No. 19-7377

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

GERALD ADGER #05-B-2254 — PETITIONER
(Your Name)

vs.

THE PEOPLE OF THE STATE OF NEW YORK — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

STATE OF NEW YORK COURT OF APPEALS
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

GERALD ADGER #05-B-2254
(Your Name)

AUBURN CORRECTIONAL FACILITY, P.O. BOX 618
(Address)

AUBURN, N.Y. 13024
(City, State, Zip Code)

(Phone Number)

QUESTION PRESENTED

1. WAS THE APPELLATE ATTORNEY DAVID R. JUERGENS INEFFECTIVE ASSISTANCE OF COUNSEL FOR NOT RAISING ANY LEGAL ARGUMENT AGAINST THE WEIGHT OF EVIDENCE?

2. WAS THE TRIAL ATTORNEY INEFFECTIVE ASSISTANCE OF COUNSEL FOR NOT REQUESTING AN ARRESTING OFFICER AT TRIAL?

3. WAS THE TRIAL ATTORNEY INEFFECTIVE ASSISTANCE OF COUNSEL FOR NOT REQUESTING EVERY MOTION, HEARING, OR JUDICIAL PROCEEDING TO BE CONDUCTED OVER FROM THE CONFLICT OF INTEREST REPRESENTATION?

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STATUTES AND RULES

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 _____ 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[ ] is unpublished.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 United States district 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[ ] is unpublished.

[ ] For cases from **state courts:**

The opinion of the highest state court to review the merits appears at Appendix A 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[ ] is unpublished.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 N.Y.S. APP. DIV. 4th JUD. DEPT court appears at Appendix B 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[ ] is unpublished.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 _____.

[ ] 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 cases from **state courts**:

The date on which the highest state court decided my case was June 3, 2019
A copy of that decision appears at Appendix A.

[ ] 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).

OPINIONS BELOW

MOTION NO.1453/17 KA 10-00859, THE PEOPLE OF THE STATE OF NEW YORK v. Gerald Adger (Ind.No.2004-0485);Appellant moved for a WRIT OF ERROR CORAM NOBIS vacating the ORDER of this Court entered December 22,2017, affirming a judgment of Monroe County Court, rendered July 27,2005, with respect to the motion, and du deliberation having been had thereon,

It is hereby ORDERED that the motion is denied, entered: March 15,2019 by the N.Y.S.APP.Div.4th JUD.DEPT.

Appellant applied for leave to appeal with the State of New York Court of Appeals pursuant to CRIMINAL PROCEDUR LAW section 460.20 from an ORDER in the above-captioned case;

Upon the papers filed and due deliberation Had, it is ORDERED that the applica tion is denied, dated june 3,2019.

JURISDICTION

Therefore, the Jurisdiction of this Court is invoked under 28 U.S.C 1257..

CONSTITUTIONAL PROVISIONS INVOLVED

Article III, SECTION 2(I) of the Constitutions of the United States provides that (We the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitutions for the United States of America) "The judicial powers shall extend to all cases, in law and equity, arising under the United States, and treatise made,or which sh all be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controv ersies to which two or more states; between a state and citizens of another state; between citizens of different states; between citizens of the same state claiming lands under grants of different states and between a state or the citizens thereof and foreign states, citizens or subjects". See, Compere v. Nielson, 358 F.Supp.3d 170; Head Note; The suspension clause is violated where habeas corpus relief is foreclosed and alternative remedies are inadequate to ensure that the Petitioner's custody does not violate federal law. U.S.Const.-Art.1, 9,c 1. 2.

STATEMENT OF THE CASE

1. Petitioner was arrested on April 28,2004 from a letter that an victim (ex-girlriend) Sabrica Harris allegedly found in a soon to be victim (Jaquanna Harris) bookbag that morning. Jaquanna Harris, born 4-13-91 is the daughter of the victim Sabrica Harris, born 8-07-74.

