

20-6352

No. _____

ORIGINAL

Supreme Court, U.S.
FILED

OCT 16 2020

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

GARY WOLCHESKY — PETITIONER
(Your Name)

vs.

THE STATE OF NEW JERSEY RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

GARY WOLCHESKY

(Your Name)

N.J.S.P., #1107778/420479E

P.O. Box 861, ~~FE~~

(Address)

Trenton N.J. 08625

(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

GENERAL OF WHOLE OPINION

Whether an appeal court (i) making claims concerning of occurrences which are false (a) use of influence, manipulation or misleading language (as predation is influencing by persons less in a very context) invalidates opinion. For rest can not be trusted.

Whether appeal court holds to two contradictory application of principles to make adverse decisions involves opinion.

Whether appeal court does not specify the precise location of case specific premise to draw conclusion or does not specify how soon is applicable is irrelevant bases for that opinion. (as how totis remains isolated)

Whether appeal court was erroneously implicating a child acting of their own volition (ie another person other than defendant) makes a defendant guilty of crime. merely because such own volition is obviously consent of actor on themselves.

Whether it is erroneous when appeal court claims something is not prejudicial or does not prejudice on unjust result when no means of appeal application is excluded inclusively from said thing which is proposed to not cause prejudice or an unjust result (as because remain is isolated it is not clearly capable of producing an unjust result now)

Whether it is inappropriate for an appeal court to remain with suggestions for excuses to deny occurrence of violation of right to speedy trial that (a) premise is their own allegation as true. (b) where the already the product of an analysis (in which remain is for) (3) without context of suggestions of why to grant motion to dismiss indictment for violation of right to speedy trial (4) directing trial court to (a) irrelevant issues (b) falsely premise issues (c) issues which suggest limitations of breadth of below permissible reasons to grant motion (as directing trial court to only consider defendants [unusual] defenses" it where provided by delay (which they will suggest when irrelevant or flawed thus not considered to be prejudicial ignoring different ones or deny those consideration as legitimate) and prejudicial. suggesting that defenses are invalid, etc more true or more false

General violations of right to a speedy trial (14 to 22)

1 Whether "reasons for... period [delay]... are... attributed to both sides" "because speedy trial issues [are] raised at different times" is possible?

2 Whether [such preceding question] ~~means~~ ~~statement~~ ~~excluding truth or falsity value~~ means

(A) (i) defendant raising issue of consideration of violation of right to a speedy trial is suggested to be itself not a violation of right to a speedy trial.

or (a) a contribution by a defendant to an ~~absolute~~ ~~absolute~~ absolute, or total amount of time to trial is suggested to ~~make~~ ~~prosecutions or courts delay~~ ~~irrelevant~~ are irrelevant.

or (B) (i) preceding delays by court or prosecution become irrelevant or are excused by subsequent delays

(a) total sufficient delays by court or prosecution are (counted) by (i) a measure of percentage or fractions of delay rather than if their delays contributed to delays by defense or itself sufficient to deny a speedy trial

~~Whether a court or ~~trial court~~ ~~higher court~~ ~~not~~~~

3 Whether "[appellate court] not hav[ing] the benefit of a Comprehensive Law Division opinion that ~~the~~ divides the overall delay into discrete periods and then explains and evaluates the reason for delay" (A) is irrelevant or does not equate to circumstances

(i) when prosecution (a) failed to provide such in their filing (b) failed to provide proof that their delays did not contribute to prejudices (etc)

(a) when such further burdens defense

(b) prosecutions failure to do such does not grant them yet another opportunity. Where such contributed to courts failure.

4 Whether ~~reason for delay is determinative~~ when (1) length of delay (a) implicated of at least one year ~~and~~ ~~presumptively~~ or (b) other factors of length implicated; (2) Assertion of right by at least once; (3) presumptive prejudice or actual prejudice implicated or no proof of ~~any~~ counter to usual prejudices by

prosecution is not rendered irrelevant due to
(i) mere reason for delay exists
or (ii) ~~lack~~ lack of reason having been provided justifies a
new consideration

5 whether a trial court failure to properly address the
barker factors in context of the prosecution likewise not
properly address the barker factors in brief makes a
court's failure irrelevant

whether a delay by defense to mitigate ~~or~~ or had been
used to mitigate prejudices by prosecution whether delay or other
source ~~within~~ do not count against a defendant but against
a prosecution?

Obvious violations of right to Speedy trial (14 to 22) (16 to 17)

Whether obvious violations of right to a speedy trial is ~~presumptively~~

(A) (i) ~~prosecutor delays of one case~~ include
(a) (14 1/2 months) to indict is entirely on prosecutor for indictment is prosecutors responsibility.
(b) prosecutor canceling trial invalidating preceding delay to trial for reason of wanting a superseding indictment lays blame on prosecutor for delays to ~~next~~ ~~trial~~ ~~scheduled~~ time to next available trial scheduled date.

(c) original delay to trial scheduled is inherently ~~labeled~~ on prosecution

(d) ~~defense counsel~~ new defense counsel asking for delay to evaluate case after original defense counsel gotten rid of during prosecutor delays.

(e) resorted to Counsel was either not optimal by delaying case or prosecutor caused delays otherwise.

(f) defendant himself filing for dismissal for of indictment for denial of speedy trial & subsequently filed to go pro se after much delay (approximately 5 years and 1 month)

(2) prejudices are obvious of presumption of

(a) defendant in county jail and circumstances of such for ~~11~~ years without release

(b) trial court ~~and~~ extreme general conditions of release of (i) no internet access, (ii) no contact with children under 18 years old, & (iii) no use of interactive video game consoles.

~~especially~~ ~~whom~~ ~~relates~~ ~~to~~ ~~children~~, ~~over~~ ~~the~~ ~~internet~~ ~~and~~ ~~over~~ ~~video~~ ~~game~~ ~~consoles~~ ~~as~~ ~~equal~~ ~~etc~~

generally relates to other people over the internet or through video games.

or general life style on the internet or on video games

like wise forms friendships with children or through such mediums

or advocates positions over mediums & to persons whom have not been corrupted to believe a premise disjointed and in contradiction with other positive & negative charge variables.

or finds entertainment plays with such category of persons or on such mediums (as so evident in this case)

(C) Such an accusation in current culture ~~(is not as the~~ ~~horrible~~ ~~citizen~~ ~~in~~ ~~ancient~~ ~~Rome~~ ~~etc~~ ~~etc~~ ~~(Acts 25:11-12 Acts 27:24, 28:21-22))~~ of porn, sex or obscenity or associations of such to with, for, from, of, by, etc children so prolonged

(d) suggestability & impact on children of association of such

(B) (i) prosecutor delays of (direct excluding indirect)

(a) ~~14 1/2 months~~ to indict

(b) ~~canceling trial dates~~ scheduled trial adding 9 months

(c) ~~canceling first trial~~ 6 months wait

(d) ~~Arrangement~~ (at least) approximately 2 months from indictment

(e) ~~prejudices~~

(a) defendant lost private counsel in time of original delay to indict

(b) defendant acquiring more charges in county jail

(c) defendant began violating court orders
etc

(d) ~~2 years~~ years to trial in context of (i) prosecutor delays or

(2) Court delays with (a) prejudices or (b) assertion of right or

(D) more than 1 year to trial (1) by prosecution themselves
(a) in simple light of ~~see~~ such case, ~~(b)~~ (b) prejudice to defendant
of such nature or (c) assertion of defendant's right

(2) by court with ~~(a)~~ (a) such prejudice to
defendant evident, or assertion of right by defendant

Remand for denial of speedy trial
inappropriate when prejudice is
clear (14 to 22)

1. Whether (1) when prejudices are clear (2) occurring within delay to a speedy trial (3) with prosecutor direct or caused delays, thereby eliminates necessity or remand back to a lower court or evaluation by other authority.

