CASE NO. ~~19~~-7150

IN THE SUPREME COURT OF THE UNITED STATES

ORIGINAL

MICHAEL JAMES WALTON PETITIONER

V.

THIS IS ALL PARTIES: JACK KOWALSKI (WARDEN) RESPONDENT

ON PETITION FOR WRIT OF CERTIORARI TO THE 6TH CIRCUIT U.S. COURT OF APPEALS

PETITION FOR WRIT OF CERTIORARI

BY: MICHAEL WALTON #347922
IN PRO PER
KINROSS CORRECTIONAL FACILITY
4533 W. INDUSTRIAL PARK DRIVE
KINCHELOE, MI. 49786

QUESTIONS PRESENTED

1. WHETHER COUNSEL WAS INEFFECTIVE FOR FAILING TO REVEAL INDISPUTABLY FALSE TESTIMONY; AND, COACHING TO THE 9 YR. OLD CHILD WHO SAYS THE SAME FALSE TESTIMONY; AND INCONSISTENT STATEMENTS-(THROUGH IMPEACHING) AND, CALL GLOVER, THE OFFICER IN CHARGE, TO TESTIFY.

2. WHETHER THE PROSECUTOR GOT A CONVICTION THROUGH THE USE OF INDISPUTABLY FALSE TESTIMONY, AND, THE COACHED TESTIMONY THAT WAS THE SAME FALSE TESTIMONY.

3. WHETHER APPELLATE COUNSEL WAS INEFFECTIVE FOR FAILING TO RAISE THESE ISSUES ON DIRECT APPEAL.

TABLE OF AUTHORITIES

REFERENCE TO OPINIONS

THE OPINION OF THE U.S. DISTRICT COURT IS ? BUT IT IS: WALTON V MACKIE, NO. 15-10609, 2018 WL 5264250 (E.D. MICH. OCT. 23, 2018) APPENDIX B

THE OPINION OF THE 6TH CIRCUIT COURT OF APPEALS IS FED. R. APP. P. 22(b)(1). APPENDIX A

STATEMENT OF JURISDICTION

ON SEPTEMBER 26, 2019, THE 6TH CIRCUIT U.S. COURT OF APPEALS ISSUED AN ORDER DENYING PETITIONER'S MOTION FOR A CERTIFICATE OF APPEALABILITY. THE ORDER IS APPENDIX A. THIS COURT HAS JURISDICTION PURSUANT TO 28 U.S.C. § 1257.

CONSTITUTIONAL PROVISIONS

U.S. CONST. AMEND. XIV § 1. ALL PERSONS BORN OR NATURALIZED IN THE UNITED STATES, AND SUBJECT TO THE JURISDICTION THERE OF, ARE CITIZENS OF THE UNITED STATES AND OF THE STATE WHEREIN THEY RESIDE. NO STATE SHALL MAKE OR ENFORCE ANY LAW WHICH SHALL ABRIDGE THE PRIVILEGES OR IMMUNITIES OF CITIZENS OF THE UNITED STATES; NOR SHALL ANY STATE DEPRIVE ANY PERSON OF LIFE, LIBERTY, OR PROPERTY, WITHOUT DUE PROCESS OF LAW; NOR DENY TO ANY PERSON WITHIN IT'S JURISDICTION THE EQUAL PROTECTION OF THE LAWS.

U.S. CONST. AMEND. VI § 1. IN ALL CRIMINAL PROSECUTIONS, THE ACCUSED SHALL ENJOY THE RIGHT TO A SPEEDY AND PUBLIC TRIAL, BY AN IMPARTIAL JURY OF THE STATE AND DISTRICT WHEREIN THE CRIME SHALL HAVE BEEN COMMITTED, WHICH DISTRICT SHALL HAVE BEEN PREVIOUSLY ASCERTAINED BY LAW, AND TO BE INFORMED OF THE NATURE AND CAUSE OF THE ACCUSATION; TO BE CONFRONTED WITH THE WITNESSES AGAINST HIM; TO HAVE COMPULSORY PROCESS FOR OBTAINING WITNESSES IN HIS FAVOR, AND TO HAVE THE ASSISTANCE OF COUNSEL FOR HIS DEFENSE.

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STATEMENT OF THE CASE

PETITIONER WALTON WAS CONVICTED AFTER A BENCH TRIAL, OF ASSAULT WITH INTENT TO MURDER, UNLAWFUL IMPRISONMENT, AND FELONY FIREARM, AMOUNG TWO MIDEMEANOR CHARGES. THIS CASE WAS A CREDIBILY MATTER.

DEFENSE THEORY OF THE CASE: THE WITNESS (PETITIONER'S WIFE) FABRICATED HER ENTIRE STORY THAT THE PETITIONER WAS THE ONE WHO SHOT HER, AND COACHED THEIR 9 YEAR OLD DAUGHTER TO GIVE FALSE TESTIMONY, BECAUSE THE PETITIONER TOLD HIS WIFE, IN A HEATED ARGUMENT DURING THEIR BREAK UP ABOUT HER DRINKING PROBLEM, THAT HE ACTUALLY DID CHEAT WITH THE WOMAN HIS WIFE CAUGHT HIM WITH, AS OPPOSED TO INITIALLY TELLING HER NOTHING HAPPENED. (48 T1) (71 + 73 T2) (142 THRU 144 T1) (131 T1 TIRIA) (119 T1 MITIA)

BRIEF INTRODUCTION: THE FIRST ISSUE CONSISTS OF FIVE SUBJECTS OF INCONSISTENCIES, IN WHICH THE FIRST SUBJECT CONTAINS INDISPUTABLY FALSE ERRORED TESTIMONY FROM THE WITNESS. AND HER 9 YEAR OLD DAUGHTER (MITIA) SAYS THE EXACT SAME ERROR OF FALSE TESTIMONY, WHICH PROVES THE COACHING. THE INCONSISTENCY IN THE FIRST SUBJECT CONCERNS THE DATE THAT THE WITNESS CLAIMED SHE "ESCAPED" FROM THE PETITIONER AND MADE A POLICE REPORT, WHICH IS THE FALSE TESTIMONY THAT WAS CORROBORATED BY MITIA, AS FOLLOWS: THE INCIDENT WITH WITNESS HAPPENED THE 9TH OF ARRIL 2011. (GOING TO THE HOSPITAL - MAKING THE HOSPITAL REPORT "BEFORE" THE MOTIVE, WAS DONE THE NEXT MORNING ON THE 10TH. THE WITNESS DID NOT KNOW SHE HAD BEEN SHOT.) THE WITNESS LEFT THE PETITIONER AND MADE THE POLICE STATEMENT 5 DAYS LATER ON THE 14TH OF APRIL, WHICH ALSO CONSISTED OF THE FALSE TESTIMONY. (SEE POLICE STATEMENT FORM AND COMPLAIN INVESTIGATION COMPLIANCE FORM, APPENDIX D). THE INCONSISTENCY IS THAT, THE WITNESS SAYS SHE "ESCAPED" FROM PETITIONER AND MADE THE POLICE STATEMENT ON THE 12TH OF APRIL, THEN CHANGED EVEN THAT TO THE 11TH, CLAIMING TO BE HELD CAPTIVE FROM THE TIME OF THE INCIDENT, UNTIL SHE DAY SHE MADE THE STATEMENT REPORT WHEN SHE "ESCAPED". THIS SHORTENS THE 5 DAY SPAN BETWEEN THE DAY OF THE INCIDENT ON THE 9TH, AND WHEN THE POLICE STATEMENT WAS ACTUALLY MADE ON THE 14TH. THE RESPONDENT, IN HIS OPPOSITION BRIEF, ACKNOWLEDGED THE ERROR BUT SAID IT WAS FROM MISTAKEN MEMORY. BUT IGNORED, AS DID THE LOWER COURTS, THAT THE WITNESS'S 9 YEAR OLD DAUGHTER MITIA TESTIFYS TO THE SAME ERROR OF FALSE TESTIMONY, AND ALSO IGNORED THE POINT MADE, THAT THE WITNESS CLAIMED TO BE HELD CAPTIVE FROM THE INCIDENT TILL THE DAY SHE "ESCAPED" AND MADE THE POLICE STATEMENT REPORT. (25+30 T1) (37 PRE) SO HOW COULD SHE POSSIBLY HAVE GOTTEN 5 LONG DAYS UP TO THE 14TH (THE DATE THE STATEMENT WAS MADE) OF BEING HELD IN CAPTIVITY, MISTAKEN FOR 2? I WILL NOW

STATEMENT OF THE CASE FOR ISSUE I. (STARTS AT FIRST SUBJECT)

DEMONSTRATE THAT THE INCONSISTENCY WAS NOT FROM MISTAKEN MEMORY, BUT WAS UNDISPUTABLY INTENTIONALLY FALSE, AND THAT THE WITNESS COACHED OUR 9 YEAR OLD MITIA TO SAY THE SAME ERROR OF INCONSISTENCY, AND SHOW AT THE SAME TIME HOW COUNSEL FAILED TO SHOW THIS, THEN SHOW HOW THIS ERROR CONTRIBUTED TO THE OUTCOME OF THE CASE, BECAUSE THE TRIAL JUDGE BELIEVED THE FALSE TESTIMONY, AND THAT IT WAS CORROBORATED BY THE WITNESS'S DAUGHTER, WHO WAS COACHED TO SAY IT.

