1996)

Cullen v. Pinholster,
131 S.Ct. 1388 (2011)

Duarte v. U.S.,
81 F. 3d 75 (7th Cir. 1996)

Estelle v. Williams,
425 U.S. 501, 505-06, 96 S.Ct. 1691, 1693-94, 48 LEd.2d 126 (1976)

Ferguson v. Georgia,
365 U.S. 570, 5 Led 2d 783, 81 S. Ct. 756 (1961)

Harrington v. Richter,
131 S.Ct. 770 (2011).....

Hibbler v. Benedetti,
693 F. 3d 1140, 1146 (9th Cir. 2012)

Jackson v. Herring,
42 F.3d 1350 (11th Cir. 1995)

James v. Cain,
56 F.3d 662 (5th Cir. 1995)

Jones v. Scotts,
59 F. 3d 143 (10th Cir. 1995)

Lee v. State,
534 U.S., at 375, 122 S. Ct. 887, 151 L. Ed. 2d 820

Odle v. Calderon,
919 F. Supp. 1367 (N.D. Cal. 1996)

Strickland v. Washington,
466 U.S. 668 (1984)

U.S. v. Signori,
844 F. 2d 635 (9th Cir. 1998)

OPINIONS BELOW

The opinion of the highest court to review the merits appears at **Appendix A** to the petition and is reported at *Odell v. Minnesota* appears to be published?

The opinion of the Minnesota Appellate Court appears at **Appendix B** to the petition and appears to be published?

The opinion of **Appendix C** is Minnesota Supreme Court; *Odell v. Minnesota*, A petition for rehearing and appears to be published? *Review Denied*.

The opinion **Appendix D** is Minnesota Supreme Court; Direct Appeal-opinion; (Minn. 2004) is published.

The opinion **Appendix E** is letter from Supreme Court Clerk lulling Odell into inaction that resulted in time-bar for rehearing, despite Mr. Odell requesting a letter sent on July 8th to the courts to be sent to him and decision on the 10th. Courts never sent me copy like he requested.

For cases from state courts:

The date on which the highest court decided my case was July 10th 2019. A copy of that decision appears at **Appendix A**.

A [untimely] petition for rehearing was thereafter denied on the following date: at **Appendix-C**.

JURISDICTION

A [untimely] petition for rehearing was thereafter denied on the following date: Motion To Extend Time from July 10th court decision was denied. Mr. Odell had 10 days. And Mr. Odell did not get a copy like he requested from the Clerk of Appellate Courts, of Minnesota Judicial Center addressed to them on July 8th. Mr. Odell did not receive a copy of the A 19-0059 until it was mailed to him on July 27th 2019, from the Rush City prison law library. And ultimately denied my Motion To Extend Time and held me to the 10 day rule as appears in **Appendix A**.

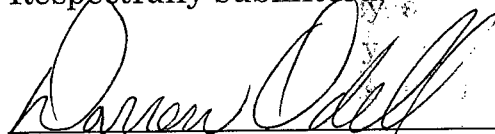
REASONS FOR GRANTING THE PETITION

The state of MN of last resort seems to get around the transparency of **Letters From Across the Nation** on Mr. Odell's interest of justice exception on 2016, filed 2017. Mr. Odell started his petition on this along with IAC of his public defenders of enough evidence of self-incrimination and getting around the standard bar exam rules they intend to uphold and this is not a misapplication of properly stated rule of law. Mr. Odell would like to use the Strickland standard. The court seem not to embrace more transparency and Mr. Odell needs to get away from what happens in the courtroom stays in the courtroom. As the Supreme Court can see it gets sloppy and careless when we do. Please see Mr. (380) Odell's Memorandum in Support of Post-Conviction for all Federal case law listed herein. And to save time and paperwork that's valuable to the Supreme Court and limited time here in law library.

CONCLUSION

The petition for writ of certiorari should be granted on the basis of laws & merits.

Respectfully submitted,



Date: October 2nd 2019