

No. _____

USCA 9 NO. 19-16311

IN THE

SUPREME COURT OF THE UNITED STATES

Josh Albritton — PETITIONER
(Your Name)

vs.
Charles Ryan
David Shinn et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Superior Court of the state of Arizona in and
for the County of Cochise Case NO CR 201100236
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

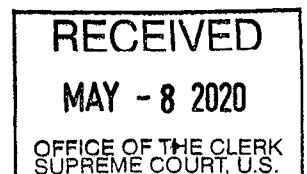
PETITION FOR WRIT OF CERTIORARI

Josh Albritton 239958
(Your Name)

A.S.P.C. Tuc-winchester 1-B-9-B
10002 S Wilnot Rd PO BOX 24401
(Address)

TUCSON, Arizona 85734-4401
(City, State, Zip Code)

N/A
(Phone Number)



Questions Presented

1. Is contract law Supreme?
2. Can a state government legislate around contractual obligations?

3. Is The Constitution of the United States the Supreme Law of the Land?

4. Can a state government interpret case law to prevent a wrongfully imprisoned Petitioner from having any assistance of counsel, Discovery, or even basic rights of due process, like a speedy trial, right to face accusers, challenge evidence, be present during trial, to keep and bear arms, or rights against self incrimination?

5. Can a lower court deny relief for failure to exhaust arguments, after denying motion for appointment of counsel to assist in perfecting arguments?

6. Can a trial court Judge be allowed to not hear a motion for production of D.N.A. evidence after being ordered by The Arizona Court of Appeals to hear said motion some Two years ago, and then allow the lead Detective in the case to destroy all of the evidence in the case while appeals were pending?

7. Can the D.P.S. Crime Lab be allowed to refuse to turn over exculpatory D.N.A. test results even if ordered by a court to do so?

(VI)

8. Can a Appellate Court deny relief for failure to prove actual innocence after denying motion to appoint counsel to assist with Discovery, and Denying Subpoena for existing D.N.A. test results?
9. Can a Petitioner be time or procedurally barred from 4th, or 5th Amendment arguments after raising Stone V Powell?
10. Can a prosecutor commit gross prosecutorial misconduct by withholding exculpatory D.N.A. evidence, and then allow all evidence in the case to be destroyed?
11. Can Amy Thorson assistant Attorney General be allowed to alter evidence in a Federal Court case? D.C. No. 4:19-CV-00227-RCC-LCK. District of Arizona, Tucson?
12. Is contract Law Supreme?
13. Is The Constitution of The United States The Supreme Law of The Land?

LIST OF PARTIES

- [] All parties appear in the caption of the case on the cover page.
- [X] 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:

Attorney General for the State of Arizona

Charles Ryan ex Director A.S.P.C.,

David Shinn Director A.S.P.C.,

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Opinions Below

Superior Court of the State of Arizona in and
for the County of Cochise

Case No. CR 201100236

OPINIONS: Guilty on all counts.

Court of Appeals Division Two STATE OF
ARIZONA Case No. 2CA-CR13-0797

OPINIONS: All convictions affirmed.

United States District Court District of Arizona

Case No. 4:18-CV-00119-JR

Case No. 4:19-CV-00227-RCC-LCK

OPINIONS: both Habeas Corpus Petitions
denied as untimely no merits considered.

United States Court of Appeals for the Ninth
Circuit

Case No 19-17434

Case No 19-16311

OPINIONS: Requests for C.O.A. Denied
in both cases no merits considered.

None of these opinions are reported.

Jurisdiction

The judgment of the Court of appeals was entered on February 11, 2020 [App A, 1, A, 2]

The jurisdiction of this Court is invoked under 28 U.S.C. § 1254, 1257, and 2253(a)

Zarant v. Texas, 318 U.S. 418 (1943)

Hohn v. United States 524 U.S. 236 (1998)

This petition is timely filed pursuant to 28 U.S.C. § 2101 (c)

Constitutional And Statutory Provisions involved

- II Amendment Right to Keep and bear Arms.
 - IV Amendment Right to be secure in their person, houses, no warrants shall issue, but upon probable cause, supported by oath or affirmation.
 - V Amendment No person shall be compelled in any criminal case to be a witness against himself, nor be deprived of life liberty or property without due process of law.
 - VI Amendment in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him, and to have the Assistance of Counsel for his defence.
 - VIII Amendment no cruel and unusual punishments inflicted.
 - XI Amendment the Judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or
- (viii)

prosecuted against one of the United States
by citizens of another state, or by citizens
or subjects of any Foreign state Ratified
February 7, 1795 applies to all members of
The British Accreditation Registry.