2. Sabrica Harris, according to the trial testimony, "tried" to find her daugter that morning, which contradicts with the 4-28-04 ADDENDUM that indicated that the petitioner and her mother took her to school. The SRO at the minor victim Jaquanna harris middle school made an Morris Prisoner Data Report for a [f]elony complaint that was made with an supporting deposition tooken from Sabrica Harris,4-11-04 of an harassment in the 2nd degree and criminal contempt in the 1st degree at 12:55am by an RPD officer Hoang Kavanaugh on this 28th day of April,2004 but adminastratively called for assisting units from such of a Morris Prisoner Data Report he made.

3. Assisting units arrested the Petitioner without reading him his miranda rights or warnings by pulling out there guns towards the Petitioner pointing it at him telling him to freeze and put your hands up. The Petitioner asked them, what is the problem, what happened. The officers stated, "we don't know the facts of the case but is taking you to someone who does". The

Petitioner was confused and asked what case. The police officers said were not sure and was just told to put you in custody. Because no arresting officer was present at this Indictment No.2004-0485 Bench Trial june 20-21, 2005, it subjected the Petitioner to be compelled to be a witness against himself to warrant a fourth amendment claim if the Petitioner was lawfully or unlawfully arrested onced THE PEOPLE OF THE STATE OF NEW YORK rests its case without calling one arresting police officer to be a witness, or its ineffective assistance of counseling if the trial's attorney rests this case without calling an arresting officer for this indictment as an witness, thus, violates the District of Columbia's amendments 5,6.

4. According to the December 21,2004 huntley hearing Rochester's Police Department Investigator John Penkitis testimony that was crossed examined by the Petitioner conflict of interest attorney, David M. Dugay, the Petitioner Gerald Adger was interrogated on 4-28-04 after the RPD Inv,, John Penkitis reviewed his file, which was for the sole charge of sodomy. But before the RPD Investigator would interrogate him, the deprived Petitioner wanted to know why he was put into handcuffs then arrested to be transported to the Public Safety Building 4th floor in the County of Monroe, so he will know how to try and regain his liberty from the policemen intent or purpose.

5. This Indictment No. 2004-0485 has three Grand Jury's and two arrests. The first Grand Jury was a waived Grand Jury as WGJ on May 3,2004 for the sole charge of CPL 130.50-4, SODOMY, from the Felony complaint made by the Rochester Police Department Investigator John Penkitis whom made an inaccurate sworn and subscribed date as April 11, 2004 in which the allegations were 3:00am and on the Felony Complaint of his it is commissioned that the defendant made a statement to a public servant, which contradicts with the petitioner well-being and physical appearance because his physical appearance was not in custody at no time to make a statement to public servant on Rochester Police Department Investigator John Penkitis sworn and subscribed date April 11,2004 Felony Complaint for Sodomy which breaches the provisionsof (L.1962 c.553) NYUCC §§3-501 date, ante-dating, and post-dating if this felony complaint sworn and subscribed date is not corrected. The Petitioner was released at his first Grand Jury May 3, 2004, which can be contradictive to if the prosecutor ever got in contact with the public officer to be called before that Grand Jury to testify concerning the conduct of his present office or any public office held by him or within 5 years prior to such grand jury call present witness, to testify, or the performance of his official duties in any such present or prior offices, refuses to sign a waiver of immunity against subsequent criminal prosecution, or to answer any relevant question concerning such matters

before such grang jury. The first grand jury released the petitioner on on his own recognizance behind the sodomy charge but the Petitioner could not be released because the Court noticed the Petitioner had a Court hold, then called the petitioner for a second grand jury which gave the Petitioner a new attorney for the charges harassment in the 2nd degree and criminal contempt in the 1st degree. The petitioner was released on his own recognizance behind those charges as well even though both of these grand jury's were strategically waived without the Petitioner ever being afforded the right to sign such instrument in front of ~~the~~ those Courts, violative to the Constitution of the State of New York §6.

