

No: _____

IN THE SUPREME COURT OF THE UNITED STATES

19-6844
FABIAN SANTIAGO

Vs.

Arthur F. Hill, Official & Individual Capacity
Cook County Circuit Court Judge

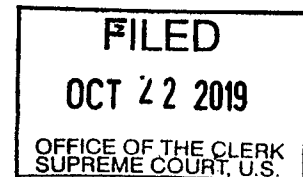
ORIGINAL

On Petition for a Writ of Certiorari to:

Supreme Court of the State of Illinois

Name of the Court which last ruled on the Merits of Petitioners Case

Petitioner for Writ of Certiorari



/s/ for vs.

Without Prejudice, Unified Commercial Code, 1-308

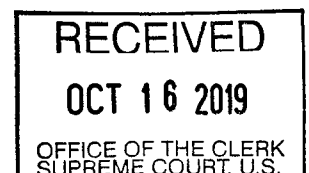
MR. FABIAN SANTIAGO #B-79716

600 South. Linwood Road

Po Box 1700

Galesburg, Illinois 61402

Petitioners Current Address



QUESTION(S) TO BE PRESENTED

A.) The Petitioner presents the inquiry unto the U.S.Ct, whether the refusal of the legal representative (sic) of the Petitioner during arraignment, motions to suppress evidence, discovery, trial, sentencing, & all related post-trial court remedies to appraise the Petitioner of said counsels (sic) conflict of interest in being an agent of the government, (&) the judge(s) presiding over said criminal court proceedings refusal to admonish the Petitioner of said, & either (a) obtain a waiver of the Petitioner for said conflict of interest or (b) allowing a release from the court & the government to sever the conflict of interest by said legal representative (sic) of the Petitioner constituted, denial of access to the courts, denial of fair & adequate due process of law, denial of equal protection of the laws, denial of an impartial adjudication, violated the Petitioners right to conflict free legal representation, violated the Petitioners right to be free from cruel & unusual punishment as a result of the unlawful criminal conviction & sentence where the Petitioner was illegally detained within the IDOC for approximately a twenty six (26) year period of time, (&) where the misconduct of the judge(s) & officers of the courts gave rise to a criminal conspiracy blatantly violating the Petitioners 1st, 4th, 5th, 6th 8th, 9th & 14th amendment Rights under the U.S. Constitution warranting a verdict voiding & nullifying the Petitioners criminal conviction & sentence, (&) also justifying the Petitioners immediate discharge from the custody of the IDOC.

LIST OF ALL PARTIES

B.) The caption page of this petition does not include all parties, as the Petitioners state habeas corpus petition has been transferred from judge to judge as a floater case, & the Petitioner is currently unaware of any permanent judge presiding over the Petitioners state habeas corpus petition, nevertheless, the Petitioner has listed Cook County Circuit Court Judge Arthur F. Hill in said judges official & individual capacity which encompasses all judges sitting in said judges stead or superseding said judge for the purposes of service & jurisdiction pertaining to this matter in controversy.

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IN THE SUPREME COURT OF THE UNITED STATES

Petition for Writ of Certiorari, Petitioner, MR.FABIAN SANTIAGO, Pro-Se, Respectfully request that a Writ of Certiorari issue to review the judgments below.

OPINIONS BELOW

Cases from the federal court(s):

This cause of action pertains to a state mandamus petition filed before the IL.S.Ct, involving a pending state habeas corpus petition. ~~There~~ were no federal courts that presided & reviewed the issues of contention in this cause of action. The Petitioner has sought a Writ of Certiorari directly to the U.S.Ct. from the denial of the IL.S.Cts verdict to review/allow the Petitioners state mandamus petition.

Cases from the state court(s):

This cause of action pertains to a state mandamus petition which was filed before the IL.S.Ct upon the date of: July 16th, 2019, Please¹ see appendix (G), & in which the IL.S.Ct denied review of the matter upon the date of: Sept. 24th, 2019, Please see appendix (A).

JURISDICTION

Cases from the state court(s):

The Petitioners cause of action pertains to a state mandamus petition, which was filed before the IL.S.Ct upon the date of: July 16th, 2019, Please see appendix (G), & in which the IL.S.Ct denied review of the matter upon the date of: Sept. 24th, 2019. Please see appendix (A). No motion for reconsideration was filed as there was no opinion or basis outlining the rational for the IL.S.Cts refusal to review the matter. No verdict adjudicating & finalizing the Petitioners state habeas corpus petition before the cook county circuit court has been rendered.

