

U.S.S.C. NO. 19-8299

Matthian Pattioay #A1052773
Petitioner

Vs.

Hawaii
Respondent

Supreme Court, U.S.

JUL 03 2020

Petitioner: Matthian Pattioay A1052773
Saguaro Correctional Center
1250 East Arica Road
Eloy, Arizona 85131

Respondents: First Circuit Court
777 Punchbowl St
Honolulu, Hawaii 96813-5093

Deputy Prosecuting Attorney
Department of the Prosecuting Attorney
1060 Richards Street
9th & 10th Floor
Honolulu, Hawaii 96813
Phone: (808) 768-6502
Fax: (808) 768-6436

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JUL 15 2020

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Supreme Court of the United States, Office of the Clerk

Matthan Pattioay #A1052773
Petitioner

NO. 19-8299

Vs.
Hawaii
Respondents

Motion;
Objection of U.S.S.C.
denied Order Form Dated:
June 22, 2020.
Consideration to Mandate;
leave to file briefs, on merits;
Rehearing;
Request Appointment of
Counsel

Jurisdiction Statement

I Petitioner/Appellant Matthan J. S. Pattioay request Jurisdiction [SCR 17 (3) Procedure in an Original Action] in-which "good-faith" Motions of NO. 19-8299; Motion Objection of U.S.S.C. denied Order Form Dated: June 22, 2020.; Consideration to Mandate; leave to file briefs, on merits; Rehearing; Request Appointment of Counsel. I ask U.S.S.C. Magistrate Judges to Grant Jurisdiction to file this request of Petitioners relief Form Document Appellants entry Legal "Pro Se" Record.

Motion [Rule 21 (a)]

Objection; Your honor I Petitioner Matthan Pattioay inmate #A1052773 Prejudicely like to Object of U.S.S.C. denied Order Form Dated: June 22, 2020.

Consideration to Mandate; [SCR Rule 20 (3-a)]

Your honor the requested "Consideration to Mandate" requires U.S.S.C. to proceed this entry Form beon the dismissal of Scott S. Harris - Clerk Form above Dated: 06-22-2020. Reason of Mandation of Petitioners Objection is for the follow area's scheduled under above; NO. 19-8299 Petitioner-Matthan Pattioay #A1052773 Vs. Respondents - Hawaii. That this Motion of Petitioner is no-longer Appeal able of lower Courts Judges and Magistrate?

c. In-which respectfully Honorable U.S.S.C. Judge's, this Mandated request of Petitioner is asked for to additionally drag & combine all NO. 19-8299 Petitioner's Documented Paper Form to explain Legally Petitioner's U.S.S.C. Appeal Appellants § 90 Hawaii Jurisdictional Right to Appeal in this Court. From this point this Mandated Form's record of NO. 19-8299 is only able to schedule with U.S.S.C..

leave to file briefs on merits; I Petitioner/Appellant Matthan Pattioay #A1052773 is still incarcerated at Saguaro Correctional Center, 1250 East Arica Road, Eloy Arizona 85131. This Prisoners housed place is for Hawaii State (DPS) Department of Public Safety, and Courts of "First Circuit Courts". I respectfully ask for the NO. 19-8299 U.S.S.C. Case is Mandated from this point and shall be Reconsidered Rehearing. That of "good-faith", "Color of Law", and "relief" required of U.S.S.C. Magistrate Judge's. I Petitioner/Appellant "respectfully & honestly" request that I receive the Legal Law to "Pro Se" the Constitutional Amend Order to brief & Summon Answer brief of Respondents. And every written record of Petitioner filed of this scheduled Case is True.

