

No. _____

20-5199

IN THE
SUPREME COURT OF THE UNITED STATES

Robert Lee Simms
(Your Name)

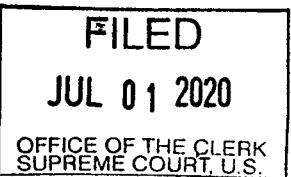
PETITIONER

vs.

ORIGINAL

People of California et al — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO



In The Court of Appeals of The State of California 3rd District
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Robert Lee Simms
(Your Name)

P.O. Box 8800
(Address)

Corcoran Ca 93212
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

Did The Court abuse its Discretion
when it admitted D.N.A. evidence, over
The defendant objection to the Chain
of custody 3

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

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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 is unpublished.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 is unpublished.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 A to the petition and is

reported at 11-15-2019; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the California Supreme Court court appears at Appendix _____ to the petition and is

reported at 1 - 22 - 2020; 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 is unpublished.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 14.

[] 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: 14, and a copy of the order denying rehearing appears at Appendix 12.

[] An extension of time to file the petition for a writ of certiorari was granted to and including 1st (date) on 17 (date) in Application No. 1A12.

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 11-15-2019. A copy of that decision appears at Appendix .

[] A timely petition for rehearing was thereafter denied on the following date: 14, and a copy of the order denying rehearing appears at Appendix 1.

[] An extension of time to file the petition for a writ of certiorari was granted to and including April 1 2019 (date) on Present 6-30-20(date) in Application No. A.

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

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
<u>People v Hall (2010) 187 CA 4th 282</u>	
<u>People v Hall (2010) 187 CA 4th 282,</u>	294
U.S. v Howard-Arias (4th Cir 1982)	679 F2d 363, 366
People v Catlin (2001)	26 CA 4th 81, 134
v Lucas (1995)	12 CA 4th 415, 444
People v Jimenez (2008)	165 CA 4th 75, 81

STATUTES AND RULES

Eviden code 250

OTHER

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Due process 14th amendment
chain of custody

U.S. v Howard - Arising

4th Cir (1982) 679 F2d
~~2280~~ 363, 366

STATEMENT OF THE CASE

Refer to Appendix A

PAGES 2, 3, 4, 5,

REASONS FOR GRANTING THE PETITION

I pray The Court Grant this ~~petition~~
writ of certiorari for the following reason
we as a nation and species are moving
into an age where DNA will most likely con-
troll a great deal of identification. and in
the medical as well as the criminal justice
~~system~~. so who touched what, who tested what
and will be common, the procedure use at
the chico lab back fired, if I'm to depute
what ~~it~~ was probably a mix up, or some-
thing more sinister then I must be allowed
to explore the chain of custody. when the
item is placed some where for storage then I
must in all fairness be allowed to examine
the storage, the testing, and allowed to cross
examine the individual and the method of testing
I was flooded with this information from the
redding lab as the chumashet explain in her
testimony, how every step of the process she handle
had her signature on it, what freezer, when I
was taken how to in all its ~~the~~ glory.
But from the chico lab nothing. although
the D.A. was told to turn it over - all
that documents yet they refuse.

Reason For Granting The petition

1 Continue From pg(1)

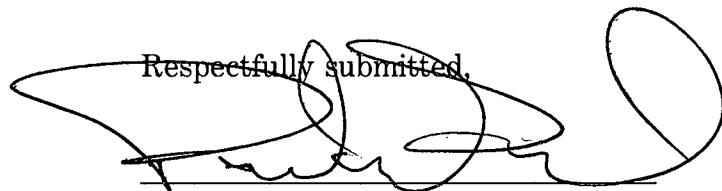
2 yet There was a Break in The chain for
3 more Than (2) two and half weeks when I
4 was not afforded any discovery. this is
5 a big Gap in the chain, with very scarce
6 Biological ~~and~~ evidence. Because The Judge put
7 the burden on me not The prosecution.

13)

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Doe".

Date: 6-30-2020