Cases from the federal court(s):

This cause of action pertains to a state mandamus petition, in which a Writ of Certiorari is being sought directly to the U.S.Ct, no federal courts have presided or rendered any verdicts involving said litigation.

The jurisdiction of this court is invoked under: 28 USC § 1257 (a)

CONSTITUTIONAL & STATUTORY PROVISIONS

1.) During the approximate time period of: Jan. 20th, 1993, the Petitioner was only four (4) days into turning sixteen (16) years old, where a renounly corrupt detective Ernest Halvorsen appeared @ the Petitioners residence without probable cause or warrent for the Petitioners arrest, yet nevertheless forcefully & against the Petitioners protest placed the Petitioner under arrest. The Plaintiff was a juvenile & detained @ a juvenile detention center, yet charged as an adult. During arraignment the Petitioner was appointed a public defender (sic) from the cook county public defenders office (sic), yet the Petitioners relatives ultimately secured the Petitioner a private practice criminal defense (sic) attorney identified as Mr.Ed Duke McNiel (now deceased), whom provided the Petitioner legal representation (sic) for the purposes of discovery, motions to supress, trial & sentencing. The Petitioners criminal court proceedings for the purposes of discovery, motions to supress, trial & sentencing consisted of criminal defense (sic) attorney Mr.Ed Duke McNiel, assistant states attorney Mr.Frank Marek, & judge Michael P. Tobin.

2.) During the approximate time period of: May 18th, 1994, the Petitioner was found guilty in absenia of first degree murder, attempt first degree murder, & aggravated battery with a firearm. During the approximate time period of: Aug. 17th, 1994, the Petitioner was sentenced to sixty (60) years for first degree murder, thirty (30) years for attempted first degree murder, & thirty (30) years for aggravated batterty with a firearm. During the approximate time period of: Sept. 26th, 1996, the Petitioner was also found guilty of violation of bond & sentenced to an additional ten (10) years. The two (2) terms of thirty (30) years for first degree attempted murder & aggravated batterty with a firearm were to be ran concurrent with one another, yet consecutive to the sixty (60) years for first degree murder, & the ten (10) years for violation of bond were also to be ran consecutive to said sentences for a total of a one hundred (100) term of incarceration of the Petitioner to the IDOC. The Petitioner was under indictment & superseding indictments identified as: 93-CR-0736801, (&) 94-CR-1621901.

3.) On direct appeal, the petitioner was afforded legal representation (sic) by court appointed counsel (sic) Mr.Gordon H. Berry, & the Petitioners conviction & sentence were affirmed; People Vs. Santiago, No: 1-96-3900, unpublished rule 23 order. The Petitioners petition for leave to the IL.S.Ct to appeal was denied during the approximate time period of: Feb. 3rd, 1999, People Vs. Santiago, 182 Ill.2d 567 (1999). The Petitioner file a pro-se post-conviction petition, which was summarily dismissed as untinly by judge Michael P. Tobin during the approximate time period of: Oct. 14th, 1999. On appeal to the summary dismissal of the Petitioners pro-se post-conviction petition, the court appointed Mr.James Geis to provide the Petitioner with legal representation (sic), & the denyal of the post-conviction petition was affirmed during the approximate period of time of: June 22nd, 2001.

4.) The Petitioner sought leave to the U.S.Ct to file a late appeal, which was denied during the approximate time period of: May 23rd, 2003. Thereafter, the Petitioner sought federal habeas corpus relief (sic), which was initially filed by private practice criminal defense (sic) attorney Mr. Richard M. Bauke, & in which court appointed counsel (sic) Mr. James A. Graham superseded in providing the Petitioner with legal representation (sic). The Petitioner's federal habeas corpus petition was ultimately denied by the USDC-NDIL, & appealed unto the 7th Cir. Court of Appeals, which affirmed the denial of the USDC-NDIL. The Petitioner went on to secure the legal representation (sic) of private practice criminal defense attorney (sic) Mr. John T. Moran, Jr., whom filed the petitioner's second (2nd) post-conviction, & pursued the litigation before the Cook County Circuit Court, first (1st) district court of appeals, & the U.S.Ct which all denied the relief (sic) being sought by the Petitioner (&) the Petitioner sought a writ of certiorari before the U.S.Ct which denied certiorari during the approximate period of time of: Dec. 4th, 2017.

