

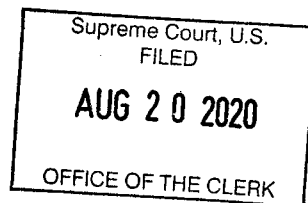
No. 20-6250

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

December Term 2020



Kyle A. Box — PETITIONER
(Your Name)

vs.

The People of the State of New York — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

State of New York Court of Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Kyle A. Box
(Your Name)

Great Meadow Correctional Facility, 11739 State Route 22, PO Box 51
(Address)

Comstock, NY 12821
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

1. According to Brady, V. Maryland 373, U.S., 83 (1963)

Any evidence in possession of the Prosecution that can be Favorable to the defense, must be turned over. Yet there is a Fatal Flaw to this rule. When officers fail to investigate claims by defendant, fail to collect evidence, fail to test evidence, all under false pretenses,

effectively ~~preventing~~ preventing evidence from getting to the Prosecution and defense,

Does this fall under a Brady violation, and, or, Due Process violation?

2. The 14th Amendment of the United States Constitution, Section 1,

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 Laws." I ask the courts whether a States refusal

to investigate the claims of a defendant relating to officers Tampering with evidence,

criminal negligence, and false testimony by both officers and State Prosecution, is this

a denial of due process and equal protection of Laws?

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:

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

U.S. Const. Amend. XIV, Sec. 1.

All Persons born or naturalized in the United States, and Subject to the Jurisdiction
there of, are Citizens of the United States and of the State where in they reside.
No State shall make or enforce any law which shall abridge 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 any Person within it's Jurisdiction
the equal protection of laws.

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 _____; or,
☒ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the Supreme Court of the State of New York court 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.

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 June 6th, 2020.
A copy of that decision appears at Appendix A. (A)

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

N/A
☐ 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).

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	• Denied Right To Appeal in their courts
APPENDIX B:	Jefferson County Court (March 31 st , 2017) - (I have no paperwork for this)
	• Jury determined that charges were not against weight of evidence / justified
APPENDIX C:	Supreme Court of The State of New York (March 13 th , 2020)
	• Modified and Affirmed judgement, did not review evidence
APPENDIX D	N/A
APPENDIX E	N/A
APPENDIX F	N/A

TABLE OF AUTHORITIES CITED

CASES

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People v McManus, 67 NY 2d 541, 545 [1986] Page 3

U.S. v. Agurs, U.S. Dist. Ct. 1976, 96 S.Ct. 1239, 427 U.S. 97, 49 L.E.d. 2d 342, criminal law 913(1) Page 11, 12

Brady v. Maryland, 373 U.S. 83 (1963)

✓
Referenced but not quoted for I was
unable to locate full case or headings
here.

STATUTES AND RULES

OTHER

Statements OF Case

In March of 2015, I the defendant, posted an online add on Craigslist with the intention of prostituting my self. I had only recently turned 18 and combined with the influence of drugs and a troubled history, I made a Liason to meet with an older man, Randy Bent, who described him self as very fit and weighed 183 pounds, he was 62 years of Age. I was at the time very skinny, at less then 160 pounds and 6 feet, 2 inches of height, not phisically imposing compared to Mr. Bents stocky 5 feet, 7 inches of height, These details will be important later. As a Child I was phisically and sexually abused by one of my ~~mothers~~ Mothers boyfriends, I grew up in a family where my parents were separated, and combined with the military service of my stepfather, and Father, and also my mother, I moved around the country frequently, and even Over Seas to Germany. Growing up I had issues with my mother over the abuse I faced, which I blamed her for, and throughout my teenage years I had altercations with her, over my propensity of running away. Before the Incident in question The only crime I was ever convicted of was a B misdemeanor in Texas for marijuana possession. There was also a brief stay at a mental hospital in Texas when I was 15 years old due to the problems I had with my mother. This is all relevant for the District Attorney, Kristyna Mills, attempts to use this history to claim that I am a Violent Sociopath.