2. Whether prejudices are clear when

- (1) Review of entire record is unnecessary as by including but not limited to
 - (a) representation in finite parts of record
 - (b) lack of necessary finding in record at opportune time
 - (2) (c) not able to cite a necessary requirement in record as to an element
 - (a) contradictions in record from sole witness, or all ~~the~~ witness to a count.
 - (e) assertion ~~of~~ or manifest ~~of~~ occurrences of in ability to remember events or details, or etc
 - (2) Where necessary evidence of prejudice occurs
 - (a) Congruently
 - (b) Consecutively
 - (c) close to each other in record
 - (d) proven affirmatively (rather than lack of evidence)
 - (e) affirmative fact necessary yet not provided (as particulars)
- (3) If presumptively dismissed without prejudice
 - (a) some other kind of testimony ~~and~~ was unevitable

3 Whether the prejudices that need to be clear
for dismissal for immediate reversal ~~are~~ include but
not limited to
(A) Testimony in a porn, sex or obscenity by, to, for,
from or with a child or any associations of
(a) harm or belief of imaginary harm of
conduct from vicious circle believing it to be wrong,
evil, harmful or other negative ~~blameable state~~
to a value based on others artificial involvement
or opinion as police, law enforcement statutes
or culture.
That is accepting premise something is wrong
evil or harmful to draw its own conclusion thus a
vicious circle or without a ~~negative~~ positive that it
is negative to.

occurs less than half the time ago of supposed crime
(5) children unable to recall trial prep questions
(6) children or officers testified contradicting exhibit

changes their testimony mid-trial
(7) officers get caught getting many facts wrong
(8) officers get much time could get away with

rather than reveal what they think something is
(9) older could simply claim they were confused
(10) children as

not able to provide full narrative, time place preceding, etc
(11) the above evidence contradicts the trial evidence
(12) the above evidence contradicts the trial evidence
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(100) the above evidence contradicts the trial evidence

friends

(1) not able to provide full narrative, time place preceding, etc

particulars of occurrence

Some other bad and but contradicts its premise or can not be

(2) the above evidence contradicts the trial evidence

planning with defendant (as is infamously & repeatedly did)

occasions they also acknowledged coming for or

(3) children used terms of coercion when referring

or disputed facts of case

(4) Testimony consists of mere bad assertions

not really remember officers

(5) children themselves acknowledging they call

ed

as another

at rather than testing them or what thing they could

referred by court & prosecutor, they could simply deny

where the assertion of complicity from children is

tested as their complicity as a such aged child

not defendant in better light (IV) could not be

suggested soon (VII) dodging answers that would otherwise

otherwise suggest or make inferences, excluding or making

when different answers (I) avoiding answers which

not straightforward by (I) straightforwardly conflicting answers

(6) child as victim as well as perpetrator

Seriousness IS Complexity & Logistics 115 to 116

1 Whether "Considering... seriousness... [&]... Complexity [&] LOGISTICS" of a case are both the same thing as an argument attempting to provide a reason for a time period to trial.
more true or more false?

2 Whether "seriousness" is only implicitly demonstrated as lightment by investment of resources into investigation which is bought for complexity.
more true or more false?

3 Whether mere dictation by legislature or the powers of culture of (1) imposition of punitive measure (2) degree of aversity represented (3) extent of regulation, (4) obsessiveness of regulation, (5) hostility expressed, etc. or preposed extent or suggesting extreme extent of harm (irrespective of not defined) itself & artificially constitutes seriousness despite lack of single purposed investment
more true or more false?

4 Whether "Complexity [&]... logistics" considerations in ~~the~~ porn of, sex with, or providing "obscenity" to or any associated conduct or content of, to, for, from, by, with, etc child is (relevant to delay as violation of right to speed trial) and (not a real justification for a delay despite excuse)
more true or more false?

5 Whether ~~the~~ possession & distribution of child porn cases do not begin until ~~the~~ government possession, identification, & ~~the~~ discovery of means thus no formal accusation until all evidence on material accounted for.
more true or more false?

6 Whether in production, creation, etc & distribution & possession of pornography of an identifiable child case does not begin until (a) identification of the identifiable child ~~the~~ (literally not identifiable if can not identify) (b) a complaining person who was such child & (c) no evidence or contesting evidence of no harm or negative harm to a or of a child. Which is totality of evidence.
Other ~~more~~ than subliminal evidence.
More true or more false?

7 Whether "Sex" between child with adult cases do not begin until (a) identification of the ~~the~~ child (b) a complaint by the child ~~the~~ (c) no evidence of confusion of child of negative to such as the harm of such or negative from such. (with some exemptions)
more true or more false?

- 8 Whether possession of the totality of main evidence of a particular incident ~~just~~ prior to charge of such particular incident justifies any kind of delay? for or as "serious" or by complexity & logistics? more true or more false?
- 9 [Whether mixing possession, destruction or creation charges together is appropriate?]
- 10 Whether not actually performing such investments or waiting months after possessing evidence is an implication of seriousness more true or more false?
- 11 Whether if "seriousness" as justifying investment against evidence of no harm or evidence counter to harm ~~or~~ or "complexity" & "logistics" could ~~begin~~ ~~a complaining witness and all evidence begin~~ prior to totality of main evidence or identification of the identifiable child. Complaint by child and particular exhibits depending on type of case. (For content is a separate charge from conduct) more true or more false?
- 12 Whether subliminal evidence is such type of cases is merely ~~of~~ 11b or irrelevant to a particular incident? or prespective more true or more false?

FALSE COMPLEXITY

(19)

1 Whether "(2) the complexity and logistical challenges of an investigation that required forensic analysis of digital evidence uses to identify and locate out-of-state child witnesses" is invalid for

(I) (A) it is irrelevant

(i) for obviating "forensic analysis of digital evidence" is already fully automated, utilizing various fast means of going through documentation, pointed directly at context (not like sifting through a rug to find hair or researching an area for abstract clues) obviating in an ordered format, self dated, time stamped, and located. Have automated identification and recording systems, etc (b) in context of case criminal indicators are obvious of child porn or sexual references to sexual contacts, (c) user names especially of children are already identified with IP addresses, services and service subscribers with addresses (ie not requiring a random or brute force search. ~~etc~~ (even real life contacts are on phone, etc (d) encrypted data is meaningless to even try to get into until some clue is eventually given (usually by encrypter themselves) etc etc (2) "identify and locate out-of-state [especially] child witnesses" is (a) the same as in state child witnesses over digital medium (b) with associated user names ~~or services~~ or services procedure for identification is standard & and pointed to location without distraction or fluff (c) is in the image for recognition and verification (literally given all that is needed) etc etc etc (3) where of children of different incidences in time and place... thus need not be joined in single case by court (4) etc

(B) is inherently false

(i) ~~for~~ for child porn & obscenity there must already be a context for arrest for judge to be able to make a determination of probable cause

(ii) for sexual acts with child there must already be a particularly identified child whom is complaining of such incidences for arrest for a judge to make a determination of reality of incidences.

(2) (a) for production, ~~production~~ or other contributions there must be both indicators of (B) (1) (a) & (b) above

~~(b)~~ (b) for distribution there must be already the sent content and receiver or medium sent out over

~~etc~~ thus everything is led to other sources of evidence by subscribers, history, etc leading to witnesses

~~(c)~~ (C) usually subsequent evidence is merely off the cuff ~~as~~ lib neither complex, slow nor reliable.

(D) in sex exhibits usually evidence needs to be taken immediately (unless combined with some destructive violent force crime) and usually analyzed in standard format.

more true or more false?

(II) (A) is falsely premised in same testimony as uppelet ~~can't~~ can't gets ~~at~~ the substance of issue from.