5.) The petitioner currently has a third (3rd) successive post-conviction petition (&) a state habeas corpus petition pending before the Cook County Circuit Court, in which the court has appointed the Cook County Public Defenders (sic) office to provide the Petitioner with legal representation. The Petitioner's state habeas corpus petition was formally filed before the Cook County Circuit Court during the approximate time period of: Dec. 13th, 2018, & the Petitioner had clearly emphasized the fact that, since the commencement of the Petitioner's criminal court proceeding @ arraignment when the Petitioner was only sixteen (16) years of age, until the present time/date, in which the Petitioner is now a forty two (42) year old man, no criminal defense (sic) attorney either in private practice or appointed by the court(s) upon the state or federal level of litigation has ever disclosed & notified the petitioner that such attorneys providing the Petitioner with legal representation (sic) was an officer of the court & THEREBY AN AGENT OF THE GOVERNMENT WITH A CLEAR & IMMEDIATE CONFLICT OF INTEREST IN PROVIDING THE PETITIONER WITH LEGAL REPRESENTATION (SIC).

6.) No judge presiding over the Petitioner's criminal court proceedings upon the state or federal level of litigation ever admonished & notified the Petitioner that the private practice criminal defense (sic) attorney or court appointed criminal defense (sic) attorney entering in an appearance upon the Petitioner's behalf & providing the Petitioner with legal representation (sic), was an officer of the court & THEREBY AN AGENT OF THE GOVERNMENT WITH A CLEAR & IMMEDIATE CONFLICT OF INTEREST IN PROVIDING THE PETITIONER WITH LEGAL REPRESENTATION. For all intents & purposes, the Petitioner's criminal court proceedings from the commencement @ arraignment, until this very present time/date consist of nothing more than a nefarious engagement, collusion, felonious activity, fraud & a criminal conspiracy by the very judge(s) & officers of the court(s) that have been directly involved in the transpirings that have resulted in the Petitioner's prosecution, conviction & sentence.

7.) The initial obligation of the court is to inquire into a potential conflict of interest. *Quintero Vs. U.S.*, 33 F.3d 1133 (9th Cir. 1994). & in this particular instance, the court & the officers thereof, not only refused to disclose the egregious conflict of interest that the Petitioners retained or court appointed counsel (sic) had in being an agent of the government (the very government criminally prosecuting the Petitioner), but deliberately & knowingly concealed such critical facts from the Petitioner in order to illegally & unconstitutionally prosecute & obtain an unlawful criminal conviction & term of incarceration against the Petitioner - which has resulted in approximately twenty six (26) years of the Petitioners life contending the charges of murder, etc., in question. The judge(s) & officers of the court personally involved in the Petitioners criminal court proceedings were fully appraised of the fact that an officer of the court has an inherent duty & obligation unto the court & government which supersedes any fiduciary duty unto a client. *U.S. Vs. Franks*, 53 F.2d 128, 129 (1931).

8.) A criminal defendant is entitled to counsel whose undivided loyalty lies with the client. *Spreiter Vs. Peters*, 114 F.3d 1435 (7th Cir. 1997). In spite of the judge(s) & officers of the court being fully aware of the petitioners right as a matter of well established law being entitled to legal representation (&) legal representation without a conflict of interest, let alone a spy & imposter functioning as a criminal defense (sic) attorney upon the Petitioners behalf, while @ all times infiltrating the Petitioners defense upon the part of the government - the court(s) & the officers thereof, methodically engaged in a concerted effort to illegally prosecute & unconstitutionally obtain a criminal conviction & term of incarceration against the Petitioner. Counsel must decline representation due to the conflict of interest of being an agent of the government that the court & the government is fully aware of & will not issue a release for said conflict. *U.S. Vs. Tweel*, 550 F.2d 297, 299-300.