6. On May 7,2004 a Felony Complaint was made after a brief talk with the officer who took a supporting deposition from the victim Sabrica Harris calling the cops allegating that her ex-boyfriend just broke inside her house, raped her, fingered her real hard and in front of her children and nephews, stole her car keys and cell phone, took all the batteries out the house phones, and broke an Order of Protection. The charges were filed for rape in the 1st degree, burglary in the 2nd degree, criminal contempt in the 1st degree, and petit larceny.

7. Even though there were no arrest warrant behind this felony complaint, the Petitioner, 19 year old Gerald Adger at the time was arrested as a passenger in his ex-girlfriend vehicle, 29 year old Sabrica Harris, the victim. According to her trial's testimony, she was told by the city of Rochester Police Department to go to the town of Henrietta to pick the Petitioner up and bring him to a wanted location, which is in the neighbor hood he grew up in and hangs out, which is corroborated by the information the cops received. The petitioner and the victim was ambushed at gun point that night by atleast 10 foot policemen while we were waiting for the traffic light to turn green. There was only one K-9 cop car at

a hand wash and one police car parked north bound on portland avenue. But when the Petitioner got out of the car with his hands up, there was an additional cop car behind the vehicle the petitioner was in. The police searched the petitioner and seized crack cocaine from the Petitioner and told him that he was being arrested for possession of controlled substances. Noone never told the petitioner that he was also being arrested for a felony complaint that was made on May 7, 2004 a supporting deposition tooken from Sabrica Harris for the charges of rape in the 1st degree, burglary in the 2nd degree, criminal contempt in the 1st degree, and petiti larceny, which is very contradictive to the 5-23-04 Investigative Action Report made that night, and that investigator of the I.A.R. lied when he said that the petitioner would not tell him his name, would only reply back with a question, produced a [photograph] of the petitioner,then told him what he was arrested for. Even though no arresting officers were present at this trial for this indictment, It is very contradictive that the investigators never told the petitioner any of what was said on the 23rd day of May,2004. The only thing that was said at that P.S.B. room was the police saying to the Petitioner,"do you want to tell us what is going on?" The Petitioner just said" Man, just take me to booking. The officer then asked the Petitioner again,"you don't want to tell us what's going on". The Petitioner stated," I don't have nothing to tell you". The police stated again, "so you're not going to tell us what's going on". The petitioner again said, "just take me to booking". The petitioner never knew what he was in jail for until he asked the Monroe County Deputy officer what was his bail on his possession charge. But the I.A.R. does show some type of logical sense that the petitioner may have never been told that he was

being arrested,put into hand cuffs, and transported to the P.S.B room because a felony complaint was filed for the charges of rape in the 1st degree, burglary in the 2nd degree, criminal contempt in the 1st degree and petit larceny. (LOOK AT THE MONROE COUNTY JAIL FILM ON 5/23/04 AT THE CENTRAL BOOKING, THE PETITIONER YELLING TO TELL THEM TO STOP THAT OFFICER AND ASK HIM WHAT THEY LOCKED ME UP FOR.)

8. This 3rd grand jury was waived as WGJ without the Petitioner brought in front of the Court to sign such instrument indicating that the Petitioner waives his grand jury. Because the prosecutor did not disclose preclusion of identification by an Notice of Intent to offer evidence of anykind of identification, it will be violative to C.P.L. section 710.30,subd1 to let an Rochester police investigator give testimony about an alleged act or identification of the Petitioner from his felony complaint of 4-11-04 at 3:00am even though this investigator had an meaningful opportunity to speak upon any alleged acts of 4-11-04 at 3:00am at the first grand jury for his felony comp laint of Sodomy that released the Petitioner on his own recognizance. And if the arresting officers ivestigator of the 5-23-04 arrest was available at this third grand jury, that photograph picture that he claimed he produced a photo of to the Petitioner should have been submitted to the Court instead of being strategically withheld, and being the fact that the grand jury voted an indictment for all alleged acts of 4-11-04 at this third grand jury, it was not fair to let these witnesses speak upon such acts of 4-11-04 at 12:55am for harassment in the 2nd degree and criminal contempt in the 1st degree as Sabrica Harris being the victim and that case or for the 4-11-04 at 3:00am for Sodomy in the 1st degree as Jaquanna Harris (the minor victim) for that case because any individual involved in those reports had meaningful opportunity to be a witness at both of those grand juries that release the Petitioner on his own recognizance,thus, violates the