(1) when (a) investigation is acknowledged to have occurred
quickly with vast breaks in investigation

~~XXX~~

New Charges do not
Justify Delay (20 total)
(on wrong premise by appellate court)

- 1 Whether "(3) new information provided by two child victims who had been reluctant ~~to~~ initially to reveal that they had been ~~at~~ [sic] urged to engage in anal penetration" is indistinguishable from result of prejudice, by delay to trial.
more true or more false?
- 2 Whether adding charges of conduct otherwise unevicenced to charges of different evidence is not itself persuasive to burden both in a verdict.
more true or more false?
- 3 Whether new charges has any justification for delaying former charges rather than replacing former for new completely.
more true or more false?
- 4 Whether exceptionally weak evidence ~~does not~~ does not justify ~~any~~ further or more delay?
more true or more false?
- 5 Whether charges that did not need to be joined to other alleged victims justified delay of other counts related to other state-victim-labeled-entity.
- 6 Whether an appellate court could make up facts of "reluctance" when no reason provided in testimony of such to suggest no violation of right to a speedy trial (or likewise "urged")
- 7 Whether an appellate court's vague citation of "reluctance" without cause of such "reluctance" or interpretation is ~~wrongful suggest~~ for vague a suggestion or use ~~of~~ in opinion.
- 8 Whether "new information" is a result of prejudice should be the first consideration for ~~granting~~ granting dismissal for violation of right to speedy trial. Not justification for denying dismissal as suggested.

/ presiding Judges
is irrelevant
(re wrong premise by appellate court)

1 whether "(4) the number of judges assigned to preside over various events" is (A) irrelevant (B) without need for personal history of a case but for considering violation of right to a speedy trial or effectuation of motion for Limine of trial or bail reduction or occurrences in same trial.

~~more relevant to prejudice~~
(3) ~~subject~~ no particular judge is necessary but one not prejudiced. (B) counter to suggestion
(B) (1) (B) suggests plausibility in case & court ~~then~~ thus should handle case.
(4) (3) (1) not fault of defendant
(B) (3) (1) delay by such lapse somewhat in favor for dismissal or indictment for violation of right to a speedy trial for absolute delay or contributing to prejudice (re not against ~~dismissal~~ dismissal as suggested)

Whether sheer number of
filing go back to justify delays
or has any effect when unaddressed
(ie wrong premise by appellate court) (20)

Whether "(5) numerous pretrial motion defendant
filed at all stages of the case" are (a) irrelevant
(1) when a single occasion of filing motions argued
over course of just two days prior to eventual re-
scheduling trial at 5 years & nearly 3 months.
(ie when the first or few motion filing stage was
either within an inevitable delay or superseded)
(2) when other delays were already sufficient to
find violation of right to a speedy trial.
(3) for a judge only has to review within the scope of
issue at hand
(4) when some [motions] were already encapsulated in
already existing delays by prosecution.

Whether an appellate court should not suggest bases for
denying motion to dismiss indictment for violation of
right to speedy trial is "(5) number of] pretrial motion[s]
defendant filed at all stages of the case"
(a) (1) when ~~suggesting~~ such suggestion is based on
irrelevant premises or false premises

Whether "extent... defendant asserts his... speedy trial right a defendant's filing of multiple indisputably frivolous motions weighs against a finding of violation" is irrelevant

- (1) when they are actually not "indisputably frivolous"
- (2) when there is otherwise a sufficient delay to constitute a violation of right
- (3) when a defendant files such after 6 years & such is argued in course of but two days [consecutively]
- (4) when motions are largely ignored & not addressed
- (5) when issues are bundled up with ~~disputable~~ indisputables

Prejudices more than impairment
to ~~of~~ defense (21 to 22)

Whether prejudices to constitute a violation
of a right to a speedy trial is more than or/
and other than merely impairment of defense.
As pretrial loss of liberty or complications to
defendant
more true or more false?

Whether impairment of defense includes
(1) additional claims of additional occurrences of statutory
defined acts ~~or~~ in number or type; (2) reversal from
denial or mitigation, (3) suggesting or asserting many, more,
or impactful or aggressive occurrences, or (4) inclusion of term
which tend to mean in other contexts mitigation, innocence, etc
more true or more false

Whether disadvantages claims made during a delay
which are inconsistent with previously suggested positions
(being inculpatory, aggravating or associations of inculpatory
or aggravation) are indistinguishable from cause of
delay
more true or more false

Whether if, a statement is (true or false) after a
delay is indistinguishable ~~from prejudice~~ (for independent evidence was not)
more true or more false?

Whether a statement made after a delay is
indistinguishable from a result of prejudice from a
violation of right to a speedy trial or inevitable discovery
(although unlikely)
more true or more false?

Whether (A) a defense having to resort to (1) a defense
or (2) implication of such a defense (B) that (1) the delay to
trial and (2) period of time had resulted in prejudice to the
defendant (C) including (i) suggestibility of case leading to belief
of guilt (ii) persuasion of case to testify falsely to guilt,
(3) demonization of (a) defendant or (b) associated conduct, maliciousness
developed, etc is a violation of right to a speedy trial.
By forcing a Court to make a credibility determination
or otherwise conflates the right with credibility
more true or more false

Whether (A) (1) Court having to make a credibility
determination of witnesses due to effect of a delay
(2) where prosecution had contributed to delay is (B) itself
prejudiced as a violation of right to a speedy
trial. (As by inconsistency or evident change in account)
more true or more false?

XXV

Whether if a particular cited defense is (not prejudiced by the delay), or (is not itself a defense)) does it then likewise invalidates consideration of any other cited or inherent defense to be prejudiced by the delay.

Whether inherent defenses without argument by defense apply to considerations of

- (1) insufficiency of evidence,
- (2) sources are "incredible as a matter of law" if otherwise suffering of evidence from sources,
- (3) defendant did not commit the elements of the offense
- (4) in cases of such ~~the~~ making it to trial of porn or sex of children or obscenity to children without pretrial dismissal for no violation of an interest of ~~compulsion~~ state of compulsion. thus guilt must mean result of no violation of such compulsion thus counter evidence to it negates guilt, it is violation of cited interest, & (5)

Whether ~~(1) no violation of interest~~ valid defenses are proofs of other

- (1) alternatives occurred rather than elements
- (2) such alternatives are either (a) confused as a crime or (b) either ~~so~~ maliciously taken advantage of to ~~as~~ confuse others as crime
- (3) no element committed indicated by (a) another person committed crime or acts that would otherwise be a crime either causing confusion defendant committed it or took advantage of as being the defendant including but not limited to a child acted of their own volition

"Unusual defense" addressed (21 to 22)

Whether defense using consent of children is not irrational (thus a valid defense strategy)

(1) For questioning in regards suggested or associated with consent could reveal

(a) avoidance of distinction of a fact or label which in other contexts is associated with mitigation, exculpatory or inferences from an aggravating, inculpatory or guilty; pretense, presumption, etc

(b) contradicting terms, other references which ~~the~~ implicate meaning of ignorance, confession, falsely claiming ~~no~~ pretext result of crime of harm of

(c) lied by conflation, citing association, concluding based on suggestion of evidence or out of context of its polarizing negative (ie consent contrary to supposed effect of or suggestion of not playing they are being coerced (as if had been acting coax in a pretend (ie not real) context)) [see 21T]

(d) elicits occasions in which defendant did not commit offense of child committing other elements of their own volition which maybe & thus suggests or associates defendant as committing offense when innocent ~~fact~~ [see 21T]

(e) when persons who had been children agree that they had consented, knew what they were doing, made a choice to do of their own volition, etc thus defendant did not commit element

(f) refute latter ~~element~~ or prior claims or testimony of "coercion", ignorance, etc

(g) refute presupposed premise of where harm began as to a certain point in which an associated harm existed, as a fear of what may ~~eventually~~ ~~occur~~ ~~in the~~ ~~base~~ mysterious harm may occur to their own future children

Whether "unusual defenses" are irrelevant to no prosecution proved case beyond a reasonable doubt & prejudice may cause synthetic & ~~false~~ invalid proof beyond a reasonable doubt

Whether no harm at all most certainly implicates no violation of state interest of compulsion of negative ability applied to a passive ability (in some entire exclusive category ~~the~~) or categories

Whether (A) no violation of (interest of state or compulsion) which is ((0 or -1) ~~negative ability~~ application of negative ability) ~~equating~~ (direction of positive ability of (some entire ~~variable~~ variable.) which in turn somehow (produces a negative ability equating to direction of ability of some other unspecified ~~category~~ performances, of unspecified category)) (B) is an ~~indirection~~ implication of no commission of act ~~of~~ of statutory definition.