9.) Any state or federal court (on any level of litigation) allowing the accused to proceed with retained or appointing the accused counsel, has perpetrated an outright & calculating fraud & criminal conspiracy against the accused, knowing full well & being appraised of the fact that, attorneys @ law are unequivocally officers of the court (see: *infra*, page 3, 7 C.J.S., Page 707 case law. Judges, prosecutors, private practice lawyers, & court appointed counsel are attorneys @ law. The courts are empowered by the respective Constitution of the States of the Union (republic) (see: Constitution for the U.S. of America, Article IV, Section 4). Therefore, if attorneys are OFFICERS OF THE COURTS, then they are in fact, GOVERNMENT AGENTS. This fact is pointed out by Henry J. Friendly, in the *University of Pennsylvania Law Review*, vol. 123, 1267, Page 1288, which in part provides:

The appearance of counsel for the citizen is likely to lead the government to provide one or @ least to cause the governments representative to act like one. Quite obviously, the alleged "Defense Counsel" is a government agent sitting @ the "Defense Table," not the accused guaranteed by the sixth (6th) Amendment effective assistance of counsel, or guaranteed by the sixth (6th) Amendment "CONFLICT FREE REPRESENTATION."

10.) The attorney must inform the accused of the limitations & conflict regarding his or her (representation or assistance) (see: RPC, rule 1.2(e); RPC, rule 1.8(f) & ER-4; RPC, 1.7(a) & (b), Ethics rule 4, 5,, 7, & 10). If an attorney is not allowed to disclose the conflict, he or she can not rightfully (moral or lawfully) ask the accused to agree to his or her representation, (RPC, rule 1, 7, ER-5), & must also have a release from the court & government allowing him or her to compromise the government case. Further, given the conflict by being an officer of the court & a government agent, which THE COURT IS WELL AWARE OF, it is the COURTS DUTY TO INFORM THE ACCUSED OF SUCH A CONFLICT & inquire if the accused, having now been informed, voluntarily agrees to waive the conflict.

11.) The above listed transpirings outlined & stipulated to in paragraphs one (1) through ten (10) of this instant Petition & incorporated herein demonstrate that in the twenty six (26) years that the Petitioner has been contending the criminal charges in question, the Petitioner has never been afforded legal & proper access to the courts - as a government agent functioning as a spy & imposter (&) fraudulently posing as a legal representative of the Petitioner, while @ all times beholden unto the court & the very government criminally prosecuting the petitioner can never legally & actually provide the Petitioner with true legal representation, so unequivocally, the Petitioner in approximately a twenty six (26) year period of time has never been allocated the most basic, mundain & well established rights (sic) of the Petitioner to access to the courts, fair & adiquite due process of law, equal protection of the laws, an impartial adjudication, conflict free legal representation - as such calculating & methodical impropriety by the court(s) & the officers thereof, not only give rise to outrageous violations of the Petitioners well established rights (sic) under both state & federal law, but actually entail sadistic criminal misconduct, & a blatant criminal conspiracy by the court(s) & the officers thereof.

12.) The Petitioners state habeas corpus petition filed before the cook county circuit court during the approximate period of time of: Dec. 13th, 2018, unquestionably demonstrated such factors, & the Petitioners criminal prosecution, conviction & sentence are a product of criminal impropriety by the very judge(s) & officers of the court(s), therefore, the Petitioners criminal conviction & term of incarceration can not stand, are nullified & void, illegal & unconstitutional, (&) simply can not be enforced - mandating the Petitioners criminal conviction & sentencing being vacated & an order from the court directing the Petitioners immediate discharge from the custody of the IDOC.

THE PETITIONER HAS NO OTHER REMEDIES @ LAW AVAILABLE

13.) The Petitioners state habeas corpus petition was filed before the cook county circuit court during the approximate period of time of: Dec. 13th, 2018. The Petitioner moved before the circuit court with a motion requesting a verdict instant, which was filed before the circuit court during the approximate time period of: March 29th, 2019, yet no action was taken by the circuit court. The Petitioner moved before the circuit court with a motion for summary judgment, which was filed before the circuit court during the approximate time period of: April 11th, 2019, yet once again absolutely no action was taken by the circuit court. The Petitioner moved before the circuit court with a notification for submission of a mandamus petition unto the IL.S.Ct, which was filed before the circuit court during the approximate time period of: June 4th, 2019, & once again absolutely no action was taken by the circuit court to finally adjudicate the Petitioners cause of action. The Petitioner ultimately moved before the IL.S.Ct with a formal mandamus petition & a supplemental petition, which were filed before the IL.S.Ct during the approximate time period of: July 16th, 2019, (&) Aug. 15th, 2019, respectively, & entitled as: Santiago Vs. Hill, Case No: M.D.014355.