XIV Amendment All persons born or naturalized
in the United States and subject to the
jurisdiction thereof are citizens of the United
States and 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 its jurisdiction the equal
protection of the laws.

XV Amendment the rights of citizens of the
United States shall not be denied or abridged
by the United States or by any state on
account of previous condition of servitude.

Arizona Constitution Article II § 3 The United States Constitution is the Supreme Law of the Land.

V Amendment Miranda V Arizona 384 U.S. 364 478, 79 (1966)

II Amendment Mc Donald V Chicago 561 U.S. 3025 (2010)

Rules of the Supreme Court of the United States

Rule 10 a state court or a United States Court of Appeals has decided an important question of Federal Law that has not been but should be settled by this Court.

A.R.S. § 13-3102, 13-3101, 13-105, 13-701, 13-703, 13-704, and 13-801

A.R.S. 13-2412 A

(X)

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
miranda V Arizona 384 U.S. 364, 478, 79 (1966)	(X)
Mc Donald V chicago 561 U.S. 302 (2010)	(X)
Bounds V. Smith 430 U.S. 817, 828 (1977)	
Johnson V. Avery 393 U.S. 483, 485 (1969)	
Arizona V. Young, blood 488 U.S. 51, 109 S. Ct 333, 102 L. Ed 2d 281 (1988)	(6)
Largent V. Texas, 318 U.S. 418 (1943)	(V)
Hohn V. united states 524 U.S. 236 (1998)	(V)

STATUTES AND RULES

Rules of the Supreme Court of the United States	(X)
Rule 10	
28 U.S.C. § 1254, 2101(c)	
A.R.S. 13-3102, 13-3101, 13-105, 13-701, 13-703, 13-704, (V) and 13-801	
A.R.S. 13-2412 A	

OTHER

STATEMENT OF THE CASE

On March 26, 2011 at about 3:00 AM Leroy Mullins arrived at a private house 2541 Sierra Bermeja Drive Sierra Vista Arizona to steal a motorcycle. Leroy Mullins was not bonded to act as a repo-agent and was not allowed by law to harass any home or home owner before sunrise.

Leroy Mullins injured himself in the process of trying to break into the aforementioned private home by way of the garage.

In a law suit filed after the aforementioned events American Leasing Solutions sued in Cochise County Superior Court against Josh Albrighton for an order on writ of Replevin to turn over 2007 BMW R1200GSA VIN#WB103970772P62116. Josh Albrighton filed his absolute Title into the case proving Josh Albrighton was the right full owner and the case was dismissed.

Once Detectives Nicholas Lamay and Colin Festa from the Sierra Vista Police Department forced their way into the aforementioned private home they found \$40,000.00 Dollars in lawful money, and promptly stole these

movies. They also found several expensive guns which they wanted for them selves.

After arresting Josh Albritton for not providing information that was going to be used against him several conspirators properly named in D.C. NO. 4:18-CV-00119-JR District of Arizona Tucson fabricated eleven felony and one misdemeanor charge.

Three counts of assault, which the D.P.S. crime Lab is now refusing to turn over exculpatory D.N.A. test results that prove Josh Albritton did not commit.

Eight counts of knowingly, possessing a deadly weapon if such person was a prohibited possessor. In violation of Josh Albritton's II, XIV, and XV Amendment Rights.

And one count of refusing to provide a name A.R.S. § 13-2412A. In violation of Josh Albritton's V Amendment rights against self incrimination.

Once the conspirators in this case became

aware that Josh Albrighton was the true owner of the aforementioned BMW, and was preserving his constitutional rights Josh Albrighton was placed in solitary confinement prevented from speaking to any counsel in violation of his VI, and VIII Amendment rights.

The state then took some two years to take the matter to trial in violation of Josh Albrighton's VI Amendment Rights.

None of these facts are in dispute in the aforementioned District Court case 4:18-cv-00119JR.

The only counter argument against these facts is that Josh Albrighton is time barred from filing the Habeas under the P.R.L.A.