Whether prejudice creates an illusion of justice in its most malignant form. Thus prosecutor burden of persuasion and proof beyond a reasonable doubt determinations are inherently irrelevant. Thus implication of prejudice to a defense must be inferred from other factors. Which are not itself insufficiency of evidence or other grounds for dismissal, but can be also. In cases of violation of right to a speedy trial.

~~Whether prejudice implications of prejudice to a defense is~~

more true or more false

Whether ~~prejudice~~ implications of prejudice to a defense is (1) acknowledgement of inability to remember.
(2)

Whether a defendant is inherently violated right to Speedy trial in context of (1) prosecutor is at least responsible for some delays, (2) prosecutor delays occurred first & (3) defendant ended up spending 7 years (4) prosecutors delays where over 1 year or inevitably resulted in over 1 year.

Whether inherently a defendant's ~~over~~ right to self representation is violated, by violating "pro se defendant's... right to control ~~the~~ organization and content of his defense, which includes questioning witnesses" (p635)

(1) when court orders a defendant to write out questions for his cross examination

(2) when a defendant opts for ~~stand-by~~ stand-by counsel's questioning ~~with~~ with specific questions stand-by counsel develops his own questions, order of questions, etc

(3) when ~~cross-examination~~ recross occurs there is little to no possibility defendant developed questions

Whether it is fair to burden a pro se litigant in a county jail to hand write questions for his defense.

Whether a narrative is inherently affected by another person here the stand-by counsel's own questions.

Whether a court has a presumptuous greater right to control mode and order of witness interrogation over a defenses right to cross examination

Whether a court ~~not~~ regulating what is not exclusively or otherwise not prohibited or necessarily inclusive or otherwise necessary, but presumptively would be or associated with as a defendant's or regulating broadly

Whether a court's right to control mode and order of witnesses ~~does not~~ interrogation does not include right to control questions, or narrative.

Whether a ~~court's right to control~~ defendant has a right to control his own pro se testimony. And any regulation as anywhere are set in abstract law of particular context either exclusive or inclusive or during trial itself amongst mistakes.

Whether trial court ordering pro se defendant to write out questions & use standby ~~pro~~ counsel to question defendant is not reasonable control but excessive & presumptuous control.

Whether trial court ordering defendant, pro se to write out questions & use standby counsel to question defendant is not in the court rules & would be arbitrary if where.

Whether defendant's writing of questions would be different than if testified in narrative fashion

Whether defendant ~~maintains~~ (1) not being re-crossed, (2) having to object after questioning in front of jury, (3) being questioned by standby counsel without jury informed pro se defendant consented, etc. are presentations to the jury the pro se defendant did not have control over his defense

Also (4) pro se defendant being lost in broad general questions by defense counsel.

Waiver of counsel is invalid
& Defendant is forced counsel for motion
(22 to 24)

Whether a defendant's counsel files a motion
Defendant files for new counsel or self representation.
Months go by. Defendant takes competency psychiatric
more months go by. Court then hears counsel
motion than defendant's other

Whether a defendant's presupposed or assumed
awareness of the risk, pitfalls, and offenses charged*,
or defendant's assertions thereof are entirely
irrelevant, ~~but~~ to knowingly & voluntarily waiver of
counsel. In fact a defendant could actually be aware
The issue is whether the record provides a proof
that defendant knew such.
More true or more false?

Whether level of specificity for "(1) the nature
of the ... possible range of punishment" ... DeBois, 189 N.J.
at 468-69 [Prosecutor Appeler Response Brief 24] ~~require~~ statutory
imposed regulations of conviction (which are already
vague & general not encompassing procedures & locations
manifested within applicability of authority of such statutes)
more true or more false

Whether "(1) The nature of the ... possible range
of punishment" is restricted to merely the prison sentence
length of time.

Whether an inaccurate range of possible punishment
constitutes as "(1) The nature of the ... possible range of
punishment"

Whether an appellate court not addressing substance
or particulars of issue is actually ruling on issue at all.

Whether "(1) The nature of the ... possible range
of punishment" encompasses (1) sentence ~~range~~ of time
confinement to prison for a fourth degree charge (2)
possibility of consecutive sentencing (3) exposure
to NERA possibility of a special ~~non-offense~~ [non-offense
treated as] offense (being a negative to) of sex (literally
meaning negative to sex) prison (4) exposure to restriction
as offender to sex (again negative to sex) "Megans Law"
(5) Parole Supervision for LIFE, and (6) possible civil
commitment.

Whether a different proceeding where defendant did not acknowledge awareness of (1) NERA or (2) anything else justifies a judge's failure in a self representation hearing or after a superceding indictment or with new charges & counts or ~~or where there is no issue~~

Whether a defendant's general belief of doing the "right thing" "no matter what the consequences" supercedes particular application,

Whether ~~as a matter of course~~ "review[ing] any available offenses" is satisfied by a suggestion of no defense available [prosecution appeal brief pg 28] by appellate court's silence

Whether court should have attempted to correct thus learn what defendant meant by presupposed "Plowed defenses" (06/18/20) of consent by children's own volition acts thus defendant did not commit or no violation of interest of state or compulsion at the time by implication of contradiction of such harm or no perception of such at time or the opposite of conduct causes harm. And the ~~same~~ charges in order to go to trial necessitate such. Thus lack of it means no ~~one~~ crime, etc. Etc. more true or more false?

Whether "review[ing] any available defenses" is not satisfied by neglecting defenses which includes severance of the charges

Whether a defendant's non-adherence to a defense as in State v King exempts a judge from questioning a defendant of awareness of such defenses.

Whether zero commission of offense is always inherently a defense & proof of negative commission or alternative occurrences to commission (as evidence is misinterpreted, only works with assumptions, a product of prejudice, suggestion ~~or~~ confusion, etc) or the result of crime (here harm not occurring is proof the crime) did not occur? Is always a defense, even a stronger defense than plain denial.

XXXXIT

Whether a courts & prosecutors (apparently both jurors & media) refuse to believe "consent" includes categories of own violatory acts which lead to confusion defendant instructed or bases of maliciousness (in context of negative of culture) to accuse defendant; ~~consent prohibition~~ or general consent prohibitions require certain evidence indicating suggestion of inability to understand harm ~~was~~ required to be understood and analyzed (whether accurate or not) in pro se inquiry

Whether courts & prosecutors ~~(P638)~~ (P639) refusal to believe no violation of purpose of statute permit to presupposed violation of compelling state interest in a trial setting implicates there was no violation of statute irrespective of evidence to the contrary (ie no harm* is no guilt) which should have been analyzed and addressed in pro se inquiry.

Whether general assertions by a judge of instructing jury as to the law or following the law is not an inquiry to defendant of particular defenses.

Whether an appellate court should project a cultural confusion or deception resulting in hostility as alleging defendants purpose was to advocate his beliefs rather than consider if defendant understood self representation.

Whether a defendant is unmeritorily, or presented general notions of some mysterious disadvantage, inadvisability, etc constitutes as "(6) the reality that it would be unwise not to accept assistance of counsel." or (5) or "(4)" factors.

Whether defenses "itemized" topics where "critical to securing a valid waiver" (P632) to pro se, self representation.