14.) It was not until approximately an eight (8) month period of time since the initial filing of the Petitioners state habeas corpus petition that the cook county circuit court finally took some action to render any verdict with respect to the Petitioners state habeas corpus petition, in which the circuit court went from taking absolutely no action to adjudicate the Petitioners state habeas corpus petition to appointing the Petitioner the cook county public defenders office to provide the Petitioner with legal representation (sic) pertaining to the Petitioners successive (3rd) post-conviction petition (&) the Petitioners state habeas corpus petition. The very crux & heart of the Petitioners state habeas corpus petition involved the very judge(s) & officers of the court engaging in a nefarious union & criminal conspiracy in order to secure a criminal conviction & term of imprisonment against the Petitioner & all criminal defense (sic) attorneys making an appearance upon the Petitioners behalf without first & foremost disclosing the immediate & egregious conflict of interest that said attorneys had in undertaking legal representation (sic) of the Petitioner, yet the circuit court saw it fitting to nevertheless appoint the Petitioner counsel (sic) from a government agent to once again continue to perpetrate said criminal conspiracy against the Petitioner & further prolong the Petitioners illegal incarceration within the IDOC.

15.) The Petitioner attempting to discharge the appointment of counsel is an oversimplification of the controversies before the U.S.Ct., as the Petitioner has been kept in the dark concerning the Petitioners

very own case in chief. The Petitioner was never made aware of any status hearings before the circuit court, whether there were any verdicts rendered by the court, what if any contentions were being made before the circuit court by the government or of even whom in the Hell the Petitioners case was being transfered to & the current judge assigned unto the Petitioners state habeas corpus pition. The petitioner only finally learned of such basis & mundain information via the cook county public defenders office, so the Petitioner is being forced to except fraudulent legal representation from an agent of the government simply to learn basic transpirings pertaining to the Petitioners very own case in chief or the Petitioner is completely disregarded & having his (Petitioners) Pro-Se rights (sic) trampled upon & having no knowledge as to what the fuck is going on with the Petitioners own case.

16.) The Petitioner has already lost an incredible twenty six (26) years of the Petitioners life contending said criminal conviction due to the reprehensible & criminal misconduct of the very judge(s) & officers of the court(s) that have engaged in a criminal conspiracy to unlawfully prosecute & secure a criminal conviction & term of incarceration against the Petitioner, (&) the circuit court persist to engage in these very felonious improprieties by appointing the Petitioner legal representation (sic) from the cook county public defenders office (sic), which are nonetheless government agents with a conflict of interest - in which, neither said attorneys (public defenders (sic) office) or the circuit court has notified & sought a ~~waiver~~ from the Petitioner pertaining to said conflict (or) in which said appointed legal representative (sic) has moved before the circuit court making a special appearance & plea: IN PROPRIA PERSONA, & MAKING A PLEA OF: I PLEA IN BAR CORAM NON JUDICE, in order to sever the conflict of interest in question. The act of attrition by the circuit court in the handling of the Petitioners state habeas corpus petition has utterly polluted & tainted said court proceedings & the Petitioner simply can not be afforded an impartial adjudication (&) considering the incontrovertible facts that the Petitioner has demonstrated, the Petitioner is entitled to a verdict formally vacating the Petitioners criminal conviction & sentence, & the Petitioners immediate discharge from the custody of the IDOC.

17.) The actions of the circuit court in the atrocious mishandling of the Petitioners state habeas corpus petition (&) the continuous criminal impropriety by the circuit court were all brought before the IL.S.Ct for consideration & adjudication - which were contained within the Petitioners mandamus & supplemental petition & accompanying exhibits, yet nevertheless, the IL.S.Ct denied the Petitioners leave to proceed with a mandamus & supplemental petition stipulating such herrendous abuses by the circuit court, where the IL.S.Ct adverse verdict was entered in against the Petitioner upon the date of: Sept. 24th, 2019. Evidently the IL.S.Ct considers it exceptable for the judge(s) & officers of the court to engage in a massive fraud & criminal conspiracy to obtain a criminal conviction against an indigent individual, just as long as private citizens (sic) whom ~~arent~~ employed by the government dont engage in such criminal misconduct. Unquestionably qualified & absolute immunity was never ment to encompass government officials being shielded from even carrying out criminal abuse.

