

No. _____

20-5190

IN THE

SUPREME COURT OF THE UNITED STATES

CHRISTIAN RODRIGUEZ — PETITIONER
(Your Name)

vs.

ORIGINAL

SECOND JUDICIAL DISTRICT Court — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI

TO FILED

MAY 28 2020

OFFICE OF THE CLERK
SUPREME COURT, U.S.

NINTH CIRCUIT Court of Appeals

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

PETITION FOR WRIT OF CERTIORARI

CHRISTIAN f. RODRIGUEZ # 126484

(Your Name)

Po Box 1989

(Address)

ELY NV 89301

(City, State, Zip Code)

NA

(Phone Number)

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SUPREME COURT, U.S.

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JUL - 9 2020

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SUPREME COURT, U.S.

QUESTION(S) PRESENTED

- (1) WHEN MIRANDA VS ARIZONA IS VIOLATED BY LAW ENFORCEMENT DURING THE INVESTIGATION, IS THE COURT NOT MANDATED TO DISMISS THE CASE.
- (2) IN MIRANDA VS ARIZONA (1966) WAS IT NOT THIS COURTS RULING THAT AS SOON AS A SUSPECT ASKS FOR HIS ATTORNEY LAW ENFORCEMENT MUST STOP ALL QUESTIONING.
- (3) ONCE MIRANDA IS VIOLATED, AND THE COURT RULES THAT IT WAS IN FACT VIOLATED, AND FURTHER RULES ALL EVIDENCE OBTAINED CAN NOT BE USED, CAN THE DISTRICT ATTORNEY BRING UP THIS EVIDENCE AT SENTENCING.
- (4) DOES THE COURT RECOGNIZE THAT LAW ENFORCEMENT AND THE COURT CAN NOT JUST BE EXPECTED TO JUST "FORGET" ABOUT ALL EVIDENCE OBTAINED THROUGH MIRANDA VIOLATIONS.
- (5) ARE THERE ANY CIRCUMSTANCES IN WHICH MIRANDA MAY BE VIOLATED.

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:

RELATED CASES

2ND JUDICIAL DISTRICT Court # CR18-1964

NEVADA Supreme Court. # 79486

U.S. DISTRICT Court of NEVADA # 3:20-cv-00166-RCS WGC

NINTH CIRCUIT Court of Appeals - # 20-70868

TABLE OF CONTENTS

OPINIONS BELOW.....	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	
STATEMENT OF THE CASE	
REASONS FOR GRANTING THE WRIT	
CONCLUSION.....	

INDEX TO APPENDICES

APPENDIX A CR 18-1964 200 JUDICIAL DISTRICT COURT

APPENDIX B #79486 NEVADA SUPREME COURT

APPENDIX C #3:20-CV-00166- RCS-WGC U.S. DISTRICT COURT

APPENDIX D #20-70868 NINTH CIRCUIT COURT OF APPEALS

APPENDIX E

APPENDIX F

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

STATUTES AND RULES

DUE PROCESS Amendment TO U.S. CONSTITUTION

EQUAL PROTECTION Amendment TO the U.S. CONSTITUTION

NO CRUEL AND UNUSUAL PUNISHMENT Amendment to the U.S. CONSTITUTION

OTHER

Constitution of NEVADA ARTICLE 6 § 6

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 C 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 1 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 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 2ND JUDICIAL DISTRICT COURT court 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.

JURISDICTION

For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was REPORTED APPENDIX D

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 Voluntary Dismiss.
A copy of that decision appears at Appendix D.

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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

WE INVOKE UNITED STATES CONSTITUTIONAL
VIOLATIONS INVOLVING 5TH, 6TH, 8TH AND 14TH.

VIOLATIONS OF MIRANDA VS ARIZONA IN ITSELF VIOLATES
EQUAL PROTECTION, DUE PROCESS, EFFECTIVE ASSISTANCE
OF COUNSEL WHICH ALL LEADS TO VIOLATION OF
CRUEL AND UNUSUAL PUNISHMENT.

WE SUBMIT THESE GROSS VIOLATIONS OF MR RODRIGUEZ
CONSTITUTIONAL RIGHTS FOR THIS COURTS DECISION.

STATEMENT OF THE CASE

THIS IS A CASE BUILT UPON FACTS WHICH ARE EASILY PROVED BY COURT RECORDS. THE VIOLATIONS BEGAN WHEN MR RODRIGUEZ WAS ARRESTED, TAKEN TO RENO POLICE DEPT AND WAS QUESTIONED. TRANSCRIPTS OF THIS INTERVIEW PROVE THAT MR RODRIGUEZ ASKED FOR AN ATTORNEY SEVERAL TIMES YET QUESTIONING CONTINUED, WHICH RESULTED IN A CONFESSION. THE 2ND JUDICIAL DISTRICT COURT RULED THE CONFESSION WAS THE RESULT OF MIRANDA VIOLATIONS YET DURING ARGUMENTS AT SENTENCING THE STATE BROUGHT UP THE CONFESSION THAT THE COURT RULED NOT ADMISSABLE. THE CASE IS THE FRUIT OF THE POISONOUS TREE WAS OBTAINED, RULED INADMISSABLE DUE TO MIRANDA VIOLATIONS YET WAS SNACKED IN AT SENTENCING.

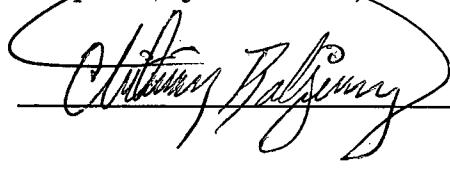
REASONS FOR GRANTING THE PETITION

MIRANDA VS ARIZONA (1966) IS THIS COURTS LANDMARK RULING 54 YEARS AGO. MIRANDA IS A FEDERAL LAW WHICH COVERS ALL 50 STATES INCLUDING WASHOE COUNTY NEVADA. MIRANDA PROTECTS THE RIGHTS OF ALL PEOPLE ACCUSED OF A CRIME. MIRANDA IS A LAW NOT JUST AN IDEA THAT STATE DETECTIVES CAN DECIDE ON A CASE BY CASE BASIS. THIS THEN BECOMES DISCRIMINATORY. BASICALLY THE DETECTIVES IN THIS CASE FELT THEY HAD A HIGH PROFILE CASE WHICH THEY WANTED A CONVICTION ON SO MIRANDA BECAME INVALID. FURTHER THIS COURT MUST NOTE THAT MR RODRIGUEZ DID NOT JUST CASUALLY ASK FOR AN ATTORNEY FIRST HE ASKED SEVERAL TIMES AND 2ND HE ASKED FOR AN ATTORNEY BY NAME. MIRANDA VS ARIZONA WAS IGNORED, THIS BEING A DIRECT VIOLATION OF THIS COURTS RULING AND AS SUCH THIS COURT MUST GRANT THE PETITION

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Christopher T. Bergin

Date: 8-17-20