FIRST SUBJECT: IN THE PRELIMINARY, THE WITNESS EXPLAINS THE STORY OF LEAVING THE PETITIONER ON THE 12TH OF APRIL 2011 AND MAKING A POLICE STATEMENT REPORT. (26 THRU 35 PRE) AND SAYS THIS WAS A TOTAL OF 2 DAYS TIME IN THE HOTEL (FROM THE INCIDENT ON THE 9TH, UNTIL THE DAY SHE LEFT). (36 PRE) MY ATTORNEY "ONLY ASKS" THE WITNESS IF SHE'S BEEN AWAY FROM HOME 4 OR 5 DAYS. THE WITNESS SAYS "SHE'S NOT SURE". (68 PRE) IN TRIAL THE WITNESS AGAIN EXPLAINS THE STORY OF LEAVING THE PETITIONER ON THE 12TH. (26 THRU 31 TI) AND MATCHINGLY, THE WITNESS SAYS "THE PICTURES" OF THE WOUND (EXHIBITS 2&3 IN TRIAL, DATED 4-14-11) (2 TI) WERE TAKEN AT THE (DOMESTIC VIOLENCE) POLICE STATION 2 DAYS AFTER BEING SHOT ON THE 9TH, AND THAT WAS THE DAY AFTER SHE GOT OUT OF THE HOSPITAL (ON THE 10TH) BECAUSE THAT WAS THE DAY SHE GOT AWAY. (AS DESCRIBED, THIS WOULD BE THE 11TH) WHEN THE PROSECUTOR QUESTIONS THE WITNESS'S ANSWER, THE WITNESS "ON HER OWN" HESITANTLY ADMITTED THAT IT WAS LONGER, AND SAID "3 DAYS". THE PROSECUTOR QUESTIONS 'THAT' ANSWER, AND THE WITNESS MOVES IT UP A LITTLE MORE SAYING "3 OR 4 DAYS AFTER". AND SAYS, THE DAY SHE WENT TO THE DOMESTIC VIOLENCE POLICE STATION TO MAKE THE POLICE STATEMENT REPORT, WAS THE DAY THEY TOOK THE PICTURES OF HER. MY ATTORNEY INTERVENES AND STIPULATES THAT THE STATEMENT WAS TAKEN ON THE 14TH. ONLY THEN DOES THE WITNESS ADMIT THAT THE PICTURES WERE TAKEN ON THE 14TH. (37+38 TI) NOW, RIGHT HERE - THE WITNESS HAS BEEN CORRECTED AND REFRESHED IN MEMORY, THAT, THE DAY SHE GOT THE PICTURES TAKEN, WAS ON THE 14TH, WHICH WAS THE DAY SHE "GOT AWAY" AND WENT TO THE DOMESTIC VIOLENCE POLICE STATION. NOW, WHEN BEING CROSS-EXAMINED BY MY ATTORNEY, THE COURT INTERVENES TO UNDERSTAND THE WITNESS'S STORY CORRECTLY. AND THE WITNESS EXPLAINS WITH THE JUDGE - THE STORY OF LEAVING THE PETITIONER ON 'THE 11TH' THIS TIME; WITH KNOWING IT WAS THE 14TH. (58 THRU 61 TI) BUT INSTEAD OF COUNSEL INTERVENING TO MAKE IT KNOWN THAT THIS TESTIMONY IS FALSE AND THE WITNESS ADMITTED TO - AND HAS BEEN CORRECTED THAT - THE 14TH IS WHEN SHE LEFT THE PETITIONER AND MADE THE POLICE STATEMENT REPORT, AND AND THAT NO REPORT EXISTS ON THE 11TH OR 12TH, COUNSEL UNBELIEVABLY CORRECTS THE WITNESS BACK TO HER INITIAL FALSE STORY OF LEAVING THE PETITIONER

AND MAKING THE STATEMENT ON THE 12TH. (61 THRU 64 TI) THEN, COUNSEL ONCE AGAIN "ONLY ATTEMPTS TO CORRECT" THE WITNESS THAT IT WAS "THE 14TH," (THIS TIME) AND EVEN SUGGESTS THAT SHE'S NOT REMEMBERING CORRECTLY BECAUSE THE WITNESS KEEPS SAYING, EVERY TIME SHE'S ASKED ABOUT THE DATE, THAT "SHE'S NOT SURE" - (70 TI) WHICH COUNSEL SHOULD ALSO CONFRONT AT THIS POINT BECAUSE AFTER THE WITNESS HAS BEEN CORRECTED OF THE DATE TWICE NOW, AND STILL TRYS TO TELL THE STORY OF THE 11TH, THEN NOT ONLY IS THIS KNOWN FALSE TESTIMONY, BUT IT SHOWS THAT EVERY TIME THE WITNESS SAYS "I'm NOT SURE OF THE DATE I MADE THE POLICE STATEMENT," IT WAS TO INTENTIONALLY DECEIVE THE COURT, AND HIDE THAT SHE'S ACTUALLY TRYING TO LIE. BUT BECAUSE COUNSEL NEVER BRINGS "ANYTHING" TO LIGHT, IS WHY THE WITNESS CONTINUES TO TESTIFY TO THE FALSE DATE.
THEN NEXT, WHEN CONFRONTING THE WITNESS ABOUT A PREVIOUS STATEMENT ON THE VERY LAST PAGE OF THE POLICE REPORT, PAGE 4 OF 4, COUNSEL DISCOVERS THAT THE WITNESS SIGNED AND DATED IT 4-"18"-11. (77 TI) AND "RIGHT HERE" - AN ALARM SHOULD HAVE WENT OFF MAKING COUNSEL REALIZE THAT NOT ONLY IS THIS REPORT - "TWO" SEPERATE INTERVIEWS - ONE BEING THE STATEMENT ON THE 14TH, AND THE OTHER BEING THE SUPERVISORY REVIEW REPORT DONE ON THE 18TH, BUT THE DISCOVERY SHOULD HAVE ALSO ALARMED COUNSEL OF TWO SIGNIFICANT ERRORS: ONE, THE SIGNATURE AND THE 18TH'S DATE OF THE SECOND SUPERVISORY REVIEW REPORT FROM THE OFFICER WHO CONDUCTED IT, WAS LEFT BLANK ON THE FIRST PAGE THAT THE STATEMENT OF THE 14TH IS ON. - WHICH MADE THE DATED 14TH'S STATEMENT, AND THE REST OF THE FOUR PAGES OF THE 18TH'S REPORT - THAT STARTED ON THE BOTTOM OF THE FIRST PAGE STATEMENT OF THE 14TH, LOOK LIKE THEY WERE BOTH DONE TOGETHER ON THE 14TH. (SEE ORIGINAL TRIAL USED STATEMENT FORM, COMPAIRED TO THE LATER SIGNED AND DATED COPY OBTAINED BY ME MONTHS LATER IN THE DISCOVERY PACKAGE FOR THE PARENTAL RIGHTS CASE THAT RESULTED FROM THIS CASE. APPENDIX D)
TWO: COUNSEL SHOULD HAVE IMMEDIATELY NOTICED AND CORRECTED "HER" ERROR OF REPRESENTING THE WHOLE 4 PAGE REPORT THAT WAS DONE ON THE 18TH, AS IF IT WAS A WHOLE 4 PAGE REPORT THAT WAS DONE ON THE 14TH, (AS SHE HAS BEEN DOING SINCE THE PRELIMINARY ALSO) AS COUNSEL STATES IN TRIAL, "SO IF THE FOUR PAGE 'STATEMENT' IS DATED THE 14TH, WOULD THAT JOG YOUR MEMORY"? (70 TI) AND HERE'S MORE THAT COUNSEL MISSED: IN THE REPORT ON THE 18TH, THE WITNESS HAS EXPLAINED THE SAME FALSE 2 DAY STORY OF THE 12TH OF "GETTING AWAY" FROM THE PETITIONER, TO THE POLICE ALSO. MAKING KNOWN THAT THE WITNESS HAS GIVEN A FALSE STORY TO BOTH PRELIMINARY AND TRIAL COURTS, AND POLICE, ABOUT WHEN SHE LEFT THE PETITIONER... WHO COMES IN THE STATION FOR THE FIRST TIME,