18.) The petitioners state habeas corpus proceedings are abhorred, a rose & a fraud, where the circuit court continues to engage in the very criminal misconduct contained & outlined within the Petitioners state habeas corpus petition. Appointing the Petitioner a legal representative (sic) that is truly nothing more than a government operative infiltrating the Petitioners cause of action & beholden unto the court & the government. These transpirings also entail years of further delays in the Petitioner's state habeas corpus proceedings, as the Petitioner is forced & coerced into excepting fraudulent legal representation (sic) from a government agent simply to be appraised of basic functions transpiring before the circuit court or the Petitioner is forcibly left in the dark & completely disregarded by the circuit court to partake in such court proceedings & be notified of any action being taken by the circuit court in the handling of such a litigation. Not only has the Petitioner been deprived of access to the courts, fair & adiquite due process of law, equal protection of the laws & an impartial adjudication concerning the Petitioners state habeas corpus petition, but the Petitioner has a separate litigation pending before the first district court of appeals pertaining to a sentence reduction in which the Petitioner is entitled to due to the Petitioner being a juvenile @ the time of arrest & interviening changes in the law.

19.) The first district court of appeals has rejected the Petitioners motion & objection to execute said court proceedings Pro-Se via self-representation (&) has forced the Petitioner into being coerced to except fraudulent legal representation (sic) via the appellate defenders (sic) office, a government agent with a clear conflict of interest. Thesetranspirings before the first district court of appeals have not only blatantly violated the Petitioners well established rights (sic) to self-representation, forced the Petitioner into excepting fraudulent legal representation (sic) via a government agent, but has resulted in year(s) of delays in the final adjudication of the Petitioners reduction in sentence - which would effectively warrant the Petitioners immediate discharge from the custody of the IDOC considering the unbelievable amount of time that the Petitioner has forever lost incarcerated. The Petitioner has also filed a mandamus petition unto the IL.S.Ct, entitled: Santiago Vs. Smith, et. al; Case No: M.D.014335, which was denied for review by the IL.S.Ct also upon the date of: Sept. 24th, 2019, so the first district court of appeals is also engaged in the very same criminal misconduct outlined & contained within the Petitioners state habeas corpus petition.

20.) The circuit & appellate courts are fully engaged in executing a criminal conspiracy by willfully & knowingly appointing the Petitioner legal representation (sic) from a government agent with a conflict of interest & further prolonging the Petitioners illegal & unconstitutional detainment within the IDOC. The Petitioner can not appeal any verdict from the circuit court unto the appellate court pertaining to the Petitioners state habeas corpus petition until the circuit court has first rendered a verdict, but even if the Petitioner could move boefore the appellate court with such an appeal - the appellate court is also engaged in these very same

criminal improprieties, & the Il.S.Ct is fully aware of such transpiring & has outright refused to take corrective action, resulting in the deprivations outlined & contained within the Petitioners Writ of Certiorari & accompanying exhibits. The Petitioner has no other remedies @ law & the Petitioners Writ of Certiorari is proper before the U.S.Ct & should be adjudicated @ this time, as the Petitioner is being unlawfully detained & is entitled as a matter of law (sic) to immediate discharge from the custody of the IDOC & expungement of the conviction & sentence in question.

STATEMENT OF CAUSE & BASIS FOR RELIEF BEING REQUESTED

21.) The Petitioner moved before the cook county circuit court with a state habeas corpus petition, giving stipulation & contending that the Petitioners prosecution, criminal conviction & term of incarceration were a product of collusion, felonious activity, fraud & a massive criminal conspiracy by the court(s)/judge(s) & officers of the court(s), when the Petitioners legal representative (sic) consisted of nothing more than a spy & imposter that was a government agent beholden unto the court & the prosecution, & where said legal representative (sic) & the court(s) refused to notify & admonish the Petitioner of said & the egregious conflict of interest that such a legal representative (sic) of the Petitioner maintained without first & foremost obtaining a release from both the court & the government in order to sever the conflict of interest in question. The cook county circuit court refused to adjudicate the Petitioners state habeas corpus petition in approximately an eight (8) month period of time, it was not until the approximate time period in which the Petitioner was moving before the Il.S.Ct with a mandamus petition that the circuit court finally moved to render some action in the Petitioners state habeas corpus petition, (&) when the circuit court finally moved to take action in the petitioners state habeas corpus petition - it was only to appoint the Petitioner legal representation (sic) from a government agent with a conflict of interest.