The District Attorney was allowed to do this due to my trial lawyer pursuing an Emotional Disturbance Defense over my objections. Though this is not an issue in raising with your courts I bring it up for I will be showing the comprehensive failure of every single step in my criminal proceedings, from the Initial investigation by detectives, to my trial lawyer manipulating me, to a District Attorney falsely testifying to the Jury (Along side false testimony of her Star expert witness).

On March 3rd, 2017, I was convicted of Murder in the second degree, assault in the first degree, arson in the second degree, arson in the third degree, reckless endangerment in the first degree, Tampering with evidence (two counts), Grand larceny in the fourth degree, Criminal possession of stolen property in the fourth degree, and criminal possession of a weapon

Statement of Case

in the fourth degree. The Supreme Court of New York on appeal would dismiss the Arson in the 3rd, Reckless endangerment, Grand larceny, and Criminal possession of Stolen property (on March 13th 2020). The highest Court on June 10th of 2020 would deny my right to Appeal to them (Appendix C)

So, back to March of 2015, I had agreed to meet Mr. Bent (The decedent) at a local Store in Carthage New York. We then drove to his home in Watertown New York, (about a 30 minute drive). At his home I started changing my mind, for one I was still not sure about my Sexuality, I have had multiple girlfriends, and also I found the idea of prostituting my self distasteful, also I was in love with a girl named Ashley Bearz, and so I did not want to cheat on her. Mr. Bent was Angered by my refusal of him, and even though I asked to be taken back to Carthage, he could not give up his Catch. For according to emails that detectives found on his (Bent's) computer, and statements by his neighbors, Mr. Bent was Sexually promiscuous and had a taste for barely legal boys, and was seen with multiple young men leaving his house weekly. My refusal after having been driven so far to meet him, put him in a state where he decided to rape me. I previously stated how Bent briefly forced me down to perform oral sex. With my continued resistance, he stood up from the couch we were on, and attempted to take off my pants, while threatening to fuck me. At this moment a pocket knife that I carried fell out of my pants, and Mr. Bent noticed, he grabbed the knife, and with the blade drawn, continued to threaten me, and continued his sexual assault.

With the knife drawn I acted instinctively and not wanting to be raped and murdered, I grabbed the knife in order to wrestle it away. My index finger on my right hand was severely cut from grabbing the blade (later needing multiple stitches due to a skin flap hanging from the finger). I managed to wrestle the knife from Mr. Bent, and I stabbed him once. Even after this wound Mr. Bent in his blind rage, grabbed a chair and threw it at me, and then continued his violent assault. At this point due to the intensity of the fight and my intense fear details get hazy. But at the end of the fight I ended up against what would be the dead bolted, and locked, front door of the house (at the time I thought it was merely a wall). Mr. Bent suffered numerous wounds a total of 46, and I remember how Mr. Bent continued his attack no matter what I did. Yet in the end he collapsed with my back to the door.

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Before I continue the Courts Should Know that the Medical Examiner at trial stated that the Majority of the Wounds were Not immediately fatal, and that Mr. Bent could have continued fighting. Also that the Stab wounds encompassing his body, came at multiple orientations, which is evident of a prolonged struggle. Also that Mr. Bent's body was found with his feet facing the front door of the house, indicating that he fell back from it.

After Mr. Bent fell (as I presumed dead) I attempted to treat my wound in the bathroom of the home, and later after self deliberation, and fear of losing my life due to this incident, I started a fire by throwing blankets and a burning tissue box onto Mr. Bent's Body, the fire did not destroy the house, and the damage to evidence was minor, due to my failures. When leaving the house, still holding the "murder weapon", I was angered by how it had destroyed my life, and so I threw it into the snow covered backyard of the home, and I then took Mr. Bent's car and returned to Carthage.

All of the above is important for the courts to know, for I made all these statements, and adamantly claimed that I had been defending my self from a Rapist and would be murder. And I quote, "Justification does not make a criminal use of force lawful; if the use of force is justified, it cannot be criminal at all" (People v McManus, 67 NY 2d 541, 545 [1986]). I quite clearly and repeatedly stated to investigators on camera, that I had acted in self defense, that I was justified. Yet I will argue to this court, that at NO time what so ever were these claims investigated.