HOURS LATER AFTER LEAVING THE PETITIONER, AND MAKES A STATEMENT TO THE POLICE ON THE 14TH - AS THE DAY SHE "GOT AWAY", AND THEN LEAVES AFTER GIVING "ONLY" A STATEMENT, THEN COMES BACK FOUR DAYS LATER TO MAKE A REPORT ON THE 18TH, WITH A STORY THAT EXPLAINS GETTING AWAY ON THE 12TH! BUT INSTEAD OF INVESTIGATING 'ON THE SPOT' HER DISCOVERY OF THE 18TH'S DATE, WHICH WOULD HAVE EXPOSED THESE ERRORS, AND CALL OFFICER GLOVER, THE OFFICER IN CHARGE, WHO TOOK THE FIRST STATEMENT EVER MADE FROM THE WITNESS, TO "PROVINGLY VERIFY", WITH ASKING JUST ONE QUESTION, THAT THERE IS NO STATEMENT THAT EXISTS ON THE 11TH OR 12TH, BUT THAT THE FIRST WAS INDEED ON THE 14TH, WITH THE COMPLAINANT INVESTIGATION COMPLIANCE FORM ALSO SIGNED AND DATED THE 14TH BY THE WITNESS - PROVING SHE'S GIVING FALSE TESTIMONY, COUNSEL UNBELIEVABLY IGNORES HER DISCOVERY OF THE 18TH DATE (EVEN AFTER TELLING THE JUDGE "ONE MOMENT YOUR HONOR" WHEN DISCOVERING IT) AND CHANGES THE DATE INTO, AND BACK INTO, REPRESENTING IT, AND SAYING IT WAS DONE ON THE 14TH WITH "KNOWING" SHE'S READING FROM A REPORT - AND THAT VERY PAGE - THAT WAS DONE ON AND SIGNED AND DATED THE 18TH BY THE WITNESS. AND BECAUSE NOTHING HAS BEEN DISCLOSED BY COUNSEL SO FAR, THE WITNESS CAN, AND DOES CONTINUE TO TELL THE FALSE STORY... AS THE WITNESS AGRESS WITH THE JUDGE "AGAIN", THAT SHE LEFT THE PETITIONER ON THE 11TH AND MADE THE POLICE STATEMENT - ADDING SHE HAD TO GO BACK TO THE POLICE STATION THE NEXT DAY - (WHICH WOULD BE THE 12TH, NOT THE 14TH. BUT IT WAS "4" DAYS LATER "FROM THE 14TH" WHEN SHE CAME BACK - TO GIVE THE SECOND REPORT ON THE 18TH.) (85 THRU 88 TI). AND COUNSEL SAYS NOTHING ABOUT THIS, EVEN AS THE JUDGE ASKS, "DOES THAT RAISE ANY QUESTIONS FOR EITHER OF YOU"? (88 TI) AND HERE IT IS": THEN MITIA, OUR 9 YR. OLD DAUGHTER, TESTIFYS TO THE SAME ERROR OF FACTUALLY FALSE TESTIMONY THE WITNESS SAYS, OF LEAVING ON THE 12TH! (115+116 TI) AND MAKES SURE THAT EVERY BODY KNOWS IT WAS JUST "2 DAYS". AND SAYS THIS WITH EXPLAINING THE STORY OTHER TIMES. (106, 109, 110, 113 TI) IT WOULD BE IMPOSSIBLE FOR MITIA TO SAY THIS SAME UNTRUE STORY, UNLESS THE WITNESS COACHED HER! (IN THE RESULTING PARENTAL RIGHTS TRIAL (NEWER EVIDENCE) THE WITNESS LIES - AGREEING TWICE THAT SHE NEVER TALKED TO OR SPOKEN TO HER CHILDREN, ABOUT THIS CASE OR ANY ALLEGATIONS THAT OCCURED BETWEEN MR. WALTON AND HER, AFTER THAT DAY. (13, 14 T. PARR.)) BUT MITIA AND TIRIA (OUR 7 YR. OLD DAUGHTER) SAY THAT THEIR MOM TALKED ABOUT THIS MATTER TO THEM. (119, 132 TI) AND MITIA LIES WHEN ASKED BY THE PROSECUTOR: DID ANYONE TELL YOU TO SAY THIS? A. NO. Q: DID YOUR MOM TELL YOU TO SAY THIS AGAINST DAD? A. NO. (111 TI) COUNSEL NEVER ACKNOWLEDGES THE COACHING,

OR MITIA LYING THAT HER MOM NEVER TOLD HER TO SAY ANYTHING. COUNSEL ONLY ASKS MITIA IF SHE WOULD SAY ANYTHING HER MOM TELLS HER TO SAY. (119 T1) IN COUNSEL'S CLOSING ARGUMENT, (67, 68 T2) SHE BROUGHT ONLY THE INCONSISTENCY OF THE OF THE 11TH TO THE ATTENTION OF "THE JUDGE", BUT NEVER CONFRONTED "THE WITNESS" HERSELF WITH IT, AND SHOW HOW THE STORY WAS FALSE, AND COACHED, AND "NOT" FROM MISTAKEN MEMORY (AS THE RESPONDANT CALLS IT) WHICH "WOULD HAVE BEEN" THE EVIDENCE THAT A STATEMENT (HER STORY) ON THE 11TH DOES NOT EXIST, BEING CONTRARY TO THE JUDGE SAYING THAT THERE IS NO EVIDENCE THAT THERE IS (A REPORT ON THE 11TH) OR ISN'T - WHICH BASICALLY, THE JUDGE JUST SAID COUNSEL WAS INEFFECTIVE, AND, HELPED THE PROSECUTOR LEAVE IT UNDISCLOSED. BECAUSE OF COUNSELS ERRORS, AND FAILING TO EXPOSE THE MISSING 18TH'S DATE ERROR - CHANGING IT BACK TO THE 14TH, THE JUDGE BELIEVED THAT THE REPORT WAS A "ONE WHOLE SECOND REPORT" DONE ON THE 14TH - AS HE SAYS HE BELIEVES THE 14TH WAS THE SECOND INTERVIEW, (67, 92 T2) WHICH MEANS HE BELIEVED THE WITNESS'S FALSE STORY OF LEAVING THE PETITIONER AND MAKING A FIRST REPORT ON THE 11TH, AND THAT THE STORY WAS CORROBORATED BY MITIA, WHO WAS COACHED TO SAY IT. IF THE JUDGE (JURY) WOULD HAVE KNOWN OF THE FALSE TESTIMONY AND COACHING TO SUPPORT IT, THEN THEY WOULD HAVE SEEN EVIDENCE THAT SUPPORTS THE DEFENSE THEORY, SHOWING THAT, BECAUSE THE WITNESS TRIED TO COVER UP 5 DAYS OF TIME WHEN SHE FILED THE FALSE POLICE REPORT, NOT ONLY SHOWS THAT THE PETITIONER WAS NOT HOLDING THE WITNESS CAPTIVE AS SHE SAID, BECAUSE IF THIS WAS SO TRUE, THEN SHE DEFINITELY WOULDN'T HAVE SHORTENED IT TO 2 DAYS, BUT COVERING UP THE TIME LAPSE ALSO MEANS, THERE WAS A REASON TO DO SO, WHICH WAS TO HIDE THE TRUTH THAT, NOT ONLY WAS HER STORY NOT HAPPENING, BUT IT SHOWS YOU SHE WAS COVERING UP THAT IT WAS A MOTIVE THAT ALL OF A SUTTON 5 DAYS LATER, CAUSED HER TO FABRICATE HER STORY AND GIVE FALSE STATEMENTS TO THE POLICE IN THE REPORT. AND A JURY CAN ASSUME WITH CONFIDENCE THAT, "BEFORE" THE MOTIVE HAPPENED ON THE 14TH, THAT THE NATURAL TRUTH OF WHAT REALLY HAPPENED, WAS TOLD TO THE HOSPITAL..." WHICH SHE ALSO TRYED TO COVER UP", AS THIS SECOND SUBJECT SHOWS:

SECOND SUBJECT: INCONSISTENCIES IN WHAT THE WITNESS SAYS SHE TOLD THE HOSPITAL. (THE WITNESS DID NOT KNOW THE HOSPITAL REPORTS WERE OBTAINED)

THE WITNESS SAID SHE TOLD THE HOSPITAL A LIE BECAUSE THE PETITIONER THREATENED TO TORTURE HER AND THE KIDS IF SHE DIDN'T. AND SAYS THE STORY SHE TOLD THEM WAS: WHEN WALKING TO THE STORE, SHE GOT SHOT IN THE HEAD BY TWO GUYS FIGHTING. (27 PRE) (SEE THE 3 HOSPITAL REPORTS APPENDIXE). THEN THE WITNESS TELLS COUNSEL THAT SHE TOLD THE NURSES AND DOCTORS THAT HER CHILDREN WERE WITH THEIR FATHER UNSAFE, (59 PRE) AND TOLD THEM WHAT THE PETITIONER