This act is clearly an attempt by The STATE of ARIZONA to legislate around their constitutional obligations in the contract known as The Constitution of The United States of America

And A.R.S. § 13-2412 A which violates the V
Amendment

The District Court did not consider the merits of this appeal and allowed the State of Arizona to Legislate around its contractual obligations in the contract known as the Constitution of the United States, by first allowing the creation and enforcement of prohibited possessor Laws, and failing to provide a name Law, and time bars in P.L.R.A., and A.D.P.A. which were used to time bar Josh Albritton from winning his constitutional arguments in his District Court Habeas.

The State of Arizona has created and is enforcing Laws which violate constitutionally protected rights to keep and bear arms, to a speedy trial, and rights against selfincrimination, and has tried to Legislate around Josh Albritton's Habeas Corpus arguments.

Our founding fathers created and ratified the (Bill of Rights) December 15, 1791 to protect U.S. citizens from abuse of power's ongoing in England at the time.

Finally, Contract Law is supreme and the Constitution of the United States is the supreme law of the land.

In *Arizona v. Youngblood* 488 U.S. (1988) The Supreme Court ruled that states can not destroy D.N.A. evidence that is exculpatory to the defense.

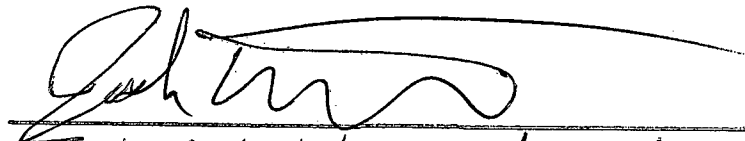
~~Josh Albin has not been allowed to speak to any court appointed counsel, and has been denied any assistance of counsel in his appellate efforts to secure the withheld D.N.A. test results. All in violation of his VI Amend. ment rights.~~

Specifically to prevent a U.S. citizen from being arrested for not providing a name, charged and convicted of Eight counts of constructive prohibited possession, Thrown into solitary confinement, beaten, tortured, and forcibly drugged for years without a speedy trial, sentenced to eighty years in prison for three class B felons which combined were sentenced to less than a year. The two from Pima County have now been set aside, and a motion to vacate is pending on the remaining conviction.

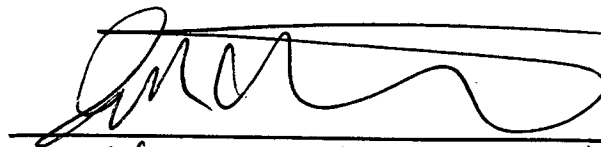
Conclusion

Grant the relief sought in the Habeas Corpus Petition's.
The petition for a writ of certiorari should
be granted

Respectfully submitted,



Josh Albritton 04/30/2020



Josh Albritton 5/19/2020

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

FEB 11 2020

JOSH ALBRITTON,

Petitioner-Appellant,

v.

CHARLES L. RYAN,

Respondent,

and

ATTORNEY GENERAL FOR THE STATE
OF ARIZONA; DAVID SHINN, Director,
Director of the Arizona Department of
Corrections,

Respondents-Appellees.

No. 19-17434

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

D.C. No. 4:18-cv-00119-JR
District of Arizona,
Tucson

ORDER

Before: LEAVY and MILLER, Circuit Judges.

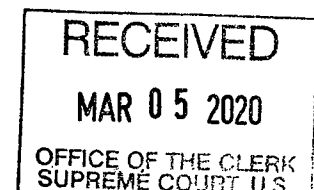
The request for a certificate of appealability is denied because appellant has not shown that “jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling.”

Slack v. McDaniel, 529 U.S. 473, 484 (2000); *see also* 28 U.S.C. § 2253(c)(2);

Gonzalez v. Thaler, 565 U.S. 134, 140-41 (2012).

Any pending motions are denied as moot.

DENIED.



Appendix A, 2

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

FEB 11 2020

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JOSH ALBRITTON,

Petitioner-Appellant,

v.

CHARLES RYAN, Director, State of
Arizona,

Respondent-Appellee.

No. 19-16311

D.C. No. 4:19-cv-00227-RCC-LCK
District of Arizona,
Tucson

ORDER

Before: LEAVY and MILLER, Circuit Judges.

The request for a certificate of appealability is denied because appellant has not shown that “jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling.”

Slack v. McDaniel, 529 U.S. 473, 484 (2000); *see also* 28 U.S.C. § 2253(c)(2);

Gonzalez v. Thaler, 565 U.S. 134, 140-41 (2012).

Any pending motions are denied as moot.

DENIED.