Grand Jury secrecy rule 6 by foreclosing on the public to have this information that's in front of the grand jury because some one, an witness could have came forward to be an witness to ask, "if the suspect victimized these victims on 4-11-04 at 12:55am and 3:00am why is the victim on the suspect visitation for those alleged acts, violating her own order of protection which is retroactive for the remedial force (see, L.2013, C.480) and why did not officers involved in those reports were subpoena for those grand jury's, what is the point of subpoena for the 4-11-04 acts when grand jury's were held for them. And because of the grand jury's investigative powers a are necessarily broad, the 4-11-04 acts should not have been voted for indictment because there's no probable cause and for an added criminal sexual act in the 1st degree because it contradicts with the 29 year old supporting deposition of 5-07-04. Nor should have been allowed to visit the petitioner after the 5-23-04 arrest because she clearly has an order of protection against the petitioner stemming from November 25,2003, and because that criminal contempt order of protection was still serving its protective means by the time of the 5-23-04 arrest, then this indictment No.2004-0485 should respectively have had the year of 2003 for an indictment number. The gum that was found in Sabrica Harris hair should have been tested for D.N.A. because if it is the suspect gum, then physical evidence will corroborate with the victim allegations and testimony of the suspect unlawfully breaking inside her house committing these acts awhile she was asleep. The stick used in this indictment should have been gathered for physical evidence instead of a picture be taken of this weapon, as it makes the suspect a high risk sex offender level armed with a

dangerous weapon and the batteries that was taking out of the home phones should have been finger printed for the phones to determine if the phones has the suspect finger prints on them. Also if the 12 year old victim vagina was allowed to be tested on after the 29 year old allegations of May 07,2004, then an pregnancy test should have been conducted on the minor victim even though it was newly discovered evidence the day of trial when the prosecutor strangely discovered that the minor victim Jaquanna Harris has delivered a child without ever providing the Court or the defense counsel of any documents of where the prosecutor all of a sudden discovered that the minor victim has had an child, when did she have this information, thus, she states that it will be totally against the rape shield 60.40 if the defense counsel questions her about this newly discovered ARISING evidence because her allegations were only for sodomy, not rape, and her mother does not believe that the suspect is the father, in which the Court sustained an objection from the prosecutor when the defense Counsel asked Sabrica Harris "how many grandchildren do you have" by saying that wouldn't be neccessary.

9. The Petitioner believes the prosecutor constituted in Brady and/or Rosario material by not producing any documents of that newly arised discovery evidence of an child being birth, which would have been valuable for any hearsay rule because this minor victim could have been so traumatized from such alleged acts that she could have been afraid to admit that she was also raped by the suspect allegedly because the minor victim testimony at trial corroborate that her allegations never arises from her going to her mother telling her about an sodomy incident,the only way her allegations arises is

from a letter that her mother found in her bookbag, then went to her school to confront her. Even though the 12 year old victim testimony corroborates with that she seen the prosecutor read this letter, strangely, once the prosecutor was asked as an officer of the Court if she has this letter because it may contain Brady or Rosario material, all of a sudden the prosecutor cannot find this letter but knows the contents of the letter and that it is not the minor victim letter, the letter was written by a friend about an conversation they HAD. But, because that letter was strategically withheld at this voted indictment grand jury of the third or any information of it and there were no preclusion of identification of an Notice submitted to the Court or the defense Counsel timely even though this letter had to be given to the Rochester Police Department Investigator John Penkitis whom put the felony complaint together for sodomy on the minor victim and he took a statement from the petitioner, the prosecutor also constituted in Brady or Rosario material based upon that, then strategically violated CPL 710.30 by not timely filing the Notice to defendant of intention to offer evidence espicially if she's going to use John Penkitis statement at the grand Jury for any evidence.