From the beginning of the Investigation, the officers acted out side clearly stated norms. Officers Andrew Neddo, and Sean Boyle, first encounter me at Carthage Area Hospital, where I went to receive medical attention due to the severe cut to my hand. My girlfriend Ashley Beard whom I had went to for comfort, due to how terrible I felt about everything, she testified to the fact that I entered into her shoulder and pleaded for forgiveness. Anyways at the hospital, ~~the~~ Officer Neddo (a detective of only 4 months at the time, My case was his first homicide investigation) briefly talked to me and let me return home. They later returned, and I was misleading to the officers at this time, for I was obviously scared, and so lied as to how I obtained my injury. Eventually I return home with officers Neddo and Boyle, due to my need to take pain medication, a percocet opioid medication from the hospital, which Detective Neddo does not attempt to stop.

Statement of Case

About an hour later (enough time for the medication to take effect) I was in the Watertown Police Department, where I would be ruthlessly interrogated, even though I was under the influence of drugs, (Alongside marijuana use throughout the day) for about seven hours. The interrogation started around 1:00 am and never was I afforded the opportunity to sleep, instead I was bribed, by being told if I gave a statement, I could go home. I did initially mislead and lie to detectives about what happened. I was 18, still in high school, scared, under the influence of drugs, and just wanted to go home. I eventually cooperate fully, and give a sworn, signed statement, akin to the details I've stated here, That I had acted in self defense.

So from the first act, these officers used coercive and illegal interrogative tactics, yet their is more. The self proclaimed lead investigator in my case is Stephen Backus. He was a police officer for 20 years, a detective for 15th of those, and the court should note, Backus never was trained in forensic pathology. This officer came in to the interrogation room to accuse me of lying about having defended myself. Here are his statements concerning this (Pages 801-802 of Trial record), "The parts of the interview I listened to, I consistently heard him claim self defense in this case, and based on what I had seen at the house, the knowledge I had of the victim and the things he was saying, none of that really matched what I was seeing at that point."

MS. Mills ← Q. What did you have that you thought wasn't matching?

District Attorney

A. The first thing was the number of injuries to the victim. I knew that the victim suffered -- we counted probably at least 20 stab wounds, front and back, including to his head. We didn't see any on his arms or hands, which would indicate that he was in a fight with someone. It just appeared like he was just being stabbed. There was blood on the front door and his position almost looked as if he had fallen away from that door. So at one point the impression was he was against that door and bleeding onto that door while being stabbed in the back."

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Now this testimony has already been argued as being prejudicial to my case for many reasons, yet I loudly claim that this statement from Backus is clear evidence to his bias towards me, and that due to the fact that the Lead investigator believed I was guilty from the very beginning, he effectively tainted the entire investigation.

How do these statements show this? Well to start, he claims the victim had no wounds to his arms or hands, which would signify that he was not attacking me the defendant. Yet the Medical Examiner contradicts this, for Mr. Bent (the victim) did in fact have wounds to his arms and hands, contradicting this statement by Backus.

Next, The blood on the door which allegedly shows that Mr. Bent was up against the door bleeding and being stabbed in the back, contrary to my statement that Mr. Bent had been coming at me, is flawed in 3 ways. First Stephen Backus never trained in forensic pathology or blood spatter analysis, in no way is he qualified to testify on how he thinks blood on a door shows anything. Secondly the "blood" he refers to was never tested, in fact due to this he was not allowed to continue stating what he observed was blood, only that he thought it was blood. Last but not least, The "blood" he observed contradicts his claim entirely, how? well the "blood" from the floor, up the door, only rises 18 inches, so only the lower section had these stains. Mr. Bent (the victim) was 5 feet, 7 inches tall, he had stab wounds to his upper body, neck, and head, yet no "blood" is above a 2 foot mark on the door. If he was up against the door as Backus claims it is quite logical to claim that the "blood stains" would be much higher and more extensive.