SAID HE WOULD DO (TORTURE) TO THEM. (60 PRE.) (THIS IS SAYING THAT SHE TOLD THE HOSPITAL THAT THE PETITIONER SHOT HER - FOR THE "REASON" SHE TOLD THEM THAT HER CHILDREN WERE UNSAFE AND THAT HE WOULD TORTURE THEM) COUNSEL COULD HAVE SHOWN THAT THIS WAS A FLAT OUT LIE IN THE PRELIMINARY BECAUSE NO WHERE DOES IT SAY BY ANY DOCTORS ON THE REPORT THAT THE WITNESS'S CHILDREN WERE UNSAFE WITH THEIR FATHER, AND THAT HE WOULD TORTURE THEM. IN FACT, IN TRIAL, COUNSEL SAYS: "THE WITNESS NEVER INFORMED AUTHORITIES OF ANY ABUSE" - MISSING THIS RIPE IMPEACHMENT. (70T2) NOR DOES IT SAY THAT THE WITNESS "KNEW" SHE WAS SHOT. AND THAT, THESE STATEMENTS DIRECTLY CONTRADICT THE SAFETY (THE THREAT SHE CLAIMS) OF HER CHILDRENS AS SHE SAYS. BECAUSE, SAYING "SHE KNEW" SHE WAS SHOT TO THE HOSPITAL, BUT CAME IN THE FOLLOWING DAY - WITH A STORY THAT SAYS, HER CHILDREN ARE UNSAFE WITH THEIR FATHER AND THAT HE WOULD TORTORE THEM, WOULD CAUSE THE DOCTORS AND POLICE TO QUESTION THIS - WHICH THREATENS THE SAFTY OF HER KIDS - WHICH IS THE REASON SHE SAID SHE HAD TO LIE... IT'S INCONSISTENT! BUT, SHE LIED BECAUSE SHE DIDN'T KNOW THE HOSPITAL REPORT HAD BEEN OBTAINED AND WAS RIGHT THERE IN THE COURT ROOM WITH HER. COUNSEL NEVER SHOWED THIS WAS A LIE, - NOT EVEN WHEN WE GOT TO TRIAL. THEN IN TRIAL, THE WITNESS SAYS SHE "WAS NOT" DRINKING ON THE 9TH (THE DAY OF THE INCIDENT) OR GOING INTO THE 10TH, AND SAYS THAT THAT WAS A MADE UP STORY. (42T1) (IN THE PRELIMINARY, THE WITNESS SAID SHE TOLD HOSPITAL THAT SHE WAS DRINKING AS PART OF THE LIE SHE TOLD THEM) (44 PRE.) THEN COUNSEL ASKED IF IT WAS TRUE THAT THE HOSPITAL FOUND ALCOHOL IN HER SYSTEM AND IF SHE SHE DIDN'T KNOW SHE WAS POSITIVE FOR ALCOHOL AT THE HOSPITAL? A. NOT TO MY KNOWLEDGE. THEN COUNSEL REVEALED THAT SHE WAS POSITIVE FOR ALCOHOL ON THE HOSPITAL REPORT. SO, THEN, AND ONLY THEN, DOES THE WITNESS ADMIT SHE WAS DRINKING. (43T1) AT THIS POINT, COUNSEL SHOULD HAVE BROUGHT TO LIGHT, THAT THE WITNESS JUST SAID THAT THE DRINKING WAS MADE UP, AND PREVIOUSLY SAID THAT SHE HAD TO TELL THE HOSPITAL THE MADE UP STORY BECAUSE HER CHILDREN WERE THREATENED. - BUT NOW WE FIND OUT THAT THE STORY THE WITNESS TOLD THE HOSPITAL, IS BECOMING TO BE THE TRUTH, THAT SHE JUST TRIED TO HIDE BY LYING, BECAUSE SHE DIDN'T KNOW THE REPORT OF HER TESTS WAS HERE. (THE WITNESS STILL DOES NOT KNOW THAT HER STATEMENTS OF WHAT SHE TOLD THE HOSPITAL WERE DOCUMENTED ON THE REPORT, SO SHE STILL TRYS TO LIE ABOUT WHAT SHE SAID.) NEXT, WHEN QUESTIONED, THE WITNESS SAYS SHE DID NOT TELL THE HOSPITAL THAT, "SHE THOUGHT THAT SHE MAY HAVE BEEN SHOT", BUT THAT SHE TOLD THEM THAT "SHE WAS" SHOT. AND SUGGESTS THAT THE DOCTORS MAY HAVE WRITTEN IT DOWN WRONG, (53, 54T1) AS SHE SAYS THE POLICE WRITTEN IT DOWN WRONG, THAT SHE SAID THE PETITIONER WAS ASLEEP. (63 PRE) THEN, THE WITNESS SAYS, "NO, THATS NOT TRUE"

WHEN ASKED IF SHE TOLD THE HOSPITAL, THAT SHE DID NOT COME IN BECAUSE SHE INITIALLY DID NOT THINK IT WAS THAT SEVERE. (54 TI) COUNSEL SHOULD HAVE LET IT BE KNOWN THAT THE WITNESS IS GIVING FALSE TESTIMONY BECAUSE THE WITNESS SAYS AND IMPLYS THAT SHE WAS NOT SURE IF SHE WAS SHOT TO THREE SEPERATE DOCTORS, WHICH ALL WROTE IT DOWN IN THE THREE SEPARATE REPORTS. AND THE WITNESS ALSO SAID, SHE DID NOT COME IN THE HOSPITAL BECAUSE SHE INITIALLY DID NOT THINK IT WAS THAT SEVERE, WHICH THE DOCTORS ALSO WROTE DOWN - AND IT CORROBORATES THAT YOU DIDN'T KNOW YOU HAD BEEN SHOT. THIS WITNESS HAS NOT KNOWN OF THE EXISTENCE OF HER STATEMENTS TO THE HOSPITAL SINCE THE PRELIMINARY - AS SHE LIES TELLING THE COURT THAT SHE TOLD THE HOSPITAL THAT HER CHILDREN WERE WITH THEIR FATHER BECAUSE HE WOULD TORTURE THEM (IF SHE TOLD). AND NOW IN TRIAL SHE DENIES "EVERYTHING" SHE SAID TO THE HOSPITAL - THINKING THAT THE ACTUAL TRUTH THAT WAS "ALLREADY TOLD" TO THE HOSPITAL ON THE 10TH, FOUR DAYS "BEFORE" THE MOTIVE HAPPENED, TO GIVE A FALSE POLICE REPORT, WOULD NEVER BE FOUND OUT. AND YOU WOULD NOT DENY THE VERY STORY YOU SAID WAS A LIE, UNLESS YOU ARE HIDING THAT IT WAS THE TRUTH. BECAUSE IF WHAT THE WITNESS TOLD THE HOSPITAL WAS REALLY A LIE LIKE SHE SAYS, THEN THERE BE NO PROBLEM WHAT SO EVER TO SIMPLY TELL THE COURT WHAT THAT LIE WAS THAT SHE HAD TO TELL THE HOSPITAL, WHICH MEANS THE WITNESS WOULD HAVE SIMPLY CONFIRMED THE QUESTIONS - AGREEING THAT THEY WERE THE LIE SHE HAD TO SAY. AND AFTER THE WITNESS ACKNOWLEDGES THAT HER HOSPITAL STATEMENTS EXIST, SHE IMMEDIATELY GOS INTO HER "I'm NOT SURE" TATIC, AS SHE DOES WHEN ASKED ABOUT THE DATE THE POLICE STATEMENT WAS MADE. (54,55 TI) BUT COUNSEL NEVER BRINGS THESE THINGS TO LIGHT. AND HERE'S MORE: IN THE PRELIMINARY, THE WITNESS SAYS THAT THE STORY SHE TOLD THE HOSPITAL OF WALKING TO THE STORE WHEN THE INCIDENT HAPPENED, WAS A LIE. (26,27 PRE.) AND SAYS THAT SHE NEVER LEFT THE HOUSE. (49,50 TI) BUT THE WITNESS "SLIPPED UP HER TONGUE" AND SAID, "SHE WENT TO THE STORE". (12,13 PRE.) AND AFTER SAYING THIS, SHE INSTANTLY STOPED HER TESTIMONY AND MOTIONS TO BE UPSET - CAUSING A RECESS, WHICH THREW THE ATTENTION OFF OF WHAT SHE JUST SAID. COUNSEL MISSES IT. AND IN TRIAL, COUNSEL SAYS: "OF COURSE SHE NEVER SAYS SHE LEFT THE HOUSE," (61 T2) WHICH CONFIRMS SHE MISSED THE SLIP UP IN THE TRANSCRIPTS OF THE PRELIMINARY.

THIRD SUBJECT: INCONSISTENCIES OF THE WITNESS AND HER KIDS, ABOUT THE KIDS BEING ASLEEP DURING THE ALLEDGED INCIDENT SHE CLAIMS HAPPENED IN THE HOUSE BY THE PETITIONER, THAT SHOWS COACHING.

IN THE PRELIMINARY, THE WITNESS SAYS THAT WHEN SHE WENT TO GET THE KIDS UP, SHE LOOKED IN THERE TO SEE IF ANY OF THEM WERE UP, AND NONE OF THEM (WERE UP), THEY WERE STILL SLEEP. (22PRE) IN TRIAL, THE WITNESS AGAIN SAYS, SHE WENT TO THE BACK AND GOT THE KIDS UP BECAUSE THEY WERE STILL SLEEPING. SO I WENT AND WOKE THE KIDS UP. AND THEY LOOKED AT HER SAYING, "WHAT HAPPENED TO YOU" - "WHAT HAPPENED TO YOU"? (21TI) (BEFORE THIS CRIMINAL TRIAL, BUT AFTER THE PRELIMINARY, MITIA (NINE) TELLS CHILD PROTECTIVE SERVICES (C.P.S.) THAT SHE WAS SLEEP WHEN HER MOTHER GOT SHOT.) (P.5. C.P.S. REP. 6-27-11)