~~XXXXX~~ Whether statutory ^(provisions) ~~imposed~~ or rules imposed per conviction including but not limited to (1) sentencing range & individually including an up degree (2) sentences could run consecutively rather than a mere sentencing contemplated ~~per~~ range (3) carried a mandatory 85% time, N.J.S.A. 2C:43-7.3; (4) means Law N.J.S.A. 2C:7-2, Parole Supervision for Life, N.J.S.A. 2C:43-6.4 (5) subject him to Arson ~~sent~~ sentence N.J.S.A. 2C:42-5 (6) allow state to seek involuntary civil commitment N.J.S.A. ~~2C~~ 30:4-27.24 to -27.28 or any other "possible range of punishment"

Whether a Court (i) not hearing defendants full description of each count including (1) ~~the~~ first degree ~~the~~ or (ii) by interrupting it (2) whether proof of sexual stimulation or gratification is ~~an~~ irrelevant to first degree defense (06 17 18) (3) not hearing any but one second degree NSA 20:24-46(4) & 14-26 ~~deleting or any other defense descriptions~~ (4) ~~deleting or any other statute~~ (4) not hearing descriptions of other statutes

Whether a Court must advise a ~~pro se~~ defendant of right to severe charges related to different children or events, to go pro se

Whether a Court must understand the context of defendant's assertions of children's factual consent as categorical to child ~~ex~~ meeting of own volition thus defendant had not committed, children were not harmed thus defendant could not have committed offense. by inference, that a mistaken belief of consent is a mistake of law or fact for not that the act of civil disobedience which is zero ~~sexual pleasure~~ purpose of sexual stimulation or gratification and negative evidence of it did not apply to the anal penetration.

Whether a Court must understand and thereby assure defendant understands that a purpose element can not be one of your motives (which physically is impossible to have two motives)

No Overwhelming evidence, or not "unusual defense" premise, ~~questions~~ or not not prejudice by delays. Regarding defense by no harm (21 to 22) (34 to 37)

1. Cultures premise of ((harm) or (violation of interest of state of compulsion)) ((believed) or (supposed)) to be derived from ((porn" of), ("sex" with), ("obscenity" to) & (any other associated conduct or content with, to, of, from, by, for, etc)) children
 (1) is used by children or adults of such children to conclude such harm or violation of ~~compelling~~ interest of state of compulsion (a) from general culture

[J.S. 21T: 16-12-17-1, 35-6 to 15, 37-7 to 18, 40-16 to 41-1, 42-10 to 17, & 43-4 to 25]

(b) a culture as police conduct or unaided general premise
 [C.G. 22T: 13-5 to 11, 20-17 to 19, 21-21 to 22-12, 38-25 to 39-3, 41-17 to 25, 43-20 to 21, 52-9 to 13, 44-14 52-14 to 20, 52-24 to 53-4, & 59-9 to 12] & [28T: 36-20 to 37-3]
 [A.S. 28T: 35-3 to 5, 35-10 to 11]
 [Z.M.]

(c) threat suggested by illegalization
 [A.S. 28T: 34-24 to 25, ~~35-6 to 7~~
 [Z.M. 28T: 35-24-25] [24T: 37-2 to 38-~~25~~ 25 / 38-14 to 18]
 More true or ~~more~~ more false?

2. No ((violation of interest of state of compulsion) of (case at trial) of (case of ("porn" of), ("sex" with), ("obscenity" to) & any associated other associated conduct or content with, to, of, from, by, for, etc) children) necessitates such criminal conduct did not occur. Else should have never been ~~initiated~~ as a constitutional violation
 more true or more false?

3. (Regulation, illegalization, aversity, etc) ~~is~~ negative ability
 Harm is negative ability ~~to~~ a positive ability
~~Harm~~ (Regulation, illegalization, aversity (by government) to etc) "porn", "sex", or "obscenity" (of, to, by, for, from, ~~with~~, etc) a child is supposed to be ~~for~~ harm from ("porn", "sex", "obscenity" or associated conduct or content of children. Not harm to or regulation, illegalization of or aversity to or other negative to it.
 more true or more false

4. Harm to it resulting in harm ~~to~~ to a child is not a harm ~~to~~ to a child from it. But harm to a child from negative to it
 (ie ((-ability = direction / x) = result / (-ability = direction / child)))
 = ((0 or -1) (-ability = direction / child) = direction / x) ≠ ((-ability = direction / child) = direction / -x))
 More true or more false

5. Accepting something ^{that is} good, right, ability etc (positives as it to itself is itself) as ~~negative~~ that's negative, evil, wrong, harmful, etc (negatives as it to itself is not itself (as wrong to mean the position of wrongfulness is right) is itself ~~evil~~?) wrong, harmful etc (ie negative)
(ie premise $(\text{good} = (\text{evil} = -\text{good})) = (\text{good} / -\text{good}) = -\text{good}$)
more true or more false?

* 6. Children accepting associations of porn, sex or obscenity to, with, from, for, by, of or etc children selves as evil, wrong, or harmful to be harmed, feel it is wrong or evil is both a vicious circle and itself harmful, evil & wrong.
More true or more false? (if existing or happening = -existence or happening)
means/- supporters = (-existence or happening) = -supporters = (harm = supporters)

***** 7. Culture presenting premise sex, porn or obscenity to, with, of, for, from or ~~by~~ etc ~~child~~ being accepted by child ~~creates a vicious circle~~ as harmful, evil or wrong to the child itself harms the child and leads to child believes it is evil & wrong in an illogical violation of reasoning in a vicious circle
more true or more false? $((1/-1 = -1)/1) = -1 \dots$

8. No evidence of harm (or a degree of a violation of an interest of state of compulsion) or counter evidence of such is ~~counter~~ counter evidence of guilt of porn, sex, or obscenity to, of, for, from, by, with, etc child.
more true or more false?

9. Childrens harm derived from or supposed from porn, sex obscenity or associated conduct or context to, with, for, from, by, of etc children is negative support ~~to it~~ to it Negative support ~~to it~~ to it is aversion to it. Culture teaches children to be averse to it.
more true or more false?

10. Children here had not been harmed until cultures artificially induced aversion, implemented in context of this case.
more true or more false?

11. Counter evidence or negative evidence is stronger evidence of innocence than no evidence, or assertion of zero guilt
more true or more false?

XIL
WIL

1 Whether concluding overwhelming evidence is (1) both (a) concluding sufficiency of evidence, and (b) that the credibility of that evidence representing guilty is overwhelming, or (2) (a) are concluding credibility and (b) the sheer number of representations in evidence or number of sources is overwhelming which the preceding or the latter?

2a Whether overwhelming evidence is (i) overwhelming evidence of representations of innocences, (a) overwhelming some unrelated things (as here ~~const~~ apparently here constitutional rights (which is not evidence)) or (3) overwhelming ability to rationalize themselves.

When ~~is~~ is most true the first, second or the third? (ie ~~overwhelming evidence~~ idea / overwhelming = (credibility / evidence / representations) (guilty > innocences) or (guilt > the rights / constitution, etc), or (guilt = ~~0 rationality / court~~ (0 or -1) rationality / court (ie not rationality of court))).

2bi Whether rights of a defendant can not be overwhelmed by credibility of guilt (as an unrelated thing) or representations, more true or more false?

2bii Whether evidence of guilt that overwhelms evidence credibility of evidence of representations of guilt or innocences is merely a preponderance of evidence credibility determination for proof more true or more false?

2biii Whether any evidence that overwhelms a courts composity to rationalize itself invalidates the trust of courts conclusion, more true or more false?