argument

Your honorable U.S.S.C. Magistrate Judges & Clerks, I Petitioner like to argue the Grounds of "Fabrication". This Federal Law of fabrication [FRAP Rule 609 Impeachment by Evidence of a Criminal Conviction (A) Subject to Rule 403, Civil / Criminal witness is not defendant, (2) witness admitting to false/dishonest statement act. See McCormick § 43; 2 Wright Federal Practice and Procedure: Criminal § 416 (1969). The weight of traditional authority has been to allow use of crimen falsi with-out regard to the grade of the offense. This is the view accepted by Congress in the 1970 amendment of § 14-305 of the District of Columbia Code P.L. 91-358, 84 Stat 473. Uniform Rule 21 and Model Code Rule 106 permit only Crimes involving "dishonesty or false Statement".] 2.

gives the Federal Courts & U.S.S.C. the Legal ss reference in-which Petitioner Claims honestly was Fabrication, Hearsay, and Impeachment made & done to the innocent of Petitioner Matthan J.S. Pattioay.

Rehearing;

I Petitioner/Appellant - Matthan Pattioay #A1052773 respectfully & honestly ask "good faith" rehearing & relief request Motion & Object Mandated Brief & merits, of denied U.S.S.C. Clerks Order Form filed June 22, 2020.

Ground One: Hearsay

Facts: The Original Cr NO. 16-1-1676(TT1) Conviction was "fabrication", "Impeachment" by Evidence falsi, and Conflicting evidence. The Witness's of Prosecution Plaintiff/ Respondents/Appellee - State of Hawaii. Testimony wasn't Fully True.

Ground Two: Amendment VI

Facts: Prior of Cop Call arrest on Oct. 13, 2016 - Oct. 14, 2016 of U.S.S.C Case NO. 19-8299 first Original Start Point Cr. NO. 16-1-1676(TT1), the Prosecution Plaintiff - Hawaii State Witness Kerry Atwood was first to be blaim and involve, in-which Second Defendant - Matthan Pattioay was only arrested and Charged; Due of Prisoners ID Number. That when committed to Defendant/Appellant/Petitioner Matthan Pattioay this is "Twice put in jeopardy" "Glor of Law".

Ground Three: Use of force in Self-Protection

Facts: Oct. 13, 2016 - Oct 14, 2016 Cop Call Wahiawa Town, Walgreen Store around 12:00 p.m. - 5:00 p.m. NO. 19-8299 U.S.S.C. Petitioner was attacked by Respondents - Hawaii Cr. NO. 16-1-1676 Witness Kerry Atwood. In-which Petitioner Matthan Pattioay inmate A1052773 needed to "Self-Defense" him-self.

Ground Four: Witness

Facts: I have a Witness and Statement written Paper Form of; Michael Pattioay, address: 1541 Ho'oli Circle, Pearl City Hawaii 96782, PHONE# (808) 798-0796, that I Exam & Exhibit for Testimony Direct of my Pro Se entry.

On Feb. 27, 2017 both Cr. NO. 16-1-1676 Plaintiff- State of Hawaii Vs. Defendant- Matthan Pattioay "used and mention" this Witness to Testimony Exam area of Plaintiff & Defendant schedule "First Circuit Courts" Judges Jury Trial. Plaintiff Testimony Counsel first mention of Witness of Record Case 1:18-CV-00462-DKW-RLP pg H. p 16 \$9-10 He rushed to a nearby truck. In the bed of the truck the defendant, H. p. 44 \$19 Turned around, ran back to a white pickup Truck, (First mention by Plaintiff Counsel & witness; Cheuk Fu Lui & Kerry Atwood).

The Witness & Statment Petitioner- Matthan Pattioay *A1052773 file entry Mention H. p. 73 \$2-9 Q. How much -- well, sorry. So did you ask your dad for money? A. Yeah Q. And did he give you money? A. Yeah, he gave me \$10. Q. And can you describe, was it a 10, two 5's, ones? A. Dollar bills, they're all one dollar bills.

That this Proof is to provide that Defendant/Appellant/Petitioner Matthan J.S. Pattioay inmate *A1052773 Testimony is Fully True. That the Plaintiff/Appellee/Respondent- State of Hawaii should be questionable and Credited to I Petitioner of Exam Judges Appeal Order Form.