IN TRIAL, MITIA SAYS THEY WERE'NT SLEEPING - JUST LAYING IN BED, AND HEARD ARGUING AND A GUNSHOT. (101TI) AND TIRIA (SEVEN) ALSO SAYS, SHE WAS AWAKE AND HEARD DAD YELLING, AND LOUD NOISES. (123, 124, 125 TI) THEN TIRIA SAYS, SHE DID NOT HEAR MOM OR DAD SAYING ANYTHING OR YELLING. JUST LOUD NOISES. (126TI) (BEFORE TRIAL, TIRIA TELLS C.P.S. THAT SHE HEARD A GUNSHOT AND WOKE UP, AND HEARD SCREAMING.) (P. 4 MOTION) IN TRIAL, MITIA SAYS, WE WERE SCARED. WE WERE SO SCARED WE KEPT ON CRYING AND CRYING. WE WERE SCARED. WE DIDN'T KNOW WHAT TO DO. (118TI) AND SAYS, I WAS SCARED. AND SHE GOT OUT OF BED AND PEAKED AROUND THE CORNER WHEN HER MOM CAME TO THE BACK. (102TI) (BEFORE TRIAL, TIRIA ALSO SAYS, SHE GOT UP AND SNEAKED IN THE LIVING ROOM AND SAW THE GUN. (P. 6. C.P.S. REP.). IN THE PRELIMINARY, (BEFORE C.P.S. INTERVIEW) THE WITNESS (THE KIDS MOM) SAYS THE CHILDREN DIDN'T GET UP OR RUN TO THE ROOM IN WHICH SHE WAS SHOT. (46 PRE.) (IN THE PARENTAL RIGHTS HEARING (AFTER TRIAL) THE JUDGE STATES WHAT THE KIDS SAID IN THE CAREHOUSE VIDEO, WHICH WAS: "ALL THE KIDS DO SAY THAT THEY WERE SLEEPING AT THE TIME THEIR MOTHER (CLAIMS SHE) WAS SHOT." (32H PAR. RI.) EXCLUDING THE NEWER EVIDENCE OF STATEMENTS FROM THE KIDS AT C.P.S. AND CARE HOUSE, TRIAL COUNSEL NEVER CONFRONTED ANY OF THESE INCONSISTENCIES TO UNDERMINE THE WITNESS, AND SHOW COACHING - BY BRINGING INTO QUESTION THAT: THE KIDS ARE GIVING TESTIMONY ABOUT WHAT THEY SAID HAPPENED - AT THE SAME TIME THAT THEY WERE SLEEPING. THIS IS NOT POSSIBLE, UNLESS THEY WERE TOLD TO SAY THESE THINGS. EVEN THE KIDS TESTIMONY ITSELF IS INCONSISTENT, BECAUSE, IF THE KIDS WERE ALLREADY AWAKE AND HEARD ARGUING AND A GUNSHOT, AND THAT THEY WERE SCARED - AND SO SCARED, THEY WERE CRYING AND CRYING AND DIDN'T KNOW WHAT TO DO, THEN IT WOULD HAVE BEEN IMPOSSIBLE FOR THE KIDS TO GO TO SLEEP IF THEY WERE "ALLREADY UP", OR, GO BACK TO SLEEP IF THEY WERE WOKE UP BY A GUNSHOT AND ARGUING. SO THE TESTIMONY ITSELF OF BEING SO SCARED THEY WERE CRYING AND DIDN'T KNOW WHAT TO DO, IS NOT ONLY INCONSISTENT, BUT IT SHOWS THAT THEY COULDN'T HAVE BEEN "ALLREADY UP", "OR", WOKE UP BY ANYTHING, BECAUSE THE MOM WOULD NOT HAVE HAD TO WAKE THEM UP IF THEY WERE ALLREADY UP FROM BEING SCARED TO DEATH. AND PLUS ANYWAY, THE MOM SAID TWICE, THAT THEY WERE - "STILL" - ASLEEP, MEANING: THEY NEVER WOKE UP, AND THAT WHEN "SHE HERSELF" WOKE THEM UP, THEY SAY, "WHAT HAPPENED TO YOU"? - WHICH

SHOWS THE KIDS HAD NO IDEA THAT ANYTHING HAPPENED, OR, WHAT HAPPENED. AND THEN, MITIA SAID SHE GOT UP AND WAS PEEKING AROUND THE CORNER. (TIRIA SAYS SHE GOT UP AND SNEAKED IN THE LIVING ROOM AND SAW THE GUN.) AGAIN; NOT ONLY DID THE WITNESS SAY TWICE THAT THE KIDS WERE "STILL" ASLEEP, AND THAT WHEN SHE HERSELF WOKE THEM UP, THEY SAY "WHAT HAPPENED TO YOU", BUT THE WITNESS ALSO SAID, THAT NO ONE GOT UP, OR CAME INTO THE (LIVING) ROOM WHERE THE (ALLEGED) INCIDENT HAPPENED. AND TIRIA AT FIRST - SAID, SHE HEARD DAD YELLING, AND LOUD NOISES. THEN JUST AFTER, SHE SAID SHE "DIDN'T" HEAR ANY YELLING, JUST LOUD NOISES. - AND A FIRECRACKER (AS A GUNSHOT SOUNDS LIKE) ARE NOT LOUD. (BUT BEFORE TRIAL, SHE SAYS IT WAS A GUNSHOT.) BUT THE TRUTH CAME OUT IN THE LAPSE END THROUGH "ALL THE KIDS THEMSELVES" IN THE CARE HOUSE VIDEO, AS THE JUDGE HERSELF STATES, "THEY DO ALL SAY THAT THEY WERE SLEEPING AT THE TIME THEIR MOTHER (CLAIMS SHE) WAS SHOT" (32 H PAR. RI.) AND MITIA SAID BEFORE TRIAL, THAT SHE WAS SLEEP WHEN HER MOTHER GOT SHOT. "MY KIDS WERE COACHED"!

FORTH SUBJECT: INCONSISTENCIES OF THE WITNESS SAYING THE PETITIONER WAS KEEPING PHONES AWAY FROM HER TO PREVENT CALLING FOR HELP TO GET AWAY.

THE WITNESS SAYS, THERE WAS NO WAY I COULD GET TO THE POLICE OR USE A PHONE OR ANYTHING. HE HAD THE PHONES BY HIM, HE WAS ALWAYS BY ME AND HE WAS ALWAYS BY THE KIDS. (30 TI) AND SAYS, HE HAD (BOTH) PHONES WITH HIM AT ALL TIMES. (79 TI) AND THAT THE PETITIONER GOT MAD AND THREW A RAMPAGE BECAUSE SHE HAD BEEN ON THE ROOM'S PHONE AND THOUGHT SHE CALLED FOR HELP, OR CALLED THE OFFICE. (31 TI) AND WHEN THE PETITIONER LEFT TO GO PAY FOR THE ROOM AND GET SOMETHING TO EAT, HE "ACCIDENTLY" LEFT HER PHONE BEHIND. AND SHE DIDN'T KNOW THE PHONE WAS IN THE ROOM AT THAT TIME, UNTILL SHE STUMBLED ACROSS THE PHONE THAT WAS LEFT BY ACCIDENT. (79, 80 TI) COUNSEL NEVER UNDERMINES THE WITNESS WITH HER PREVIOUS STATEMENT IN THE PRELIMINARY; THAT SAID, HE COULDN'T FIND HIS CELL PHONE, SO HE WAS GETTING READY TO TAKE TAKE MY PHONE. THEN HE SAID HE WAS GOING TO LEAVE MY PHONE WITH ME. HE FOUND HIS PHONE (IN HIS COAT POCKET) WHEN HE PUT ON HIS COAT. (34 PRE.) THIS SHOWS THAT THE PETITIONER COULDN'T HAVE BEEN MAD AT THE WITNESS - THROWING A RAMPAGE BECAUSE SHE HAD BEEN ON THE PHONE, BECAUSE HE LEFT HER WITH A PHONE IMMEDIATELY AFTER SHE CLAIMS HE THREW THE RAMPAGE BECAUSE OF IT. AND IT ALSO SHOWS THAT, NOT ONLY DID THE PETITIONER "NOT" LEAVE THE PHONE BY "ACCIDENT", BUT THIS SHOWS THAT THE PETITIONER "COULDN'T HAVE LEFT HER PHONE BY ACCIDENT", BECAUSE HIS ATTENTION WAS ON THE PHONES JUST BEFORE HE LEFT, BECAUSE HE STARTED TO TAKE HER PHONE WHEN HE WAS LOOKING FOR BUT COULDN'T FIND HIS... WHICH SHOWS THAT HE WASN'T KEEPING UP WITH WHERE THE PHONES WERE, OR HAD THEM ON HIM AT ALL TIMES AS THE WITNESS SAYS, BECAUSE IF YOU HAD, THEN YOU WOULD HAVE KNOWN WHERE "BOTH" PHONES WERE AT ALL TIMES... "PLUS", WHAT SENCE WOULD IT MAKE FOR THE PETITIONER TAKE HER PHONE WITH HIM TO KEEP HER FROM CALLING FOR HELP TO GET AWAY, WHEN HE IS ABOUT TO LEAVE HER AND THE KIDS IN THE ROOM BY THEIRSELF WHEN HE'S GONE WHICH THEY CAN NOT ONLY GET AWAY, BUT USE THE ROOM'S PHONE, OR THE HOTEL'S PHONE?

SHE EVEN SAID THAT THE PETITIONER TOLD HER HE WAS GOING TO GET SOMETHING TO EAT A WHITE CASTLE. (82TI) ALL THIS FURTHER SHOWS THAT THE PETITIONER COULDN'T HAVE BEEN MAD AND THREW A RAMPAGE BECAUSE SHE HAD BEEN ON THE PHONE, AND SHOWS THAT HER STORY WAS NOT HAPPENING. AND IF THEY WERE PANICKED AND SCARED TO DEATH, AND, THREATENED TO BE KILLED, (65TI) AND "ALERT ENOUGH TO KNOW IF YOU'RE GETTING UP TO MOVE AND ESCAPE OUT THE ROOM, (37 PRE) THEN THE WITNESS WOULD NEVER HAVE ANSWERED THE PHONE, NOR WOULD THE PETITIONER HAVE BEEN ASLEEP "WITH HIS CLOTHS OFF", AS THE WITNESS IGNORANTLY SAID. (32, 33, 34 PRE.) COUNSEL NEVER BROUGHT "ANY" OF THESE THINGS TO LIGHT TO UNDERMINE THE WITNESS.

FIFTH AND FINAL SUBJECT: INCONSISTENCIES BETWEEN THE WITNESS AND THE KIDS, OF THE ALLEDGED ABUSE.

THE WITNESS SAYS THAT THE PETITIONER HIT TIRIA AND MITWON IN THE FACE WITH A BELT, (13TI, 12 PRE) AND BOTH OF THEM HAD BRUSES GOING UP AND DOWN THEIR FACE, (37, 38 PRE) WHICH OF COURE, THE WITNESS SAYS SHE DIDN'T SEE AT THE TIME. (48, 49 PRE) THEN MITIA SAYS, THAT "ONLY" TIRIA GOT HIT WITH A BELT AND NO ONE ELSE. (103, 104 TI) BUT THEN "TIRIA HERSELF" DOESN'T EVER SAY THAT SHE OR MITWON GOT HIT WITH A BELT. BUT THAT SHE WAS HIT WITH A BROOM ON HER HAND. (125TI) COUNSEL NEVER NOTICED THESE INCONSISTENCIES.