STATE v. ALBRITTON
Decision of the Court

MEMORANDUM DECISION

Judge Espinosa authored the decision of the Court, in which Presiding Judge Vásquez and Judge Eppich concurred.

ESPINOSA, Judge:

¶1 Josh Albritton seeks review of the trial court's orders summarily dismissing his request for post-conviction relief filed pursuant to Rule 32, Ariz. R. Crim. P., and summarily denying his request for DNA¹ testing of evidence from his trial. We will not disturb those orders unless the court abused its discretion. *See State v. Roseberry*, 237 Ariz. 507, ¶ 7 (2015). We grant review and partial relief.

¶2 After a jury trial, Albritton was convicted of three counts of aggravated assault and eight counts of misconduct involving weapons. The trial court sentenced him to concurrent and consecutive prison terms totaling ninety years. We affirmed his convictions and sentences on appeal. *State v. Albritton*, No. 2 CA-CR 2013-0128, ¶ 1 (Ariz. App. Dec. 19, 2013) (mem. decision).

¶3 Albritton sought post-conviction relief, and appointed counsel filed a notice stating he had reviewed the record but found no colorable claims to raise under Rule 32. Although the trial court granted Albritton leave to file a pro se petition, he did not do so, and the court dismissed the proceeding in February 2015. Albritton did not seek review.

¶4 In March 2017, Albritton initiated a second Rule 32 proceeding, claiming his counsel had been ineffective and he had recently been diagnosed with post-traumatic stress disorder (PTSD), constituting newly discovered evidence. The trial court summarily dismissed the proceeding, noting Albritton's ineffective assistance claim could not be raised in an untimely proceeding, he had not provided any evidence supporting his claim of a recent PTSD diagnosis and, in any event, the diagnosis would not have changed the outcome of his trial or his sentence.

¹Deoxyribonucleic acid.

STATE v. ALBRITTON
Decision of the Court

¶5 Albritton also filed a motion requesting that the state be ordered to test “all sharp objects originally used as evidence in this case” for the victim’s DNA, claiming it would show he did not assault the victim. The trial court summarily denied that request, stating Albritton “cites no[] authority . . . in support of his motion and the Court is unaware of any such authority.” This petition for review followed.

¶6 In his petition, Albritton repeats his claim of ineffective assistance and his claims based on his purported recent PTSD diagnosis. He does not, however, address the trial court’s conclusion that he is not permitted to raise his claim of ineffective assistance in an untimely proceeding. *See* Ariz. R. Crim. P. 32.1(a), 32.4(a)(2)(A). Nor does he dispute the court’s conclusion that awareness of his PTSD diagnosis would not have changed the proceeding’s outcome. *See* Ariz. R. Crim. P. 32.1(e).

¶7 Instead, his argument essentially appears to be that he was unable to raise various claims of trial error and ineffective assistance previously because he was medicated and placed in solitary confinement “throughout the Trial, Direct Appeal, and 1st Rule 32.” To the extent Albritton argues there was error at his trial, that claim cannot be raised in this untimely proceeding. Ariz. R. Crim. P. 32.4(a)(2)(A). And his assertion that his ability to raise his claims post-conviction has been limited is not cognizable under Rule 32 because it does not implicate his conviction or sentence but, rather, concerns only the alleged post-trial denial of his rights. *See* Ariz. R. Crim. P. 32.1.

¶8 Albritton also reasserts his request for DNA testing of items in his case. As we noted above, the trial court rejected this claim on the basis that it was unaware of any provision for post-conviction DNA testing. The court apparently overlooked A.R.S. § 13-4240 and Rule 32.12, Ariz. R. Crim. P., which allow a convicted felon to request, and the court to order, DNA testing of evidence if certain conditions are met. We therefore remand the case to the trial court to consider Albritton’s motion under § 13-4240 and Rule 32.12.

¶9 Upon review, we grant relief in part and remand the case to the trial court for consideration of Albritton’s motion for DNA testing under the appropriate authority. Relief is otherwise denied.

Appendix

B, 2

FILED BY CLERK

APR 17 2018

COURT OF APPEALS
DIVISION TWO

COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

M A N D A T E

2 CA-CR 2017-0307-PR
Department B
Cochise County
Cause No. CR201100236

RE: STATE OF ARIZONA v. JOSH ALBRITTON

To: The Superior Court of Cochise County and the Hon. James L. Conlogue, Judge Pro Tempore, in relation to Cause No. CR201100236.

