

19-8358

No. 125430

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
Washington, D.C.

MAR 16 2020

OFFICE OF THE CLERK

Anthony L. Meads — PETITIONER
(Your Name)

vs.

Appellee — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

SUPREME COURT OF ILLINOIS

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Anthony L. Meads
(Your Name)

P.O. Box 99
(Address)

RECEIVED

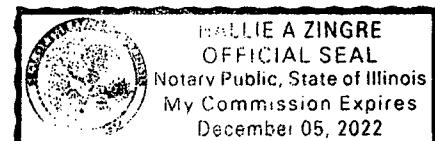
APR 22 2020

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Pontiac, IL 61764
(City, State, Zip Code)

815-842-2816

(Phone Number)



Hallie A. Zingre
3/30/2020

QUESTION(S) PRESENTED

Was Supreme Court Rule 431 violated?

Was speedy trial ~~not~~ violated?

~~2005~~

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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 is unpublished.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 is unpublished.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 B-1 to the petition and is

reported at January 29, 2020; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the Appellate Court of Illinois Decision court appears at Appendix A-1 to the petition and is

reported at October 4, 2019; 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 is unpublished.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 01/29/2020. A copy of that decision appears at Appendix B-1.

A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix C-1.

An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A _____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

A defendant's fundamental right to a speedy trial is guaranteed by both the United States and Illinois Constitutions, as well as by the Speedy Trial Act ("The Act"). U.S. Const., amend. VI; XIV; Ill. Const., 1970, art. I, § 8; 725 ILCS 5/103-5 (2016); People v. Campa, 217 Ill. 2d 243, 250 (2005). Under the Act, any person who is held in custody on criminal charges must be tried within 120 days of arrest. 725 ILCS 5/103-5(a) (2016). Following a remand for a new trial, the 120-day period begins on the day the circuit court receives the appellate court's mandate. People v. Dodd, 58 Ill. 2d 53, 57 (1974).

The State is responsible for bringing the defendant to trial within the applicable statutory period. Campa, 217 Ill. 2d 243, 250 (2005); People v. Woodrum, 223 Ill. 2d 286, 299 (2006). If a defendant is not tried within that time, he must be discharged from custody and the charges must be dismissed.

Because the Act enforces the constitutional right to a speedy trial, its protections must be liberally construed in favor of the defendant. People v. Ingram, 357 Ill. App. 3d 228, 229-230 (5th Dist. 2005).

Like the appellate court in Meads, the Fifth District in People v. Wallace, 402 Ill. App. 3d 774, 777 (5th Dist. 2010) (held that Rule 431(b) does not require the trial court to "ask separate questions of the jurors about each individual's principle." For authority, the Wallace court cited to People v. McCovin, 399 Ill. App. 3d 323 (4th Dist. 2010) (McCovin I). McCovin I, however, was later reversed and remanded following this Court's opinion in Thomas. As discussed above, on remand, the appellate court in McCovin II court found problematic the trial court's collapsing of the four Zehr principles into one statement of the law, and reversed its decision in McCovin I finding that the trial court's inquiry did not satisfy Rule 431. McCovin II, 2011 IL App (1st) 081805, ¶¶ 32-33.

STATEMENT OF THE CASE

In 2013, a jury convicted Anthony L. Meads of felony murder for the death of Desiree Austin and he appealed. (C.299) The appellate court reversed his conviction and remanded his case for a new trial. (C.416) On August 30, 2016, defense counsel answered "ready for trial!" (XIX, 2) The State responded, "(j)udge, we're also ready for trial). We'd request trial on October 17th, if possible." (XIX, 2) The court set the case for trial on October 17, 2016. (XIX, 2)

Defense counsel filed a pretrial motion to dismiss Anthony's charges under the Speedy Trial Act (725 ILCS 5/103-5(d) (2016). (C.4162) The court denied defense counsel's motion because counsel did not object to the setting of the October 17th date and because there was a problem setting the case a week earlier because of a holiday. (XX1) 5)

REASONS FOR GRANTING THE PETITION

I think the previous courts might of over/looked the statement of facts and errors in my case, for that reason the writ of Certiorari or petition granted.

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
People v. McCovins, 2011 IL App (1st) 081805, ¶¶ 32-33	
People v. Meads, 2019 IL App (4th) 170229-U.	¶ 104-05
People v. Zehr, 103 Ill. 2d 472, 477 (1984).	¶ 13-20

STATUTES AND RULES

This Court has held that "essential to the qualification of jurors in a criminal case is that [the jurors] know" the four principles codified in Rule 431(b).

Every person in custody in this [] State for an alleged offense shall be tried by the court having jurisdiction within 120 days from the date he was taken into custody unless delay is occasioned by the defendant, by an examination for fitness ordered pursuant to Section 104-13 of this Act.

OTHER

LIST OF PARTIES

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

All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

Petition for Leave to Appeal from the Appellate Court of ILLINOIS, Fourth Judicial District; No. 4-17-0229

There heard on Appeal from the Circuit Court of Champaign County Illinois No. 12-CF-1317.

Honorable
Thomas J. Difanis
Judge Presiding

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Anthony Z. Meeks

Date: 3/16/2020