This is not the only troublesome testimony from Backus, and due to the fact that I claim Backus's only intention was to obtain my conviction, I want the courts to see this statement of his as well. (Page 784 of Trial Record)

Q. by
Kristynn Mills
District Attorney

Q. What does that mean when you are the case Agent or the lead detective?

A. Detective
Backus

A. You are the one that is trying to oversee everything and make sure everything is getting done the best you can, bundle everything for prosecution, things like that,

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As you see he states his job was to "bundle everything for prosecution," This is not the job of a detective, a detective is suppose to investigate a case, unbiased, in pursuit of justice, not to help or ensure prosecution of a suspect.

Now to the uncollected evidence in this case, I'm here arguing that the lead investigator not only falsely testified to a jury about his "interpretation" of the evidence, but primarily that he violated the Brady ME, and my due process rights by obstructing evidence, that was contradictory to his theory of my guilt, from getting to the District attorney, and my counsel. He effectively determined I was guilty and his actions wrongly placed the burden of proof upon the defense.

The key piece of evidence missing in this case is the "murder weapon," or the knife I used to defend my self, later tossing it into the snow of the backyard. To start, I was convicted ~~for~~ of evidence tampering for this act, even though the prosecution had no evidence to prove I intended to conceal the knife, and no evidence what so ever that it was tampered with, for it was not collected due to MIS conduct of the investigators.

In Upstate New York, it is quite common for a couple feet of snow to be on the ground in March, which was the case for the winter of 2015. The backyard of Mr. Bents house was very small (not even half an acre) and his house was in a residential neighborhood, his neighbors houses were no more than 20 feet from his home. I stated to the investigators on the very night of the "crime" that I tossed the knife in anger, into the backyard of the property. The officers claim they searched for it, yet did not find it, yet here's the catch, their methods of searching for it is the worst example of police work possible.

To start there was at least 2 feet of snow in the yard, a metal knife thrown into this yard would logically sink into the snow. The Detectives (primarily Backus) decided to search for the knife in a completely illogical, ineffectively, and blatantly stupid way.

Statement of Case

Backus decided the most effective way to search for the knife that was likely buried in the snow, was to walk the perimeter of the yard and look for any holes, or indentations indicating where the knife may have landed, and that is it. When asked why a metal detector wouldn't work, Backus tried claiming that metal detectors weren't actually good at finding metal, he references a time that he saw a metal detector unable to detect a ring in plain view on the ground. This is at best misleading, it really is just a bad excuse, for the courts should know that common metal detectors only work with ferrous metals (Iron based metal) so a gold ring for example would not show. A steel knife is Iron based, meaning a metal detector is highly effective, and I think an Investigator of Ten years should know this, in fact I claim he did know, but he did not want to find the knife, for finding it would support my claims.

The officers gave many false and baseless reasons why a metal detector was not used, They instead acted as if the snow were an impenetrable barrier completely preventing search. The yard was so small that a manual search could have been done in a day. They also claim they returned weeks later to search after the snow had melted, but once again only to walk around and search with their eyes, no metal detector was ever used. Searching by sight after the snow melted is severely flawed for the snow would have made the ground muddy as it melted, which would help to obscure the knife from sight, especially if it rains as is common in April. Secondly the yard was not a secure crime scene during the weeks waiting for the snow to melt, the house is in a densely populated residential neighborhood, full of people who likely watch the news about my case, also the victim's family had access to the property, so a search is meaningless and tainted.

The knife is obviously an important piece of evidence, for it would either prove my claim that Bent held the knife (through fingerprints) or disprove it. Of course this key piece of evidence is lost due to the bias of the investigators, who only intended to work towards my conviction, to bundle the case for prosecution, the knife is only important to the defense, and I claim the officers decided it was not needed to convict me, so they did not collect it.

Page Eight Statement of Case

The Knife is not the only evidence not collected, as I stated before, I made a sworn statement that after I took the knife from Mr. Bent, that he used a chair as a weapon, he threw it at me. There were two chairs seen in crime scene photos, both overturned before arrival of first responders, in fact the one I refer to in my statement was photographed in the kitchen of the home, where I said was the direction he threw it. This chair may seem insignificant, yet it shows two things.

