

No. 19-6512

ORIGINAL

Supreme Court, U.S.  
FILED

OCT 16 2019

OFFICE OF THE CLERK

IN THE  
SUPREME COURT OF THE UNITED STATES

Michael Allen Channel Sr. — PETITIONER  
(Your Name)

vs.

John Brinker, et al — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

Michael Allen Channel Sr. #26086054  
(Your Name)

A.S.P.C. Tucson whetstone, unit 1-A-44/C37  
10004 south wilmot Road P.O. Box 24402  
(Address)

Tucson, Arizona 85734-4402  
(City, State, Zip Code)

NA  
(Phone Number)

### QUESTION(S) PRESENTED

- 1.) Whether The Defendant's knowingly with willful misconduct Violated Channel Sr. Rights. Amendment II. Deprived of Liberty with out due process of Law. YES or NO.
- 2.) Whether The Defendant's Violated A.R.S. § 9.1(b) MEMORANDUM OF POINTS AND AUTHORITIES. YES or NO.
- 3.) Whether The Defendant's Filed (untimely no hearing Direct Complaint July 15, 2013 at 3:59 p.m. with a unknown complainant R. Hays July 18, 2013.) YES or NO.
- 4.) Whether the Defendant's conduct was unreasonable when investigation of Officer's Official Filed Paper work, Submission of Incident Reports (IRs) became faulty, resulting in falsified information by Officer Todd Guilford #8083 and various Phoenix Police Department Officer(s). YES or NO.
- 5.) Whether Defendant's may be sued in their individual capacity for Fraud wantonness willful misconduct violating clearly established Protected legal Rights and civil Rights? YES or NO.
- 6.) Whether Defendant's Court Filed Documents clearly show the Actions of Their Conspiracy to defraud by using dishonest means to cause harm and impair the economic interests of Channel Sr., with willful intent knowledge that their actions will necessarily result in the defrauding of Channel Sr. of his constitutional and civil rights, that are Protected by Law! Title 18 U.S.C. § 241 & 242. YES or NO.
- 7.) Whether Defendant's knowingly with willful misconduct concealed the conduct that is clearly visible and obvious in Fine Print, Officer TODD Guilford #8083 in Original Report DR Number: 201301222806. Filed Date: 20130711, Time: 0023, AND Supplement Report DR Number: 201301222806 Report Date: 20130711, Time: 0529 are the same Report. False and entered into the Department book, Record, of Report and inaccurate or false information. Operations order 3135.B. Fraud Reports / Official Paperwork, Rules and Regulations (PPD) Rev. 06/14. Operations order 3136. A.(1)(2). YES or NO.

## LIST OF PARTIES

[ ] All parties appear in the caption of the case on the cover page.

[X] 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:

JOHN BRINKER, Deputy County Attorney.

KATHRYN MCCORMICK, Deputy County Attorney.

MICHAEL W. BAKER, Deputy County Attorney.

DENISE MICHELLE O'ROURKE, Deputy County Attorney.

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APPENDIX A	<u>UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT: Filed</u> <u>SEP 19 2019 NO. 19-16319 D.C. NO. 2019-CV-02018-DWL-CDB District of Arizona Phoenix</u> <u>ORDER.</u>
APPENDIX B	<u>U.S. District Court DISTRICT OF ARIZONA Notice of Electronic Filing on</u> <u>6/20/2019 at 9:13 AM MST and Filed on 6/20/2019.</u>
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## TABLE OF AUTHORITIES CITED

### CASES

### PAGE NUMBER

U.S. v. Ragen, 86 F. Supp. 382 (1919)

Yates v. Village of Hoffman Estates Ill, 209 F. Supp 757 (N.D. Ill. 1962)

### STATUTES AND RULES

Title 18 U.S.C. § 241, § 242, § 1001 (a)(1)(2)(3), § 1002, § 4 Misfrim of Felny.

Title 5 U.S.C. Section § 3331 (Art 6 Section (3)).

A.R.S. § 38-231 (E) ARIZ const II Section (26).

A.R.S. Title 13 Criminal Code § 13-211. Fraudulent Scheme and Practices;  
will Full concealment. § 13-2407 A (1)(3)(4)(5), A.R.S. § 13-302, A.R.S. §  
13-3033 A (1)(2) B. (1)(2), A.R.S. § 13-305 (1)(2)(3)(b)(1), A.R.S. § 13-306.