10. An huntley hearing was held by an conflict of interest as an attorney for the Petitioner Gerald Adger 12-21-04 and considered as inculpatory statements. That hearing could have warranted a 4th amendment claim had the conflict of interst would have called any of the four arresting officers acoording to the 4-28-04 addendum and the 5-23-04 I.A.R. if the conflict of interst would have called those witnesses at the huntley hearing and examined them about

information the Petitioner provided his conflict of interst that the Petitioner seen noted in his file from going to a court hearing about the classification of his sex level risk of which that attorney let the Petitioner review. It was written down by the Conflict of interest David M.Dugay indicating that the petitioner told his Conflict of interest that he was arrested for possession of crack cocaine and was never told that he was being arrested because Sabrica had a felony complaint filed against you for rape in the first degree, burglary in the second degree, criminal contempt in the first degree, and petit larceny. Even though no crack cocaine was charged for or submitted by the arresting officers and officers involved of the 5-23-04 arrest and I.A.R.x, Because the conflict of interst did not call no arresting officers of the 4-28-04 arrest and 5-23-04 at the 12-21-04 huntley hearing, his actions undermined the proper functioning of the adversial process that the trial cannot be relied on as having produced a just result. U.S.C.A. Const.Amend.6. He subjected the petitioner to be compelled to be a witness against himself because he would not call no arresting officers to this bench trial to see if the petitioner was lawfully put into handcuffs at anytime he was put into handcuffs. See L.1970, c.996 § 1 arrest without a warrant;when and how made by police officer, CPL 140.15. This type of ineffectiveness would continously lead to a pattern of abuse because once it was dicovered on 4-26-05 that the Petitioner original trial attorney is an conflict of interest, the new trial attorney Paul D. Fuller would do the same unreasonable functions by not having no arresting officers being called in to be witnesses to warrant a 4th amendment claim.

11. Because the conflict of interest attorney David M. Dugey, the trial attorney Paul D. Fuller and/or the Appellate Division 4th Department attorney for the State of New York, David A. Juergens [illegible] [illegible]. It's simply not fair to not be able to cross examine an arresting officer to find out at the very minimum if the Petitioner was lawfully arrested, and because the conflict of interest had information in his file about the 5-23-04 arrest that the petitioner told him that the polices only told him that he was being arrested from the crack cocaine they seized on him that he was not charge for, it would have been very reasonable for him to call these arresting officers at the huntey hearing of 12-21-04 and to ask about some form of preclusion of identification these officers so called produced a photograph of and showed the Petitioner once he was at the Monroe County Public Safety Building 4th floor, May 23,2004, as if this picture they so called showed the Petitioner was a picture of him at the crime scene. But to not have this huntley hearing held over as an request by the new attorney that was given to the petitioner 4-26-05 to warrant a 4th ammendment claim to be effectively represented constitutes ineffective assistance of counseling, subjects the petitioner to be a witness upon himself whether he was lawfully arrested at the very first stages of him being put into hand cuffs, and to not request a dismissal on all counts of the indictment because of the conflict of interest counseling him for ~~eleven~~ eleven months was very prejudicial to

never be afforded a speedy trial within 90 days, was very strategic for the conflict of interest to not request a speedy trial against the will of the Petitioner, and even if the Petitioner was given a speedy trial timefully, it still would have constituted ineffective assistance of counseling because the complaining witness never wanted the conflict of interest David M. Dugay to represent the Petitioner for the loyalty to the complaining witness. And his loyalty to the complaining witness injured the petitioner and his family so well at a shocking conscience level, at no time of any of the ~~motions~~ Motions we went through he would never tell the Court that this victim is in violation of her own order of protection by coming to the Petitioner visits on everything he is being charged for, which is no longer punishable to the victim because of L.2013, c. 480. And because the trial attorney Paul D. Fuller duty was to put the Notice of Appeal in for the verdict of 7-27-05, he ~~for got~~ forgot to serve all parties the Notice of Appeal but strangely gets the Notice of Appeal filed, the sentencing clerk ~~rendered~~ recited the wrong judgment date on the filed notice of appeal, and the Monroe County Supreme [C]ourt never told the Petitioner or such part of the Notice of Appeal that's not in compliance with the Court rules, [t]hey abandoned the [filed Notice of Appeal], even though the wrong judgment date recited makes the notice misses its 30 day statute of limitations before judgment date.