Whether overwhelming evidence can not exist when (a) there is no credibility (i) when all the witnesses to a ~~count~~ ~~contradict each other~~ themselves ~~(as when a witness who~~ ~~does not~~ witness to a count jury found defendant guilty for contradicted all the witnesses to another count) (b) when count (a) contradict themselves at the same trial (b) contradict ~~an witness~~ other witnesses who testified to counts a jury produced a verdict for (c) previously provided inconsistent statements or did not provide a statement at opening time and ~~enter~~ (i) did not provide a reason a what thing changed or eliminated the which previously prevented a statement or (ii) such a reason is vague or not explained (d) contradict exhibits implication or suggestion without

explaining misinterpretation of exhibit. (e) contradicted an implication of an exhibit ~~but not~~ but not disagreeing with authenticity of exhibit or were using the exhibit as a point. (f) exhibit is used by prosecution as authentic yet implications of exhibit contradicted implication of witness, child victim. (g) ~~when only one witness testifies to an event~~ ~~supposed occurrence being real~~ (h) ~~when only one witness testifies to a supposed occurrence being real and (a) allegations differ~~ (i) ~~there is insufficiency of evidence (j) no one testifies to~~ (B) there is insufficiency of evidence including but not limited to (1) no one testifies to count (2) there is no time, place or circumstance (3) the conduct is insufficient to be an offense (4) there is no narrative to events etc, etc

Whether the court can not make a determination of how much some value of credibility exists. Except for negative absolute value of any amount as "incredible as a matter of law" Thus an unknown absolute value. And can not assign valuations of credibility of a certain value. Or in some cases whatever the value maybe one is more than another in "counter to weight of evidence" By some logical standard (which is meant to preserve rights not take them away)

Whether a court claiming overwhelming evidence is establishing some certain value of credibility

Whether a court can make a credibility determination to remove or alienate rights.

Whether "overwhelming ~~on~~ [credibility]" ~~can~~ ^{must} meet (A) the outage, rule of thumb for credibility of (1) verifiability (2) non contradiction previously or subsequently (3) no alternative motive (4) & (B) some other standards

Whether overwhelming evidence has any definable characteristic and if so effect in trial.

Whether conclusions of overwhelming evidence is just merely confusion, confused persuasion, conviction by theme, or other invalid means of thought.

Failure to Severe (26 to 30)

Whether ~~the~~ predispositions to commit criminal acts is

- (A)(1)(a) holding view points & or (b) advocating positions of
 (2)(a) a social association with or relating to and
 a sexual preference for children called "pedophilia"
 (b) and other attributes associated as "pedophilia"
 (c) "sexual attraction to young [sic] boys"
 (d) "[belief] of] right to perform [acts] which others
 (inconsistently) define as criminal
 Or (10) Things not alleged to be some kind of crime or even
 a crime at all.

Whether defendant has right to control his
 defenses for each count. Thus how and where to attach
 each count. And joinder as inferring a predisposition
 or tendency violates right of defendant by conflating
 one defense with or against another particular incident.

Whether defendants view point or ~~advocacy~~ advocacy
 is a defense when such (1) explains the associations of
~~with~~ defendant with type of criminal act as by
 (a) suggestibility (b) blaming defendant for another act,
 (c) taking advantage of suggestion or association to excuse
 defendant (d) confusion of defendant as culprit,
 (e) etc.

Whether defendants view point or advocacy is
 (1)(a) different enough ~~to cause or target~~ (b) tendency to be
 targeted to such, as such (c) etc

~~*****~~ Whether a jury who would conflate defendants
 inherent, intrinsic, instinctual, immutable, etc traits
 or constitutionally protected rights as or with a
 predisposition should not be allowed in a jury as
 prejudiced

Whether defendant denying elements of crime
 or not asserting to guilt of elements of crime is
 not a predisposition

Whether a jury who would conflate defendants
 view point, advocacy or immutable, etc traits as elements
 of crime should not ~~be~~ have been used as jurors.

Whether the defendant discharging associated types of crimes or other crimes should be affected by guilt determination of another.

Whether defendant's guilt of (1) a particular act, (2) type of crime, or (3) with or on particular child should not be used to affect another.

Whether defendant should be denied the right to pursue separate means of defense needing a supposed predisposition of one to prove another change is false?

Whether child "sex abuse" cases involving multiple ~~alleged~~ [accusers as if] victims are ~~exempt~~ not exempt from protection of not joining cases or are not not susceptible to prejudice of predispositions by joining cases

("sex abuse" encompassing the term for pornography of ~~other~~ persons between ages 0 to 16 years old, or sex with or "obscenity" to or associated conduct or content)

Whether an abstract, highly broad, referred to by not stating or censoring, etc. concept or subject of sex, pornography and obscenity ~~are~~ joint for such qualities are ~~not~~ clearly capable of producing an unjust result? Whether relationships of participation of ~~the~~ state-victim-labeled entity or their own commission of similar acts joint with similar charges do not cause confusion or contradiction of defenses thus are not not capable of producing an unjust result?

Whether testimony of or by persons whom had been children at the time of not traumatic at the time in long distant past joint a ~~result~~ not clearly capable of producing an unjust result?

Whether any other type of case could be more dangerous, unjust or prejudice by joining.

Whether a relationship of such complex interactions as pornography, sex, obscenity or associations of such could not create mixing up, confusion, contradiction, etc. ~~not~~ not not clearly capable of producing an unjust result?

Whether this instant case proves joinder of such charges are "clearly capable" and do "produce an unjust result?" as contradictions in some trial with themselves or others who were also relied on, etc.

Whether in such a case joinder becomes merely
(1) number of allegations, (2) theme of allegations, &
(3) number of claims

Whether case mattered too long & associated for one consideration of ~~particular~~ particular accusations.

Whether defendant's input of predisposition is irrelevant when case had already been joined and not severed counts sua sponte

Whether that "similar character" of joined counts & itself creates a predisposition that such is a characteristic of defendant

Whether already joined counts denies defendant opportunity to demonstrate credibility acknowledging similar allegations or behavior.

Whether issue of predisposition is an issue of prejudice Thus each & any additional predispositions asserts a general persuasion of guilt rather than particular evidence of particular occurrence & that evidence's credibility.

Whether predisposition creates a false perception of credibility by multitude of accusers

Whether a defendant ~~is~~ supposing to have had "[Criminal] sexual relations" with lots of children all before 21 years old & not complaining despite would probably be believed, etc in which children testified to would make a single ~~an~~ adult who was a child seem less credible than to have actually multiple in a single trial.

Whether a defendant suggesting some vague concept of sexuality not specified by particular conduct or means of interperstation is not acknowledgement or putting forward a predisposition for specific types of conduct in which is ~~explicitly~~ defined by statutes categorized as criminal.

Whether evidence was found on some categorization of medium or conflated location as electronic equipment as a hard drive or means of ~~act~~ supposed acts of statutory defecation are likewise by some supposed categorization of medium or conflated virtual location as on an ~~assess~~ Xbox or some generalized, conflated, defragmented time frame or where revealed by another investigation or chosen to be jumbled together by police investigators do not make the case "similar" (Pg 40)

Whether evidence in which other self-identified or prosecutor state-victim-labeled entities did not interact with had no specific or direct knowledge of, not done ~~directly~~ directed at them, etc would be used in each others trials entirely or permissible in trial

Whether joinder of "sexual assault" (as hypocrites who say a negative is passive, etc) & "child endangerment" (again accord by hypocrites) is improperly joined when no evidence of such "sexual assault" is in the "child endangerment" content. Thus inherently vice versa. (It was a big problem)

And whether "sexual assault" accusations beyond then "child endangerment" occasions captured in imagery. (Quotes are for capturing of ~~entirement of statute~~ named title of statute by such pervayers)

Whether it is fair for appellate court to hold two incongruit & contradictory positions both implicating acknowledgement & understanding of why no harm is relevant, child acting of own volition (ie consent) and other implications of why children would now claim crimes occurred when they did not or where not harmful? etc. ~~But also say~~ Implicated by suggestion of strategy (Pg 41) in context of defendant choosing. And yet also claim by suggestion improperness of defense strategy (That they understand how it works.)

Whether it is fair for a trial court not to sever prosecutor joined charges than blame defendant for the use of such joined charges ~~than blame~~ ~~by going~~ back in time and justifying the courts refusal to sever or prosecutors joinder or joist actions.

Whether here in this instant case, there is (1) no connection between testimonies of any particular instance supposed to be a criminal offense, or (2) no independant evidence corroborating [interactions] [any of the] ~~unlike for the [four] [state-victim-labeled entities] (P643)~~ [particular occasion] of the [four] [state-victim-labeled entities] (P643) to constitute prejudice

Whether even if there is (1) a "connection between testimonies [that do not ~~completely~~ contradict (see AUG 26 2020 petition attempt filing)] joined counts... and (2)... independant evidence corroborating] [the four] [state-victim-labeled-entities] (P643)] Joinder would still be inappropriate for there is a difference in time, [virtual] place, circumstances, or many of the contlated accounts are as so seprated. As to create overwhelming prejudice in any other alleged account or generallity.