This cause was brought before Division Two of the Arizona Court of Appeals in the manner prescribed by law. This Court rendered its Memorandum Decision and it was filed on January 26, 2018.

No Motion for Reconsideration or Petition for Review was filed and the time for filing such has expired.

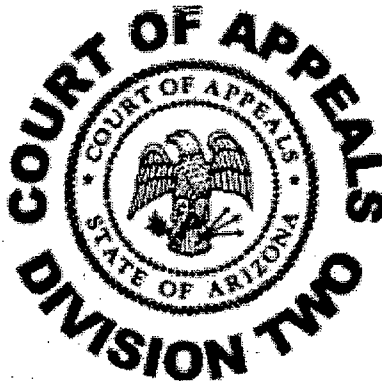
NOW, THEREFORE, YOU ARE COMMANDED to conduct such proceedings as required to comply with the accompanying Memorandum Decision of this Court.

I, Jeffrey P. Handler, Clerk of the Court of Appeals, Division Two, hereby certify the accompanying Memorandum Decision (see link below) to be a full and accurate copy of the decision filed in this cause on January 26, 2018.

To view the decision, please click on the following link:
<http://www.appeals2.az.gov/APL2NewDocs1/COA/754/3339196.pdf>

DATED: April 17, 2018

JEFFREY P. HANDLER
Clerk of the Court



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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Josh Albritton,

10 Petitioner,

11 v.

12 Charles Ryan, et al.,

13 Respondents.
14

No. CV-18-0119-TUC-RCC (JR)

ORDER

15 Pending before the Court is Petitioner's Amended Motion for Summary Judgment
16 (Doc. 36) and Motion to Strike Response to Motion for Summary Judgment (Doc. 37). In
17 his Amended Motion for Summary Judgment, Petitioner asserts that, because
18 Respondents did not respond to his request for admissions filed on December 11, 2018
19 (Doc. 33), all his proposed admissions should be deemed admitted and his requested
20 habeas relief should be granted. However, as Respondents contend, there "is not federal
21 right, constitutional or otherwise, to discovery in habeas proceedings as a general
22 matter." *Campbell v. Blodgett*, 982 F.2d 1356, 1358 (9th Cir. 1993) (citing *Harris v.*
23 *Nelson*, 394 U.S. 286, 296(1969)); *see also Bracy v. Gramley*, 520 U.S. 899, 904 (1997)
24 ("A habeas petitioner, unlike the usual civil litigant in federal court, is not entitled to
25 discovery as a matter of ordinary course."); *Bittaker v. Woodford*, 331 F.3d 715, 728 (9th
26 Cir. 2003) ("Parties in habeas cases, unlike those in ordinary civil cases, have no right to
27 discovery."). Moreover, Rule 6(a), Rules Governing § 2254 Cases, provides that in order
28 to conduct discovery, a party in a habeas proceeding must first obtain leave of court upon

Appendix C

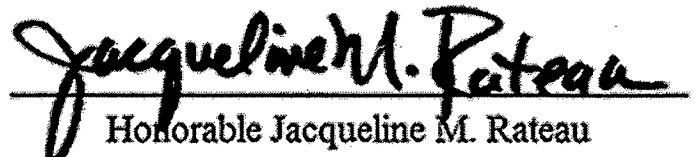
1 a showing of good cause. Albritton has never requested or granted authorization from this
2 Court to conduct discovery. As such, the motion is denied.

3 Albritton also filed a motion to strike the Respondents' response to the motion for
4 summary judgment, asserting that the response is untimely because Respondents failed to
5 respond within 30 days to his request for admissions filed on December 11, 2018. As
6 discussed above, Respondents' were not required to respond to Petitioner's request for
7 admissions. Additionally, Respondents filed their response to the motion for summary
8 judgment on the same day Albritton filed his motion, rendering their response timely. *See*
9 Local Rules of Civil Procedure 56.1(d) (providing for 30 days for filing a response to a
10 motion for summary judgment).

11 Accordingly,

12 **IT IS ORDERED** that Petitioner's Amended Motion for Summary Judgment
13 (Doc. 36) and Motion to Strike Response to Motion for Summary Judgment (Doc. 37) are
14 **denied.**

15 Dated this 12th day of August, 2019.

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17 
18 Honorable Jacqueline M. Rateau
19 United States Magistrate Judge
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JL

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Josh Albritton,

Petitioner,

v.