12. Paul D. Fuller told the Petitioner the day of sentencing that he was putting his Notice of Appeal in. It can take up to 4 years to get called back down on another trial. If you get a paid attorney, you can get called back within 2 years. Them mother fuckers cheated us, and we're going to get them back on appeal. I wish you the best of luck. The Petitioner never heard from Paul D. Fuller ever again, July 27,2005. But even that kind of profession done by Paul D. Fuller of not serving all parties the Notice of Appeal accurately falls below the norms of professional representation especially if his actions will suspend the exhaustion requirements of properly bringing forth an Habeas Corpus Petition behind the abandonment. It took

the Petitioner to be imprisoned for 13 years and 7months just to get his Direct Appeal heard from him being sentenced to a 14 year determinate concurrent prison term. And by the time the Court of appeals denied the application, the petitioner was imprisoned for 13 years and 10 months. Because the appellate attorney briefed the Petitioner appeal without reviewing the grand jury minutes and did not argue against the weight of the evidence he also was ineffective assistance of counseling for preparing a brief to never be elgible to read the whole case for what the petitioner was in State Custody for if this Court looks at all the letters the Monroe County Public Defenders office David R. Juergens sent the Petitioner and review his entire file because he told the Petitioner that the district attorney is not giving him the grand jury minutes because he is not arguing anything against the weight of the evidence, and because the Petitioner had loss about three article 440.10 Motion to Vacate Judgments, as pro se, he thought it would be best to let an professional attorney to argue his case because of the length of time it took for the Petitoner to get to the first stage of his direct appeal.

-collateral remedies: Coram Nobis and Habeas Corpus

In addition to the new trial motion remedy, the modern approach to newly discovered evidence claims has it roots in the English Common Law writs of Error Coram Nobis and, to a much lesser extent, habeas corpus. The remedy of Coram Nobis, which literally means "before us" was available in the Court of original judgment in order to amend its own proceedings. Developed in the sixteenth century, coram nobis served to correct significant errors of fact rather than law in criminal cases in England; Claims made collaterally under this writ asserted the existence of facts unknown to the Court at the time of judgment that bore upon the soundness of a conviction. Classic functions of the writ included rectifying clerical errors or mistakes concerning the process of of notice and pleading. Most notably, this writ contained no statute of limitations-- it was cognizable "however late discovered and alleged"-- and its trademark form of relief was to vacate the *670 conviction with leave for the

the State to re-try the defendant. Despite the absence of a statute of limitations, parties seeking to use the remedy of coram nobis were required to prove they had proceeded with reasonable diligence.

The United States Supreme Court recognized CORAM NOBIS as early as 1810--; Together with acknowledging the concept of CORAM NOBIS, American Jurisdictions imported many of the writs mechanical traits from England.

REASON FOR GRANTING THE WRIT

This writ should be granted to support the Constitutions of the United States and no State shall make or enforce any law which shall abridge the privileges or immunities of Citizens of the United States. Wherein, the Petitioner is a natural born Citizen for the United States. This Writ have great importance to the [Public] ad hoc.

CONCLUSION

Considerations governing review on Certiorari is trying to be sought for review and a decision of another APPELLATE COURT to resolve disagreements among lower Courts about specific legal questions and the importance to the PUBLIC of the issue for the equity of law and justice and to support the Constitutions of the United States.

Respectfully Submitted,

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Date: December 27,2019