THE PETITIONER WAS DENIED HIS SIXTH AMENDMENT RIGHT TO EFFECTIVE ASSISTANCE OF COUNSEL WHERE COUNSEL FAILED TO PERFORM AN EFFECTIVE CROSS-EXAMINATION TO IMPEACH INCONSISTENCIES, TO UNDERMINE THE CREDIBILTY OF THE WITNESS, AND, TO EXPOSE FALSE TESTIMONY, AND THAT THE WITNESS COACHED HER DAUGHTER; AND FAILED TO CALL GLOVER, THE OFFICER IN CHARGE OF THIS CASE, TO TESTIFY.

THIS CONCLUDES ISSUE I

STATEMENT OF THE CASE FOR ISSUE II.

THE PETITIONER WAS DEPRIVED OF HIS FOURTEENTH AMENDMENT CONSTITUTIONAL RIGHT TO DUE PROCESS AND A FAIR TRIAL WHERE THE PROSECUTOR KNEW FOR A FACT THAT CERTAIN TESTIMONY OF HIS MAIN WITNESS AND HIS 9 AND 7 YEAR OLD WITNESSES WAS FACTUALLY FALSE, AND DID NOT ATTEMPT TO DISCLOSE ANY OF THE FALSE TESTIMONY. BUT INSTEAD, HE KNOWINGLY USED IT.

AS SHOWN IN THIS PETITION IN ISSUE I; EVEN THOUGH THE WITNESSES STORY WAS FALSE - OF LEAVING THE DEFENDANT ON THE 12TH AND MAKING THE POLICE REPORT, IT COULD HAVE BEEN ASSUMED THAT THE PROSECUTOR DID NOT KNOW IF IT WAS FROM MISTAKEN MEMORY OR NOT WHEN THE STORY WAS TOLD TO POLICE, AT THE PRELIMINARY, AND TO HIM IN TRIAL. BUT AFTER THE CORRECT DATE OF WHEN THE POLICE STATEMENT WAS MADE, WAS INFORMED TO THE WITNESS BY COUNSEL ON 37, 38 TI, AT THIS POINT, THE WITNESS KNOWS FOR SURE NOW, AND ADMITTED TO, THAT THE DATE OF LEAVING THE THE DEFENDANT AND MAKING THE POLICE STATEMENT, WAS ON THE 14TH. SO, THE PROSECUTOR AT THIS POINT KNOWS HIS WITNESS ADMITTED AND KNOWS FOR SURE NOW, THAT IT WAS THE 14TH WHEN SHE LEFT THE PETITIONER AND MADE THE POLICE STATEMENT. - AND THAT, ASSUMING IT WAS A "MISTAKE", IT HAS NOW BEEN CORRECTED. BUT NEXT, THE WITNESS AGREES WITH THE JUDGE, THAT THE DATE WAS THE 11TH WHEN SHE LEFT THE DEFENDANT AND MADE THE POLICE STATEMENT, (58 THRU 61 TI) WHEN THE JUDGE EXPLAINED THE WITNESSES ORIGINAL STORY, THAT COULD HAVE BEEN ASSUMED WAS A MISTAKE. SO THE WITNESS IS NOW "KNOWINGLY" TRYING TO GET AWAY WITH THIS FALSE STORY, WHICH SHOWS IT WAS INTENTIONAL FROM WHEN IT WAS TOLD TO THE POLICE, AT THE PRELIMINARY, AND HERE AT TRIAL. SO AT THIS POINT, IT CAN NO LONGER BE ASSUMED THAT THE PROSECUTOR COULD THINK THE STORY WAS TOLD FROM MISTAKEN MEMORY... HE NOW KNOWS THAT HIS WITNESS HAS JUST "INTENTFULLY" ARGEED WITH THE JUDGE - BACK TO HER ORIGINAL STORY, THAT THE PROSECUTOR KNOWS NOW, AND KNOWS NOW THAT HIS WITNESS KNOWS, IS "INTENTIONALLY" FALSE. BUT THE PROSECUTOR NEVER DISCLOSES THIS, "AND," THAT THERE IS NO EXISTING POLICE STATEMENT ON THE 11TH OR THE 12TH, EVEN AFTER HE SEES COUNSEL CORRECT HIS WITNESS BACK TO THE ORIGINAL FALSE STORY OF THE 12TH. (64 TI) AND BECAUSE OF THIS, THE WITNESS CONTINUES TRYING TO UPHOLD HER KNOWING FALSE STORY OF THE 12TH YET AGAIN, WHEN COUNSEL YET AGAIN ATTEMPTS ONLY TO CORRECT "THE MEMORY" AS COUNSEL SUGGESTS, OF THE WITNESS, THAT IT WAS THE 14TH WHEN SHE LEFT THE PETITIONER AND MADE THE POLICE STATEMENT. AND YET AGAIN, THE PROSECUTOR SAYS NOTHING, BUT INSTEAD, HIDES UNDER COUNSEL'S INCOMPETENCE. (70 TI) THEN THE PROSECUTOR SEES COUNSEL DISCOVER A SECOND DATE OF THE 18TH ON THE LAST OF THE FOUR PAGES (4 OF 4) OF THE REPORT, SIGNED AND DATED 4-18-11 BY HIS WITNESS. - WHICH SHOULD HAVE MADE THE PROSECUTOR IMMEDIATELY NOTICE THE ERROR IN THE POLICE REPORT, THAT THE 18TH'S DATE OF THE SUPERVISOR REVIEW, WAS MISSING AND LEFT BLANK ON THE STATEMENT FORM PAGE OF THE 14TH, (SEE THE "ORIGINAL TRIAL USED" STATEMENT FORM, COMPARED TO THE LATER SIGNED AND DATED STATEMENT FORM OBTAINED FROM THE PARENTAL RIGHTS CASE'S DISCOVERY PACKAGE) APPENDIX D

WHICH WOULD MAKE THE PROSECUTOR REALIZE, IF HE HASN'T, THAT HIS WITNESS HAS A SECOND REPORT ON THE 18TH, WHICH IS EVEN MORE REASON TO BRING TO THE COURT'S ATTENTION, THAT THE 14TH IS WHEN THE FIRST STATEMENT WAS MADE, NOT THE 11TH OR 12TH. BUT DURRING THAT BRIEF RECESS, HE SAYS NOTHING. (77T1) THEN, THE PROSECUTOR SEES COUNSEL IGNORE THE DISCOVERY OF THE DATE OF THE 18TH BY "CHANGING IT INTO, AND BACK INTO, THE 14TH", AND KNOWS COUNSEL HAS BEEN REPRESENTING THE WHOLE FOUR PAGE REPORT OF THE 18TH, AS IF IT WAS A FOUR PAGE STATEMENT DONE ON THE 14TH, AS COUNSEL PREVIOUSLY SAID, "SO IF THE FOUR PAGE STATEMENT IS DATED THE 14TH, WOULD THAT JOG YOUR MEMORY"? (70T1) BUT THE PROSECUTOR HIDES BEHIND COUNSEL'S INCOMPETENCE, AND KNOWINGLY LETS COUNSEL KEEP HIS WITNESSES SECOND REPORT ON THE 18TH FROM BEING DISCLOSED, AND SAYS NOTHING. THEN THE PROSECUTOR HERES HIS WITNESS LIE STRAIGHT TO THE JUDGES FACE FOR THE SECOND TIME, SAYING THAT IT WAS THE 11TH WHEN SHE LEFT THE PETITIONER AND MADE THE POLICE STATEMENT. "WITH KNOWING" IT IS NOT FROM MISTAKEN MEMORY, AND THAT NO REPORT EXIST ON THE 11TH, AND KNOWS HIS WITNESS "KNOWS" IT'S FALSE BECAUSE SHE HAS BEEN REMINDED TWO TIMES NOW THAT IT WAS THE 14TH BUT WHEN THE JUDGE ASKS, "DOES THAT RAISE ANY QUESTIONS FOR EITHER OF YOU"? THE PROSECUTOR UNBELIEVABLY SAYS, "NONE FROM THE PEOPLE", - KNOWINGLY UNDISCLOSING HIS WITNESSES LIE. (85THRU 88T1) THEN, THE PROSECUTOR HERES HIS WITNESSE'S NINE YEAR OLD DAUGHTER MITIA, SAY THE SAME ERROR OF THE FALSE TESTIMONY, OF LEAVING ON THE 12TH, OR "TWO DAYS" AS SHE EMPHASIZES, (115, 116) AND ALSO ON PAGES 106, 109, 110T1. - WHICH PROVES SHE WAS COACHED TO SAY THIS. AND THE PROSECUTOR STILL DOES NOT DISCLOSE THAT THIS IS A LIE, AND COACHED, AND THAT NO STATEMENT OR REPORT EXIST ON THE 11TH OR 12TH. BUT INSTEAD, HE HAS MITIA SAY THAT NO ONE TOLD HER TO SAY THIS, AND THAT HER MOM DIDN'T TELL HER TO SAY THIS AGAINST DAD. (111T1) AND AFTER COUNSEL HAD MITIA ADMIT THAT SHE WOULD SAY ANYTHING HER MOM TELLS HER TO SAY, THE PROSECUTOR REDIRECTS THE EXAMINATION, AND YET A SECOND TIME, HAS MITIA SAY THAT SHE'S NOT LYING, AND THAT EVERYTHING SHE IS TELLING IS THE TRUTH, AFTER HE ABOSOLUTELY KNOWS IT'S NOT AND THAT SHE WAS COACHED TO SAY IT. (119, 120T1) THE PROSECUTOR JUST HAD MITIA LIE TO SAY THAT SHE'S NOT TELLING A STORY THAT HE AND MITIA "KNOWS" IS THE LIE OF THE MAIN WITNESS, "AND" THAT HE AND MITIA "KNOWS" THAT THE WITNESS COACHED MITIA TO SAY. THEN, THE PROSECUTOR HEARS THE JUDGE BELIEVE HIS WITNESSES STORY THAT SHE MADE A FIRST STATEMENT ON THE 11TH, AS HE DECLAIRS HE BELIEVES THE 14TH WAS THE "SECOND INTERVIEW". AND THEN HEARS THE JUDGE SAY THAT THERE IS NO EVIDENCE THAT THERE IS NO REPORT ON THE 11TH, OR THAT THERE IS. (67;68T2) WHICH IS SAYING, THAT IT WASN'T SHOWN THAT THE STORY OF THE 11TH WAS FALSE, OR NOT FALSE. BUT UNBELIEVABLY, THE PROSECUTOR STILL KEEPS SECRET, THAT THE STORY IS FALSE, AND, NO REPORT EXIST ON THE 11TH, BUT THAT THE FIRST STATEMENT WAS ON THE 14TH, AND THE SECOND ONE WAS ON THE 18TH. THEN, AFTER HEARING THE JUDGE "FINALIZE" THAT HE BELIEVES THAT THE SECOND REPORT WAS DONE ON THE 14TH, FOR THE SECOND TIME, (92T2) WHICH SHOWS THE JUDGE BELIEVED A LIE, AND THAT IT WAS CORROBORATED BY MITIA - WHO WAS COACHED TO SAY IT, AND DOES NOT KNOW ABOUT THE ERROR IN THE POLICE