Charles Ryan,

Respondent.

No. CV 19-00227-TUC-RCC (LCK)

ORDER

On March 25, 2019, Petitioner Josh Albritton, who is confined in the Arizona State Prison Complex-Tucson, filed a pro se Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Doc. 1) and an Application to Proceed In Forma Pauperis (Doc. 2) in the United States District Court for the District of Columbia. On April 17, 2019, United States District Judge Emmet G. Sullivan ordered the case to be transferred to this Court. On April 22, 2019, the Court received this case, and it was assigned to the undersigned. On May 24, 2019, Petitioner filed a Motion to Appoint Counsel (Doc. 6).

Petitioner was convicted in Cochise County Superior Court, case #CR201100236, of three counts of aggravated assault, eight counts of misconduct involving weapons, and one count of failing to provide a true name and was sentenced to an 80-year term of imprisonment. In his Petition, Petitioner names Charles Ryan as Respondent.

Petitioner has previously filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254, which is currently pending before this Court. *See Albritton v. Ryan*, CV 18-00119-TUC-JR. Because Petitioner's pending habeas corpus petition seeks to

Appendix D

1 challenge the same convictions and sentences for which Petitioner seeks relief in this case,
2 the Court will dismiss this case without prejudice. If Petitioner wishes to assert additional
3 grounds for habeas corpus relief as to the convictions and sentences at issue in this case,
4 Petitioner must file a motion for leave to amend the Petition in CV 18-00119, his previously
5 filed case, and submit a proposed amended petition using the court-approved form petition.

6 **IT IS ORDERED:**

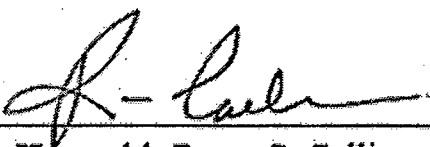
7 (1) Petitioner's Application to Proceed In Forma Pauperis (Doc. 2) and Motion
8 to Appoint Counsel (Doc. 6) are **denied as moot**.

9 (2) Petitioner's Petition for Habeas Corpus (Doc. 1) and this case are **dismissed**
10 **without prejudice** to Petitioner seeking leave to amend his petition in his previously filed
11 habeas corpus action, *Albritton v. Ryan*, CV 18-00119-TUC-JR.

12 (3) The Clerk of Court must enter judgment accordingly and close this case.

13 (4) Pursuant to Rule 11(a) of the Rules Governing Section 2254 Cases, in the
14 event Petitioner files an appeal, the Court declines to issue a certificate of appealability
15 because reasonable jurists would not find the Court's procedural ruling debatable. *See*
16 *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

17 Dated this 19th day of June, 2019.

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22 Honorable Raner C. Collins
23 Senior United States District Judge
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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
8

9 Josh Albritton,
10 Petitioner,
11 v.
12 Charles Ryan,
13 Respondent.
14

NO. CV-19-00227-TUC-RCC (LCK)

JUDGMENT IN A CIVIL CASE

15 **Decision by Court.** This action came for consideration before the Court. The
16 issues have been considered and a decision has been rendered.

17 IT IS ORDERED AND ADJUDGED that pursuant to the Court's Order filed June
18 19, 2019, Petitioner's Petition for Writ of Habeas Corpus pursuant to 28 U. S. C. § 2254
19 and this case are dismissed without prejudice.

20 Brian D. Karth
21 District Court Executive/Clerk of Court

22 June 19, 2019

23 By s/ A Calderón
24 Deputy Clerk
25
26
27
28

Appendix E

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Josh Albritton — PETITIONER
(Your Name)

Charles Ryan VS.
David Shinn — RESPONDENT(S)

PROOF OF SERVICE

I, Josh Albritton, do swear or declare that on this date, _____, 20 20, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

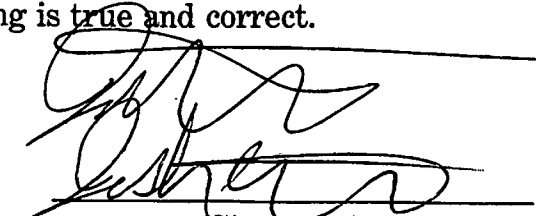
The names and addresses of those served are as follows:

Mark Brnovich Attorney General State of Arizona
400 West Congress, suite 206 Tucson, Arizona 85701-1367

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 04/30/, 2020

05/20/


(Signature)