22.) The circuit court has continued to perpetrate the very criminal conspiracy that is outlined & contained within the Petitioners state habeas corpus petition, therefore, the circuit courts proceedings of the Petitioners state habeas corpus petition are abhorred, a rose & a fraud. The Petitioner is prohibited from appealing to the first district court of appeals - as the appellate court itself has engaged in the very same criminal impropriety given stipulation to & contained within the Petitioners (the appointment of fraudulent legal representation by a government agent). The Petitioner moved before the Il.S.Ct with a mandamus petition seeking to remedy the improprieties of the circuit court in the mishandling of the Petitioners state habeas corpus petition, which not only persist in engaging in criminal misconduct against the Petitioner, but further prolonging the Petitioners discharge from the custody of the IDOC, which the Petitioner is immediately entitled to.

23.) The Petitioner was taken into custody @ the age of sixteen (16) years old, the Petitioner is now a forty two (42) year old man, & has forever lost twenty six (26) years of the Petitioners life buried in completely unnecessary bureaucracy, & legal rangling in an inherently racist & corrupt judicial process that has not only violated every conceivable state & federal law in order to obtain a criminal conviction & sentence against the Petitioner, but has persisted till this very day to engage in outright criminal misconduct in order to further prolong the Petitioners illegal detainment within the custody of the IDOC - subjecting the Petitioner to cruel & unusual punishment as a result thereof. The Petitioner has never had legal & proper access to the courts, fair & adiquite due process of law, equal protection of the laws, an impartial adjudication, conflict free legal representation, the right to speak & be heard, & continues to be subjected to cruel & unusual punishment as a result of such unlawful, unconstitutional & criminal abuses by the courts & the officers thereof. Blatantly violating the Petitioners well established rights under the 1st, 4th, 5th, 6th, 8th, 9th & 14th Amendment to the U.S.

24.) The Petitioner contends that such depreventions are unconstitutional as applied unto the Petitioner, & the Petitioner is entitled to having the Petitioners criminal conviction & sentence formally vacated & nullified, which also warrant the Petitioners immedate discharge from the custody of the IDOC.

CONCLUSION - RELIEF BEING REQUESTED

Wherefore, The Petitioner, FABIAN SANTIAGO, Pro-Se, Moves before the U.S.Ct. & request the grant of this Writ of Certiorari, & an order nullifying & vacating the Petitioners criminal conviction & sentences related to the indictment & superseding indictments, (&) for the U.S.Ct. to mandate the immedate discharge of the Petitioner from IDOC custody.

/s/ 

Without Prejudice, Unified commercial Code, 1-308

Mr.FABIAN SANTIAGO. #B-79716

600 South. Linwood Road

Po Box 1700

Galesburg, Illinois 61402

State of Illinois }
County of Knox } SS

AFFIDAVIT/DECLARATION

I, MR.FABIAN SANTIAGO, Hereby declare under penalty of perjury & pursuant to 28 USC 1746, 18 USC 1621 or 735 ILCS 5/109 that, I am the Petitioner within the State Court Mandamus Petition entitled: Santiago Vs. Hill, Official & Individual Capacity, Case No: M.D.014355, which was filed before the IL.S.Ct. upon the date of: July 16th, 2019, (&) denied for review by said court upon the date of: Sept. 24th, 2019. During the approximate period of time of: Jan. 20th, 1993, I was four (4) days into turning sixteen (16) years old, & arrested by a detective Ernest Halvorsen. During arraignment I was appointed a public defender (sic), yet retained the services (sic) of a private practice criminal defense (sic) attorney identified as Mr.Ed Duke McNeil, whom executed discovery, motions to suppress evidence, trial, & sentencing. The criminal court proceedings in which Mr.Ed Duke McNeil was a party to, were also convened by cook county circuit court judge Michael P. Toomin, & assistant states attorney Mr.Frank Marek. Never during any of said criminal court proceedings, including any post-trial & post-conviction litigations - from the commencement of my arraignment until the present time/date, in the twenty six (26) years that I have been contending the criminal charges in question that resulting in my one hundred (100) year term of incarceration for the charges of first degree murder, first degree attempted murder, aggravated battery with a firearm, & violation of bond, has any court appointed or privately retained criminal defense (sic) attorney entering in an appearance upon my behalf & providing me with legal representation (sic) has ever informed me of said counsels (sic) egregious & immediate conflict of interest of being an officer of the court (&) also functioning as a government agent. Neither has any judge that has ever presided over any criminal court proceeding pertaining to the charges in question in all time, has ever admonished me that the legal representative (sic) entering in an appearance upon my behalf of possessing said conflict of interest.