REPORT OF THE MISSING DATE OF THE SECOND REPORT ON THE 18TH, WHICH MADE THE STATEMENT ON THE 14TH, AND THE SUPERVISORY REVIEW'S REPORT ON THE 18TH; BOTH LOOK LIKE THEY WERE DONE TOGETHER ON THE 14TH - WHICH THE JUDGE SEES AS A ONE WHOLE SECOND REPORT STATEMENT; WHICH IS HOW COUNSEL REPRESENTED IT- WHICH ALSO PROMOTED THE WITNESSE'S LIE AND CORROBORATED COACHING, TO BE BELIEVED AS THE FIRST STATEMENT REPORT BEING ON THE 11TH, AND THE 14TH AS THE THE SECOND REPORT, THE PROSECUTOR SITS SILENT AFTER "KNOWING" ALL THIS, AND LETS THE JUDGE "SUCCESFULLY" BELIEVE HIS WITNESSE'S LIE AND COACHING, THAT MAKES THE WITNESSE'S STORY OF LEAVING ON THE 11TH OR "TWO DAYS", LOOK LOGICAL TO THE ENTIRE STORY SHE'S TELLING, AND COVERS UP THE FOUR DAYS OF TIME THAT SHOW HER STORY WAS NOT HAPPENING, AND COVERS UP, THAT FOUR DAYS LATER, "HER MOTIVE" ALL OF A SUTTON, CAUSED HER TO MAKE THE FALSE POLICE STATEMENT ON THE 14TH! AND THE PROSECUTOR HAD THE OFFICER IN CHARGE (GLOVER) SITTING RIGHT THERE IN THE COURT ROOM, WHO TOOK THE WITNESSES STATEMENT ON THE 14TH, AND COULD PROVINGLY CLEAR UP ALL THIS MESS, SHOWING, THE FIRST STATEMENT WAS ON THE 14TH NOT THE 11TH; AND THE SECOND WAS ON THE 18TH; BUT THE PROSECUTOR DOES ABSOLUTELY NOTHING. AND LETS THE CONVICTION PROCEED.

STATEMENT OF THE CASE FOR ISSUE III.

SHOWING WITH MERIT AND FACTS IN ISSUE I WHAT COUNSEL FAILED TO IMPEACH AND EXPOSE TO UNDERMINE THE WITNESS, THAT WOULD HAVE MADE A DIFFERENCE IN THE OUTCOME; AND THEN, SHOWING IN ISSUE II THAT THE PROSECUTOR KNOWINGLY USED INDISPUTABLY FALSE TESTIMONY AND COACHING, SHOWS THAT APPELLATE COUNSEL WAS INEFFECTIVE ON DIRECT APPEAL FOR FAILING TO RAISE THESE MERITABLE ISSUES, - VIOLATING THE PETITIONER'S SIXTH AMENDMENT RIGHT TO EFFECTTIVE ASSISTANCE OF COUNSEL ON DIRECT APPEAL, UNDER STRICKLAND AND EVITTS V. LUCEY, THAT WERE CLEARLY STRONGER THAN THE ONE AND ONLY ISSUE "COUNSEL CHOSE TO RAISE".

PETITIONER FILED FOR WRIT OF HABEAS CORPUS ON FEBRUARY 17, 2015
CASE NO. 4:15-CV-10609
ON JUNE 24, 2015, THE PETITIONER FILED TO STAY THE PROCEEDING AND HOLD PETITION IN ABEYANCE, TO RETURN TO THE STATE COURTS TO PRESENT NEW ADDITIONAL ISSUES, WHICH THE U.S. DISTRICT COURT GRANTED JULY 13, 2015.

AFTER BEING DENIED IN THE STATE COURTS, PETITIONER LIFTED THE STAY AND FILED AN AMENDED PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2254 ON AUGUST 9, 2017, AND IT WAS DENIED OCTOBER 23, 2018.

PETITIONER FILED FOR A C.O.A. TO THE U.S. COURT OF APPEALS FOR THE 6TH CIRCUIT ON 2-4-19 CASE NO. 18-2327, WHICH WAS DENIED SEPTEMBER 26, 2019.

ARGUMENT FOR ISSUE I.

THE 6TH CIRCUIT SAYS IN IT'S CASES, THAT FAILING TO IMPEACH A WITNESS WITH INCONSISTENT STATEMENTS CONSTITUTES INEFFECTIVE ASSISTANCE OF COUNSEL WHEN IT DEPRIVES A SUBSTANTIAL DEFENCE. BUT YET NOT ONLY IS IT'S DECISION IN THIS CASE IN DIRECT CONFLICT WITH 2ND CIRCUIT'S CASE LINDSTADT V. KEANE 239 F.3D 191, WHICH IS IDENTICLE TO THIS CASE. BUT THE 6TH CIRCUIT USES THE LINDSTADT CASE - WHICH IS IDENTICLE TO THIS CASE - TO SUPPORT THE DECISION OF IT'S OWN CASE IN HIGGINS V. RENICO, 470 F.3D 624. THE LINDSTADT CASE INVOLVES FAILING TO IMPEACH LINDSTADT'S WIFE AND DAUGHTER'S TESTIMONY. IT WAS PROVEN THAT HIS WIFE COACHED HER DAUGHTER TO TESTIFY AGAINST HER STEP DAD (LINDSTADT) BECAUSE BOTH OF THEIR STORYS HAD THE SAME ONE YEAR DATING ERROR. IN LINDSTADT, IT STATES: "THE PRINCIPAL EVIDENCE AGAINST LINDSTADT WAS THE TESTIMONY OF HIS DAUGHTER AND WIFE. BOTH MADE THE SAME ONE YEAR ERROR IN DATING THE INCIDENT ALLEGED. AN EFFECTIVE LAWYER WHO WORKED OUT THE CHRONOLOGY OF THE EVENTS COULD HAVE ARGUED CONVINCINGLY THAT THE CHILD'S ERROR EVIDENCED MANIPULATIVE COACHING BY AN ADULT." (THE WIFE) THIS IS IDENTICLE TO THIS CASE BECAUSE, AS SHOWN IN ISSUE I'S STATEMENT OF THE CASE. HAD COUNSEL INVESTIGATED ON THE SPOT HER DISCOVERY OF THE 18TH'S DATE, INSTEAD OF CHANGING IT BACK TO THE 14TH, IT WOULD HAVE SHOWN COUNSEL THAT THE 18TH WAS THE SECOND REPORT - PROVING THE 14TH WAS THE FIRST - WHICH WOULD HAVE SHOWN THAT THE WITNESS AND HER DAUGHTER'S TESTIMONY OF THE 11TH (12TH) BEING WHEN THE FIRST REPORT WAS MADE, WAS FALSE AND COACHED. IN LINDSTADT, IT STATES: "THE INFORMATION NEEDED TO ACCOMPLISH THIS ARGUMENT WAS AVAILABLE FROM A VARIETY OF SOURCES ORT. INCLUDING LINDSTADT HIMSELF TESTIFYING THAT IN EARLY 1986 THE FAMILY LIVED IN RIDGE AND THEN MOVED TO MIDDLE ISLAND LATER IN THE YEAR". THIS IS ALSO IDENTICLE TO THIS CASE BECAUSE COUNSEL HAD A VARIETY OF SOURCES TO ACCOMPLISH REVEALING THE FALSE TESTIMONY AND COACHING - INCLUDING THE PETITIONER HIMSELF TESTIFYING THAT THE TESTIMONY OF HIS WIFE SAYING THE 11TH IS WHEN SHE LEFT AND MADE THE REPORT, IS NOT TRUE; (11, 17, 51 TO 2) THE GLARING INCONSISTENCY ITSELF; AND OFFICER GLOVER - WHO COUNSEL FAILED TO CALL, BY WHOS TESTIMONY COULD HAVE "PROVINGLY VERIFIED" THAT THERE IS NO EXISTING REPORT ON THE 11TH OR 12TH; AND THE POLICE STATEMENT - DATED THE 14TH, AND THE COMPLIANCE FORM STATING THAT SHE IS MAKING AN OFFICIAL REPORT ALLEGING A CRIME WAS COMMITTED AGAINST HER, DATED 4-14-11. AND IN LINDSTADT, THE COURT MENTIONED THAT THE CROSS-EXAMINATION WAS LENGTHY; BUT INEFFECTIVE. AS IN THIS CASE, THE LOWER COURTS SAY HOW LENGTHY