One it is the second piece of physical evidence that clearly refers to my sworn statement, by collecting it and examining it, investigators could prove or disprove my statement. Also it is ~~more~~ evidence towards a struggle, yet even with the knowledge of my statement, Backus and Michael Zachari (the only qualified crime scene investigator) determined they were not evidence, and so did not collect them. Even though I made a statement concerning them. In one photograph the chair in the kitchen even appears to have blood on it, yet still "not evidence".

Michael Zachari is the second culprit in my claims, for along side Backus, he was the one who would collect evidence. When asked why blood evidence throughout the home was never collected or tested he never had a good excuse. One of the faulty reasons for not testing evidence in this case is that the state laboratory did not like receiving a large amount of evidence to test. Yet in this case it took 2 years to get to trial, and the investigation barely lasted a few months, no officer ever requested, or requested, more time to work. When asked whether collecting or testing blood evidence throughout the house in order to determine the movement of a struggle was possible, Zachari confirmed that it was (page 1112 of trial) yet this was not done. The only investigatory work done in the home was a DNA test on blood to prove I was there, nothing else.

Zachari also violated evidence subject to preservation laws. Mr. Bent's (the victim) clothing was "fire damaged, soaked with blood, and wet. The blood on the clothes made it subject to preservation, which was not done. Zachari instead placed the clothes in a paint can for nearly two years, where they

Statement of Case

were allowed to rot and grow moldy. What makes this act worse are his actions when he unsealed the container shortly before trial. This evidence was also never tested, when opening the container and finding it wet and moldy, Zachari decided to dry them out. After 2 years of being wet, then suddenly dry, he admits his actions likely altered the evidence. Even with all this the Trial Judge allowed him to make insinuations that I had attempted to cut off Mr. Bent's clothes, yet the clothes were clearly altered, untested, improperly preserved, and the fact is, there were no cuts or wounds below the waist on Mr. Bent, meaning this insinuation ^{me} is clearly used by the prosecution to prejudice the jury against, using altered, rotted, untested, illegal evidence.

These are but a few examples of the clear evidence issues in this case, along with the previous stated false testimony of officers Backus and Zachari, a Bias, and intent to convict me I believe is clear, and I do hope the courts will look into this matter, yet theirs more, The District Attorney also outright lied to the jury, she had no evidence to support that I had a violent or cruel past, yet she claims while I was in Germany and Texas that I bullied people at my school, she has no witness, no record, nothing at all to support this, it is purely false. Their entire case is based on a investigation intent on convicting me, Lies, and a trial attorney who pursued a Emotional disturbance defense against my will, My own trial attorney worked against me.

Put all these issues and more and It is clear my Due process rights ~~was~~ were violated at every step. The Burden of proof was placed on the defense, The officers acted in bad faith to convict me, and my Trial attorney was more than ineffective, but criminal,

I have requested an investigation into the above matters to the trial courts, Supreme courts, Court of appeals, The Attorney general, the assistant AG, the State police, State Internal Affairs, Watertown Internal Affairs, and not a single Agency or office will agree to investigate.

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According to the 14th Amendment, I'm afforded equal protection of Law, as a citizen, yet I have been ignored by every single State governing body/agency. No one will investigate my case. No investigation was ever done into Randy Bent's past. No investigation was done into my claim of self defense, and none of my accusations against the police officers and State have been addressed. I've only been ignored. And my rights have been violated in every way possible. I'm guilty until proven innocent, and no one will investigate my innocence. So instead I'm guilty. I state out-right, I am innocent through justification.

To wrap up, in this case officers intent were to pursue an investigation, in bad faith to convict me, along side a District Attorney willing to cover up, and lie about these issues, a comprehensive violation of due process occurred.