A.R.S. § 401 (b) MEMORANDUM OF POINTS AND AUTHORITIES.

Rules AND REGULATIONS operation order 3.13 5.B Fraud/Reports/  
OFFICIAL Paperwork (1), operation order 3.13 6. Rules of conduct A  
Employee Truthfulness (1)(2).

### 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 NINTH CIRCUIT OF APPEALS; 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 DISTRICT OF ARIZONA; 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 Sep 19<sup>th</sup> 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 The Record, I Don't believe in Filing For rehearing in one court  
Pointing out the Facts over and over with the Supportive materials  
That the Ruling Judges Refuse to even view. This Honorable  
Court have jurisdiction 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

U.S. Constitution Article VI clause 2 Article VI clause 3, Ninth and Tenth Amendments  
Article VI Section 3 clause 1) Amendment V. Deprived of Liberty with out DUE  
Process of Law. Article I Section 8 CL 9 corruption in courts ignored claimed  
AMENDMENT V. NO INDICTMENT by grand Jury



## STATEMENT OF THE CASE

John Brinker with others of the County Attorney Violated  
Channel Sr., Protected by Statutorial established legal Rights under  
the United States Constitution.

See Provided Documentations under INDEX To APPENDIX A Through B.

## REASONS FOR GRANTING THE PETITION

- 1.) GRANTING THIS PETITION WOULD SEND A CLEAR AND LEGAL MESSAGE; THE U.S. SUPREME COURT WILL NOT BECOME A PARTY TO COVER UP THE CLEARLY VIOLATIONS OF CHANNEL SR. CONSTITUTIONAL RIGHTS.
- 2.) THE PROVIDED FILED ARIZONA COURTS DOCUMENTATIONS SUPPORT MR. CHANNEL SR. CLAIMS. IN CLEAR VISIBLE AND OBVIOUS FINE PRINT.
- 3.) THE FOUNDATION OF LAW, COMMERCE, and the WHOLE LEGAL SYSTEM CONSISTS OF "TELLING THE TRUTH, THE WHOLE TRUTH and NOTHING but TRUTH," EITHER by TESTIMONY, DEPOSITIONS, and or by AFFIDAVIT.
- 4.) UNIFORM COMERCIAL CODE 31-206 Presumptions. THE Defendants will NOT be able to INTRODUCE ANY EVIDENCE that will or can SUPPORT A FINDING OF the NONEXISTENCE OF the VIOLATIONS with out FALSIFYING DOCUMENTATIONS or ASKING THIS HONORABLE COURT FOR A UNLAWFUL FAVOR.
- 5.) CHANNEL SR. Constitutional RIGHTS and CIVIL RIGHTS are JUST as VALUABLE as ALL AMERICAN CITIZENS.
- 6.) "APPENDIX A" The Lower court orders with Relevant MATERIALS are what I seek to be reviewed THOROUGHLY.
- 7.) "APPENDIX B" The Lower court orders with Relevant MATERIALS are what I seek to be reviewed THOROUGHLY.
- 8.) When OFFICERS purposefully VIOLATE the CONSTITUTION to obtain EVIDENCE to use at TRIAL, "THE SUCCESS OF the LAWLESS VENTURE depends ENTIRELY on the COURT'S LENDING its AID

by ALLOWING "the USE OF the EVIDENCE. IF the LAW does NOT PERMIT the GATHERING OF the EVIDENCE, the COURT SHOULD NOT have a HAND IN SUCH DIRTY BUSINESS" by allowing its USE. FURTHER, it would be a "PERNICIOUS DOCTRINE" to declare that THE GOVERNMENT SHOULD "COMMIT CRIMES" IN ORDER TO SECURE THE CONVICTION OF CRIMINALS.

#### CONCLUSION

Based on the foregoing with court filed Documentations Provided, Petitioner Respectfully Request a unbiassed and unprejudicial Review with this Honorable Court. FOR JUSTICE! FOR RELIEF that Petitioner Seeking in Court 1,2,3.

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Michael Allen Channel Sr.

Date: October 24<sup>th</sup> 2019