

19-63020 ORIGINAL

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

JUN 03 2019

OFFICE OF THE CLERK

JAMES PHILIP DOUGLAS — PETITIONER
(Your Name)

VS.

MARGARET GILBERT — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

JAMES DOUGLAS - 891542/H5A28L
(Your Name)

STAFFORD CREEK CORRECTIONS CENTER
191 CONSTANTINE WAY
(Address)

ABERDEEN, WA 98520
(City, State, Zip Code)

N/A
(Phone Number)

RECEIVED
OCT 16 2019

OFFICE OF THE CLERK
SUPREME COURT, U.S.

QUESTION(S) PRESENTED

IS JAMES DOUGLAS ALLOWED AN ATTORNEY AT TRIAL LIKE THE SIXTH AMMENDMENT OVARANTEES.

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:

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CASES

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AT ALL PHASES OF TRIAL COUNSEL IS
GUARANTEED IN COURT.

STATUTES AND RULES

SIXTH AMMENDMENT GUARANTEES A RIGHT TO
COUNSEL AT TRIAL, IF DENIED IS A MANIFEST
ERROR AFFECTING A CONSTITUTIONAL RIGHT.

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 A to the petition and is

☒ reported at US COURT OF APPEALS NINTH CIRCUIT; 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☐ is unpublished.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 B to the petition and is

☒ reported at US DISTRICT COURT - TACOMA; 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☐ is unpublished.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 _____ 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☐ is unpublished.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☐ is unpublished.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 April 25, 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: April 25th, 2019, 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 _____.
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

SIXTH AMMENDMENT RIGHT TO COUNSEL

STATEMENT OF THE CASE

I ASKED FOR STAND-BY COUNSEL BEFORE TRIAL AND WAS DENIED BY THE PIERCE COUNTY SUPERIOR COURT JUDGE.

I ASKED FOR AN ATTORNEY TO REPRESENT ME AT EXCEPTIONAL SENTENCE PHASE AND WAS DENIED WHICH WAS A CLEAR VIOLATION OF RIGHT TO COUNSEL AT ALL PHASES OF TRIAL INCLUDING SENTENCING WHICH THE NINTH CIRCUIT COURT RULED PRIOR WAS GROUNDS TO REVERSE AND REMAND FOR PRESENCE OF COUNSEL. I SHOULD BE GIVEN A STANDARD RANGE SENTENCE TO RESOLVE THE ISSUE.

SEE EXHIBIT (1) ATTACHED

REASONS FOR GRANTING THE PETITION

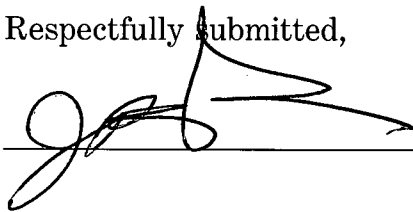
THE UNITED STATES CONSTITUTION GUARANTEES A RIGHT TO COUNSEL IF ASKED FOR. JAMES DOUGLAS ASKED FOR AN ATTORNEY ASSISTANT ON EXHIBIT (1) ATTACHED AND WAS DENIED HIS RIGHT TO COUNSEL SO HE SHOULD BE GIVEN A STANDARD RANGE SENTENCE TO RESOLVE THE ISSUE AT COURT IN PIERCE COUNTY SUPERIOR COURT.

CONCLUSION

THE COURT SHOULD FIND FAVOR FOR JAMES DOUGLAS
AND ISSUE A REVERSE AND REMAND FOR STANDARD RANGE
SENTENCE.

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "JD", is written over a horizontal line.

Date: May 29th, 2019