Whether other bad acts ~~is not~~ warranted evidence for such joinder of ~~sex~~ child's sexual relations with defendant or child's involvement in production of child pornography is clearly out weighed by prejudice. By (1) presumption or presupposition of a child's innocences, (2) already social mounting pressure to find defendant guilty, or etc, or defendant is otherwise identified having such (3) a persuasion, ~~and~~ ~~del~~ (ie complicity of mind set), or (4) combining witnesses as victims in same trial is something more persuasive or (5) the conduct alleged is so involved & extent so greater in child sex, pain or obscenity and so distiguated from ~~the~~ ordinary circumstances ~~and~~ that another accusation of another, destroys hope of justice over issue.

Whether an interview, general or ~~comprehensive~~ ~~man-diametric~~ time frame ~~of~~ ~~or~~ distinct & seprate occasions or by same or similar instrument or stratagies (but produced at different times, places and courses of events (as vire xbar or by means of speaking, etc (ie broad unrelated generalized circumstances))) or (apparently) a similar relationship ~~perspctive~~ in some abstract way but seprate means, instances of conduct, & or paral interactions does not warrant joinder

Whether a Court must (be able therefore actually) cite
a specific occasion of a joint engagement between the
children in the same time, [virtual] place, manner & circumstance
to begin to consider joinder. (As if I GWS had them
engage in sex with each other (otherwise it is seprate?))
True or more false!

Whether a case of counts of joint charges ~~must be~~
evidence must be limited to joined charges, occurrences,
not go to parol or seprate incidences.

Quasi Expert Testimony to ~~Prohibited~~ erroneous evidence. (31 to 32)

Whether improper means of persuading a jury to find a guilty verdict (especially in something as abstract, broad and associated as sexuality) is not permissible irrespective of ~~implied~~ assumed high character witness having no ~~an~~ rational explanation or caught to "open the door" (As ~~the~~ the Oevidence Court as 1 evidence or Child & Sexual Abuse Accommodation Syndrome evidence)

Whether "opening the door" applies to

- (1) no evidence premised as evidence
- (2) both lack of evidence & existence of such evidence are interpreted as guilt (thus such evidence is irrelevant)
- (3) to pseudo or quasi expert testimony
- (4) presumptive evidence was (a) presented from a source whom contradicted themselves mid trial
- (5) derived from circumstances which are conducive to result from prejudice
- (6) evidence is indistinguishable from result of prejudice cause of prejudice
- (7) unrecorded conversations of investigative incidences of a person when a child whom had sex or been in production of child pornography (both abstractly referenced)
- (8) suggestibility or implication of evidence of innocences (thus would (in logical theory) open the door to any & all references of guilt)
- (9) Particular incidences which merely suggest contradiction
- (10) abstract, or general or opinion evidence
- (11) when occurs razor, or the argument with the least number of assumptions is not what door was opened to.
- * (12) when the evidence is ~~prohibited~~ prohibited by law as invalid or irrational
- (13) ~~the~~ circumstances of previously contradicted evidence
- (14) etc

Whether a detective is not presented as an expert witness by Court in a trial is irrelevant

- (1) when the detective (a) presents themselves as expressed (or nature of job makes such a suggestion in official position)
- (2) when testifying to a personal experience ~~ten~~ of tendency of fact, thus opinion of imaginary cause.
- (3) when 'seen as high character by position, job & or sense presents status in community.
- (4) complex trial ~~the~~ as by (a) multiple alleged victims,
- (5) diverse detectives (c) complex means of contact & relations
- (6) etc
- (7) where jury may forget, or confuse who was an expert
- (8) where jury is not familiar with means expert
- (9) etc.

Whether a remark ~~can~~ is isolated when such remark is used to
by as reason
(1) justify ~~prosecution~~ (a) inconsistencies as prior statements
(2) explain why evidence & how evidence of a count exists currently
(3) to rebut a defense tactic
(4) was alluded to (a) by both parties prosecution and defense or (b) multiple occasions
(5) is to negate improper influencing of witnesses
(6) is the underlying reason for such witness to be called upon by defense.
(7) is relevant to a large portion of testimony
(8) contradicts that witnesses former statements in same trial once the reason for former questions becomes apparent.

Whether (a) propelet court claiming overwhelming evidence and emphasizing or exaggerating as to misdirection and persecution (b) when such was (i) the least general description of conduct (actually not at all) (ii) not independently claimed by witnesses (3) what was the most inconsistent (4) what was contradicted by only witness or a witness of another count (5) was unlike other descriptions of children of some crime within nearly invariable limits; (6) not demonstrated in any exhibit (7) not claimed by witnesses before observing or knowing of exhibits but conduct in exhibit claimed as children (8) what was only initially revealed in unrecorded or after unrecorded communication (9) was initially claimed years later (10) what could not be described in any time, (virtual) place, or circumstance, (11) what further inquiry demonstrated other children satisfied was the occasion described (12) when claim (a) matches words used in statute (b) transforms into claim of other child witness (c) description does not work unless persecution is promised, as activity to persecute where claim itself would not be instruction to persecute (13) when no witness or exhibit claims or demonstrates occurrence of count with particular child, (14) defendant denies element (15) defendant provides alternative possibility when child as an adult maybe confusing other incidences (16) etc (c) demonstrates willful deception & disregard for defendants constitutional rights & unfairness. (17) whether such invalidates courts opinion (18) for being the least true if assumed true by ignoring necessary implication of invalidity.

Whether a tendency* of no reason (as in C.S.A.A.S.) therefore becomes a reason in violation of second law of reasoning. (And therefore tendency would be not reasoning.) more true or more false? To justify inconsistent statements as reasoned or add credibility

Whether a Detective both claiming they the Detective asked the victims and would ask such victims [improper] questions [suggesting] other incidences or crimes than denying it and claiming they asserted such on their own (consecutively (ie within the context of that time frame) etc, etc (literally)) ~~And~~ And add children tend to or lessor not unusually not immediately disclose penetration to prove her contradiction that benefits prosecution. Is not exempt by isolation, overwhelming evidence (of evidence that ~~does not exist~~) does not exist, opening the door, ~~or~~ evidence use is exempt under use, or Detective not ~~as~~ described as an ~~expert~~ expert witness

Whether "overwhelming strength of the states case" (overwhelming evidence) exempts admission of prohibited evidence when

- (1) such imaginatively constitutes an a reason for prior inconsistent statements ~~where name is cited~~ irrespective of fact name where cited or relatively.
- (2) ~~where name is cited~~ imaginatively justifying other insufficiency of evidence as sufficient.
- (3) proactively affirming or supporting evidence which has negative credibility, against it as silence or inconsistent statements

★ Whether delayed disclosure justified argument ~~of~~ ~~or~~ tendament to C.S.A.A.S.

★ Whether ~~proper~~ use of "evidence" akin to C.S.A.A.S. is prohibited by witnesses act both in a position to act as and are acting as an expert

★ Whether ~~of~~ comments as Detective Tozzi's are ~~brief~~ not ~~brief~~ brief and whether brevity of comments is irrelevant

★ Whether the ~~of~~ strength of the states case is not overwhelming & if so whether such is irrelevant for use of evidence akin to C.S.A.A.S.

Whether defendant had "opened the door" in these contexts & if so whether an opened door is irrelevant in these circumstances.