THE CROSS-EXAMINATION WAS, BUT "ASSUMED" BY THAT, THAT IT WAS EFFECTIVE, IGNORING THE CLEAR DEMONSTRATION OF FALSE TESTIMONY AND COACHING. AND, AS IN THIS CASE, AND AS STATED IN LINDSTADT: "THE PROSECUTION HAS NOT TRIED TO EXPLAIN THESE INCONGRUITIES." **NOTE:** IN JUST THE FIRST INCONSISTENCY (FIRST SUBJECT) "WAS THE WHOLE LINDSTADT CASE" - IN JUST THE FIRST SUBJECT!!! LET ALONE THE NUMEROUS AMOUNTS OF FALSE TESTIMONY AND INCONSISTENCIES LEFT IN THE REMAINING FOUR SUBJECTS OF ISSUE I. BUT THE 6TH CIRCUIT DENIES THIS CASE, THAT IS IDENTICLE TO THE LINDSTADT CASE, WITH MUCH MORE INVOLVED, BUT YET USES THE LINDSTADT CASE TO SUPPORT THEIR DECISION IN GRANTING HIGGINS V. RENICO, 470 F.3D 624! THE 6TH CIRCUIT EVEN GRANTS PEOPLES V. LAFLER, 734 F3D 503, WHICH IS EVEN MORE IDENTICLE TO THIS CASE THAN LINDSTADT. PEOPLES INVOLVE FAILING TO IMPEACH TWO OF THE WITNESSES THAT NOT ONLY LIED, BUT TOLD THE SAME LIE - AND FAILED CALL AND CROSS-EXAMINE THE POLICE OFFICER WHO TOOK THE POLICE REPORT, BY WHOS TESTIMONY WOULD HAVE SHOWN THAT BOTH WITNESSES HAD GIVEN FALSE TESTIMONY... IT'S IDENTICLE! AND THE 6TH CIRCUIT EVEN SAYS: "WE CAN THINK OF NO BETTER WAY TO ATTACK THE CREDIBILITY OF THESE WITNESSES, THAN BY PROVING THAT THEY TESTIFIED TO THE SAME LIE... WE CANNOT OVER EMPHASIZE THE IMPORTANCE OF IMPEACHMENT IN A CASE LIKE THIS ONE." AND CONCLUDED THAT: "THE FAILURE TO IMPEACH THE CREDIBILITY OF KEY WITNESSES WITH KNOWN FALSE TESTIMONY IS A EGREGIOUS ERROR IN A CRIMINAL CASE". BUT THEY FAILED TO ACKNOWLEDGE THE "KNOWN" FALSE TESTIMONY AND COACHING TO SUPPORT IT - IN THIS CASE, THAT IS IDENTICLE TO THEIR OWN GRANTED CASE... THE 6TH CIRCUIT IS NOT ONLY IN CONFLICT WITH OTHER CIRCUIT COURT CASES, THEY ARE IN CONFLICT WITH THEIR OWN CASES! AND THEY USED, COUCH V. BOOKER 632 F.3D 241, 247, WHICH IS THEIR OWN CASE - ALSO LIKE THIS CASE - TO SUPPORT THEIR DECISION IN GRANTING PEOPLES. THE 6TH CIRCUIT'S DECISION IN THIS CASE IS ALSO IN CONFLICT WITH 7TH CIRCUIT'S HARRISON V. TEGELS, 216 F. SUPP 3D 956. THE DEFENSE THEORY WAS THAT KIMBERLY (PETITIONER'S WIFE) PROMPTED D.M.K. (THEIR DAUGHTER) TO FABRICATE ALLEGATIONS OF SEXUAL ASSAULT SO THAT KIMBERLY WOULD GET CUSTODY OF THE CHILDREN WHEN THEY DIVORCED. AND AS IN THIS CASE; SO IS IT STATED IN HARRISON: "THERE WERE NUMEROUS AND SIGNIFICANT INCONSISTENT STATEMENTS MADE ABOUT ALMOST EVERY ASPECT OF THE ALLEGED (CRIME). THE INCONSISTENT STATEMENTS WERE NOT RELATED SIMPLY TO MINUTE DETAILS THAT COULD BE DISMISSED EASILY BY THE JURY AS MISSTATEMENTS OR THE RESULT OF A DIMINISHED MEMORY."

IN HARRISON, THE COURT COMPARED RAETHER V. MEISNER 608 F. APPX 409 (7TH CIR. 2015) IN RATHER, THE COURT STATED: "BECAUSE CREDIBILITY WAS SUCH A CENTRAL ISSUE IN THE CASE, AND THE INCONSISTENT STATEMENTS PETITIONER'S TRIAL COUNSEL FAILED TO REVEAL, WERE SO SIGNIFICANT, THE CASE THE JURY HEARD WAS VERY DIFFERENT FROM THE CASE THAT IT SHOULD HAVE HEARD." HAD THE JURY HEARD SUBJECTS 1 THRU 5 THAT COUNSEL DID NOT REVEAL IN THIS CASE, THE OUTCOME WOULD HAVE BEEN DIFFERENT. HARRISON'S INCONSISTENCIES ARE JUST A FRACTION OF THE TOTALITY OF SIGNIFICANT INCONSISTENCIES IN THIS CASE. THE 6TH CIRCUIT'S DECISION IN MY CASE ALSO CONFLICTS STEINKUEHLER V. MESCHNER, 176 F3D 441 (8TH CIR. 1999), INVOLVING FAILING TO IMPEACH THE JAIL FACILITY'S OFFICER, BY WHOS TESTIMONY WOULD HAVE SHOWN THE PETITIONER "WAS" DRUNK WHEN HE SHOT AND KILLED THE VICTOM; AS OPPOSED TO THE JURY WEIGHING ONLY TESTIMONY FROM A POLICE OFFICER (WHO WANTED THE CONVICTION) THAT TESTIFIED THE PET. WAS NOT DRUNK AT THE TIME HE SHOT AND KILLED THE VICTOM. THE PETITIONER FACED A FIRST DEGREE MURDER CONVICTION UNLESS HE COULD CONVINCE THE JURY HE WAS INTOXICATED.

CONCLUSION OF ISSUE I'S ARGUMENT.

EVEN THOUGH THE QUESTION HERE ISN'T ABOUT THE FACT FINDING OF THE LOWER COURTS. BUT IN COMPARISON TO THESE GRANTED CASES THAT HAVE THE EXACT SAME TYPES OF FALSE TESTIMONY, COACHING, AND INCONSISTENCIES, THE LOWER COURTS IN THIS CASE DID NOT AT ALL APPLY THE STRICKLAND STANDARD. "IT IS UNFAIR AND UNJUST."

ARGUMENT FOR ISSUE II. (PROSECUTORIAL MISCONDUCT)

IF THIS COURT AGREES THAT ISSUE I CONTAINS FALSE TESTIMONY, THEN PETITIONER ASKS THIS COURT TO CONSIDER THE MERITS OF THIS ISSUE, BECAUSE IT'S BASED ON THE FALSE TESTIMONY FROM ISSUE I. CASES SUPPORTING THIS ISSUE: NAPUE V. ILLINOIS, 360 U.S. 264, 269 (1959); UNITED STATES V. AGURS, 427 U.S. 97, 103 (1976); GIGLIO V. UNITED STATES, 405 U.S. 150

ARGUMENT FOR ISSUE III. (INEFFECTIVE APPELLATE COUNSEL)

FAILING TO RAISE THESE ISSUES CONSTITUTES INEFFECTIVE ASSISTANCE OF COUNSEL UNDER, EVITTS V. LUCEY, 469 U.S. 387 (1985); MURRY V. CARRIER, 477 U.S. 478, 488 (1986); AND STRICKLAND V. WASHINGTON, 466 U.S. AT 687 - ONLY IF THIS COURT GRANTS AN ISSUE.

CONCLUSION

SINCE FROM THE TRIAL COURT, UP TO THE 6TH CIRCUIT COURT OF APPEALS, THE PETITIONES'S 6TH AND 14TH AMENDMENT CONSTITUTIONAL RIGHTS HAVE BEEN VIOLATED BY IGNORING INDISPUTABLE FALSE TESTIMONY, COACHING, AND INCONSISTENT STATEMENTS. NOW, IN THE HIGHEST COURT, THE PETITIONER ASKS THIS COURT - TO NOT VIOLATE HIS CONSTITUTIONAL RIGHTS AS THE LOWER COURTS HAVE, AS THIS COURT IS DESIGNED FOR [redacted] SETTLING THIS PROBLEM IN THE LOWER COURTS. FOR THESE REASONS, THE PETITIONER REQUESTS THAT THIS COURT GRANT THE PETITION FOR WRIT OF CERTIORARI.

THANK YOU SUPREME COURT OF THE UNITED STATES.

DATE: DECEMBER 19, 2019

SINCERELY

Michael J. Walton

PETITIONER

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