1. No investigation, even after multiple requests, were ever done, into my claims of self defense.
2. New York State has comprehensively violated my right to equal protection under law by refusing to investigate my accusations against police officers in this case.
3. No investigation into Mr. Bent (The defendant) was ever conducted, not a single person who had a relationship with him, even though many men were seen leaving his home, was ever found or questioned.
4. The Trial and State Court erred in ruling that the evidence issues, and false testimony of police officers was harmless, and once again never investigated these issues.
5. The Burden of proof was wrongly placed on defense, which I say is a Brady and Due process violation.

Reasons for Granting Petition

1.

The Court should grant the Writ, to decide if officers investigating a criminal case, are held to the same standards of Brady, as the prosecution is. If officers are allowed only to investigate with the intent to convict, Any Innocent person can have their Due process rights violated, and be wrongfully convicted. The Courts must close this legal loop hole that gives a state prosecutor power to withhold evidence of a vindictive value from the defense. The defendant in a crime must be innocent until proven guilty, The Burden of Proof must not be placed upon the Defense.

A • This case is a clear representation of how Biased Police officers have the ability to subvert a citizens Due Process rights before a criminal proceeding has even occurred. If this Great Nation allows such power to Police officers, many an innocent man will be wrongfully imprisoned, and in some states Executed. This Court should protect the American people from such misconduct. The State must be required to fully investigate any claims of innocence or justification in a criminal proceeding. If a state can simply ignore such claims, as happened with me, Then all of our constitutional rights are in danger. States must create or require an Investigatory right to all citizens, especially the poor like me who can't afford a private investigator. The State must have clear and defined laws regulating Police officers testimony in criminal proceedings, so that unqualified officers can not testify in the guise of a Respected Police expert, when they are neither. Just as a state is required to provide an attorney, The State must provide an Investigator who works strictly for criminal defendants, to prevent prosecutorial misconduct.

I wish to quote a decision in a court to show a precedent of sorts,

("In determining whether prosecutors failure to disclose evidence to defense denied defendant fair trial, Proper standard of materiality of undisclosed evidence is that if omitted evidence creates reasonable doubt of guilt that did not otherwise exist, constitutional error has been committed. Defendant should not have to satisfy severe burden of demonstrating that newly discovered evidence probably would have resulted in acquittal, nor should Judge order new trial every time he is unable to characterize non

disclosure as harmless. Under customary harmless error standard, U.S. v. Agurs, U.S. Dist. Col. 1976, of course cases like these relate to evidence held by Prosecution, and not disclosed, or new evidence, but what if in a case like mine, the officers who conducted the investigation prevented the evidence from getting to the Prosecution?

2

The Courts should grant this writ to ensure every citizen has their right to equal protection under law. Even a convicted criminal in a prison has a right to this protection. So when an inmate in an institution request for a review of the investigation in his case, or an investigation into police officers, a citizen has a right to be heard. While in prison the state has been able to ignore my claims, and act as if I was not a citizen of this nation. This country should not use prisons as a way to silence individuals, and deny them their right to appeal, for in my case, I've been restricted of legal research, and of the ability to contact state institutions to request review. Prisoners like every citizen has a right to equal protection, and every citizen has the right to be free from wrongful persecution and prosecution.

In my case I've been treated as less than a citizen, I've been ignored in my request for investigatory review by every state institution, in fact I have been unable to file a formal police report, for all my request to do so have been ignored. Not a single police or government official has visited me in prison, and no state official has allowed me to file a complaint in their office, all of my letters go unanswered. If a citizen outside prison calls the police, they will arrive, in prison I've been denied the right to even contact the police or state institutions, which I hold as a violation of equal protection under law.

• please excuse my lack of legal knowledge and lingo, I've only been allowed to about 7 hours of research in the law library, in the past 4 months, and my lack of knowledge in these matters are extensive

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Kyle Bex

Date: 08/20/20

Sworn to and subscribed before me
on this 20 day of August, 2020
[Signature]
Signature of Notary Public

John Daniel Crossman
Notary Public, State of New York
Registration No. 01CR6393358
Qualified in Essex County
My Commission Expires on June 17, 2022