The judge(s) & officers of the court that have been directly involved in any & all criminal court proceedings pertaining to the criminal charges in question have engaged in a nefarious union, felonious misconduct, collusion, a massive fraud & criminal conspiracy in order to criminally prosecute, obtain a conviction & term of incarceration against this beneficiary. The attorneys entering appearances upon my behalf were government agents that fraudulently perpetrated legal representation (sic) upon my behalf - while @ all time beholden unto the court & the very government which sought the criminal prosecution, conviction & term of incarceration against this beneficiary.

In addition to the criminal defense (sic) attorneys & judges that presided over the court proceedings in question refusing to disclose this egregious conflict of interest, no legal representative (sic) entering an appearance upon my behalf ever sought a release from the court & the government to sever the conflict of interest in contention (&) neither did said attorneys or judges appraise me of the controversy in order to obtain a waiver from this beneficiary. These critical elements & reprehensible criminal improprieties carried out by the judiciary & its officers were contested in a State Habeas Corpus Petition entitled: Santiago Vs. Dorethy, Case No: 93-CR-7368, which was filed before the cook county circuit court upon the date of: Dec. 13th, 2018. Absolutely no action was taken with respect to the State Habeas Corpus Petition in approximately an eight (8) month period of time to adjudicate the matter & furnish a threshold review, & when the cook county circuit court finally took some action in the litigation - it was to appoint this beneficiary with legal representation (sic) from the cook county public defenders office - thereby, continuing to perpetrate the very criminal conspiracy & fraud given stipulation to & contained within the State Habeas Corpus Petition.

For all intents & purposes, the beneficiaries State Habeas Corpus Petition proceedings are absolutely abhorred, a rose, a fraud & unavailable unto this beneficiary. I proceeded to move before the IL.S.Ct with a State Court Mandamus Petition outlining the issues contained with said State Habeas Corpus Petition & the criminal misconduct that the cook county circuit court was continuing to engage in against this beneficiary, & the fact that this beneficiary was entitled to immediate discharge from the custody of the IDOC & having the beneficiaries criminal conviction & sentenced nullified & voided. My State Mandamus Petition was filed before the IL.S.Ct upon the date of: July 16th, 2019, & denied for review by the IL.S.Ct upon the date of: Sept. 24th, 2019.

The accounts contained within this beneficiaries Writ Of Certiorari Petition to the U.S.Ct demonstrate that the beneficiary is entitled to immediate discharge from the custody of the IDOC due to the beneficiaries criminal conviction & sentence being a product of criminal misconduct by the judiciary & its officers.

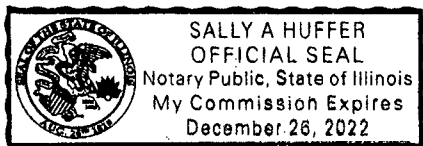
I, MR.FABIAN SANTIAGO, Hereby attest that, I am of both sound body & mind, I am over the age of eighteen (18) years old, & if called before a forum of law (sic) would affirm such facts.

State of Illinois }
County of Knox } SS

/s/ [Signature]
Without Prejudice, Unified Commercial Code, 1-308
MR.FABIAN SANTIAGO. #B-79716
600 South. Linwood Road
Po Box 1700
Galesburg, Illinois 61402

Signed & sworn to before me upon this date:
of: Oct. 8th, 2019, by MR.FABIAN SANTIAGO.

/s/ Sally A. Huffer
Notary Public



APPENDIX (A)