Ground Five: Amendment II

Facts: This Constitution Law Right; A well regulated Militia, being necessary to the Security of a free State, the right of the people to keep and bear Arms, shall not be infringed. Petitioner Matthan Pattioay *A1052773 sight of Appellants Rights of Conviction Cr. NO. 16-1-1676(TTI) Terroristic Threatening First Degree open 5 Year State of Hawaii First Circuit Courts Sentence Incarceration Term.

Ground Six: Abuse of discretion

Facts: The dismissal of U.S.S.C. Petitioner/Appellant Matthan Pattioay A1052773 NO. 19-8299 when brief is followed by Stay, leave to file brief and merits, mandate of Rehearing First Petitioners U.S.S.C. area and Statement, I have filed (ICA) CAAP 17-0000465, U.S.C. SCWC 11-0000465, USDC 18-00462 DKW-WRP, Ninth Circuit Appeals Court NO. 19-16510/Reconsideration NO. 19-16510, haven't been summons or Summary Judgment of Appeal Trial. That (ICA) [Rule 40, HRPP] NO. CAAP-20-0000169 (S.P.P. NO. 1PR101000015; CR. NO. 1PC161001676) First Circuit Court; 23rd Division 1CPN NO. 200000008 Honorable Rowena A. Somerville Dismissal Doc. Record Form. Hawaii State Jurisdiction Fed R. § 90 Hawaii State Defendants Appeal Policy Process Procedure deprivation of In Forma Pauperis In-general.

Appointment of Counsel: 18 U.S.C. § 3006 request of U.S.S.C. NO. 19-8299 Petitioner-Matthan Pattioay A1052773 Vs. Respondent-Hawaii; Appointment of Counsel. Due to the first Pro Se denied Magistrate Judges June 22, 2020 Form. In-Which I Petitioner/Appellant of NO. 19-8299 Request Appointment of Counsel from this area of Motion to Objection of denied Order of U.S.S.C. Judges.

Conclusion

I respectfully ask for the relief of § 28,636 Jurisdiction Powers temporary assignment (c) de novo, new case with no other record's Pending. New-Trial of Not-Guilty Plea.

Certificate of Service

I hereby Certify that this Legal Document Form is True. Please send Copy's made by U.S.S.C. Clerk, Due to Petitioner Appellant Matthan Pattioay A1052773 Incarcerated Indigence.

Sincer, Matthan J. S. Pattioay

07.02.2020

So when it may concern

I Michael James Patteray do recall giving my son Matthew S. Patteray ten dollars and some change at Walgreen in Wahiawana on October 13, 2010. Matthew was hanging by Walgreen during that time. Matthew was telling me that he hungry and thirsty. That why I gave Matthew the ten dollar and some change so Matthew can buy food and drink.

Feel free to ask or contact me if should have any further questions.

I Michael a father to Matthew wish and hope that this letter will help enlightening in Matthew case in every way.

Thank you

Sincerely,

Michael J. Patteray

**Electronically Filed
Intermediate Court of Appeals
CAAP-20-0000169
08-JUN-2020
09:40 AM**

NO. CAAP-20-0000169

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

MATTHAN PATTIOAY, Petitioner-Appellant, v.
STATE OF HAWAI'I, Respondent-Appellee

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(S.P.P. NO. 1PR101000015; CR. NO. 1PC161001676)

ORDER GRANTING MOTION TO STRIKE OPENING BRIEF
(By: Leonard, J.)

Upon consideration of Respondent-Appellee State of Hawai'i's June 4, 2020 Motion to Strike Opening Brief as the Case is Closed Due to Lack of Appellate Jurisdiction (Motion), the papers in support, and the record, it appears that on May 8, 2020, the court, among other things, dismissed the appeal for lack of appellate jurisdiction, yet self-represented Petitioner-Respondent Matthan Pattioay filed an opening brief on June 1, 2020. Therefore, IT IS HEREBY ORDERED that the Motion is granted. The opening brief, filed June 1, 2020, is stricken.

DATED: Honolulu, Hawai'i, June 8, 2020.

/s/ Katherine G. Leonard
Associate Judge