Whether ^(b) Detective Tozzi's ⁽¹⁾ ~~testimony~~ ^(a) ~~testimony~~ ^(a) related to delayed disclosure ^(b) related to ~~the person's~~ ^(a) ~~personal experience~~ ^(a) related to ~~the person's~~ ^(a) ~~personal experience~~ ^(a) and ^(a) ~~was~~ ^(a) ~~at no time presented as an expert witness~~ ^(a) & ^(b)

★ ★ ★ ★ Whether (I) (a) "Detective Tozzi's" (i) "[testimony]" (a) "related to delayed disclosure" (b) "related to ~~the person's~~ ^(a) ~~personal experience~~ ^(a) and (c) "was elicited in response to defendant's suggestion" and (a) (a) "at no time presented as an expert witness" or or and (A.2) (i) (a) "the comment: smiler (b) "brief comment" = not related not focus & shard (i) (a) was off (i) "interviewing young sexual abuse victims" and (ii) "their reluctance to disclose sexual acts" and ~~unusual acts~~ ^(a) ~~acts~~ ^(a) where "masturbation" and "anal self-penetration" ~~and~~ and (b) [not] that [the person of issue] had attempted to improperly influence the children" and (ii) ~~transact~~ ^(a) ~~asking them~~ ^(a) questions about sexual penetration" which would "circumstances" that no improper bolstering of the state's case occurred" or (II) "Detective Tozzi's" ^(a) ~~testimony~~ ^(a) (i) was (a) "brief" ~~and~~ ^(a) ~~isolated~~ ^(a) and (ii) in context, with (a) "overwhelming strength of the state's case" (b) which was "with respect to defendant's role in inducing the child victims" ~~to~~ and (c) was "to video record themselves" (d) "in the act of masturbation and anal penetration."

★ ★ ★ (I) Whether (A) ~~Detective~~ evidence would have to have included (a) testimony of ~~personal experience~~ ^(a) ~~examples of personal experience~~ ^(a) ~~behaving how about the children of children~~ ^(a) ~~disclosure of instructed masturbation and penetration in which~~ ^(a) ~~was evidenced to have occurred absent such delayed disclosure~~ ^(a) and ~~did not~~ ^(a) ~~disclose~~ ^(a) ~~only after~~ ^(a) ~~revelation of such evidence~~ ^(a) to them (not afterward) and that such delay was typical (B) such testimony was not influenced by experts. And (II) whether such testimony of professional job and tendency amounts to expert testimony. (professional job + tendency = expert)?

★ ★ ★ Whether (i) one of the two referenced children denying such occurred in video at all ~~barren~~ ^(a) ~~invalidates~~ ^(a) ~~appeal court position~~ ^(a) or (a) absent ~~such~~ ^(a) ~~what~~ ^(a) ~~such~~ ^(a) ~~government influence would~~ ^(a) ~~have caused if true~~ ^(a) ~~no evidence would exist~~ ^(a) ~~invalidates~~ ^(a) ~~appeal court's opinion of harmlessness of testimony~~ ^(a) ~~promising~~ ^(a) ~~or~~ ^(a) ~~concluding~~ ^(a) ~~alternative means of discovery of evidence.~~ ^(a)

Whether fabrication irrespective of intent, mistake, etc by pliability from cause or delay or delay in reporting from some cause (ie $(x) \rightarrow x(x)$ up to a context) in porn of, sex with or obscenity to a child (A) is irrelevant for

(1) both occurred in delay ~~etc~~ (which should not have occurred or would cause such prejudice irrespective of evidence heard)

(2) one possibility is false & other indistinguishable.

(And certain one would be prejudiced) ~~etc~~

(B) Does not justify Andrea Tazzini's testimony

(1) fear of indistinguishable cause

(2) where verification of cause is not relied on or relied on from other evidence

And (3) or mere possibility, not observation

Whether indistinguishable by no separate source of cause or evidence to the opposite opens-the-door to speculation, or suggestions of possibility.

Whether an accuser who is currently alleging to have delayed reporting needs a ~~diagnostic~~ diatomic reason (ie a variable which when circumstances change its opposite causes the effect of reporting from not reporting is true in every case and defined by such a cause (ie "I grew up" is false because its irrelevant for others grew up and not reported or others reported it when did not grow up. Or I was embarrassed is false for they still are embarrassed, etc)) for supposed delay

~~***~~ Whether truth of the children's actual pliability to a question & control by prosecution could ~~be say~~ "open-the-door" to suggest something opposite of that proof or evidence. Especially since case works only by premise of current pliability.

Whether concluding "opening-the-door" and isolation of comment are ~~both~~ contradictory positions. Where opening-the-door is inherently interrelated.

Whether a comment could be isolated when related to reason "proof" is supposed to exist. As the CSAA is used to explain delayed disclosure to explain both inconsistent prior statements or silence.

Whether childrens pliability of alteration within time
to prosecution persuasion or premises of ease and associations
isn't contested by narrow ~~delayed disclosure~~ or abstract
presupposed reason for delayed disclosure

Whether childrens pliability premises change from
delayed disclosure. Therefore to ~~refuse~~ ~~pliability~~ pliability would
refuse delay in disclosure excuse.

~~Whether a mere suggestion of fabrication thus~~
~~implication justifies presupposed reason for delayed disclosure~~

Double Counting Harm (35 to 37) (40 to 41)

Whether counting a result of or the violation of interest of state of compulsion as an aggravating factor for or in relation to counts under statute that ~~justifies~~ is justified by thus requires that result of or the violation of interest of state of compulsion

Whether statutes negative allowing porn, sex or obscenity or associations of there of to, of, for, by from, with, etc a child is regulated solely pursuant to preventing violation of a definable interest of state of compulsion. and without such application of statute is prohibited.

Whether harm merely some harm to a child is insufficient ~~and far less~~ for regulation and far below a violation of an interest of defense of state of compulsion used to negative freedom to porn, sex or obscenity to, of, for, from, by, with, etc a child

Whether counting harm as an aggravating factor for or to sex, porn or obscenity to, of, for, from, with, by etc children ~~is double charge~~ is double counting.

Whether a violation of (interest of (defense of (exclusiveness or inclusiveness)) of state of compulsion) is effectively an element as a necessary result for persecution of sex, porn or obscenity to, with, for, from by, of, etc a child.

Whether another's pre-existing or subsequent premise of harm ~~resulting~~ in context of negative harm thereby producing harm in a vicious circle can not be used to draw conclusion of harm

Whether negative support of something is not a harm of it itself, ~~or~~ the least of any harms if counted as harm and what the & harmed themselves wants to be.

Whether conclusion of harm based on mere assertion of it or the subsequent harms resulting from its premise, or brought on by those ~~of~~ adverse to conduct can not be blamed on defendant or insufficient.

Whether a "pragmatic assessment" of harm to children is ~~is simply~~ by judge for aggravating factor, is boldly asserting it without what positive defendants conduct applied negatives to immediately at time of porn, sex or closeness to, with, for, of, by, etc a child.

Whether "present[ing] compelling evidence of the harm defendant inflicted" here occurred here and is merely ~~that~~ a premise of harm itself, what the opposite of defendant did (in context of issue) or references of such as negatives or premises as a negative or without a negative applied to a positive child had. Or occurred by others aversion or leading children to adversity.

Whether harm here is particularized in any way having none cited at the time of childhood, and any cited harm is merely premising such is itself harmful without citing a loss (ie negative condition applied to a positive)

Whether no evidence of representations of ~~sex~~ perception of senses of events of ~~movement~~ relationships of [objects or values] in which we can independently conclude harm from irrespective of conclusion of ~~the~~ child victims is not harm.

Whether C.G.'s, ~~then D.S.'s~~ J.S.'s, D.J.'s & ZM's harms of premise of harm from police conduct, law enforcement and culture being the negative (which means what it applied to is positive) if the result is a negative, is harm caused by the opposite of the negative, G.W.'s supposed conduct.

Whether C.G.'s harm of not knowing he was going to be harmed violated by being harmed by it being violated makes ~~any sense~~ no sense. ~~that is not~~
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and ~~whether~~ means C.G.'s harm is what he thinks now as his harm.

Whether C.G. testifying he was fine as a child & still is fine as an adult voids violation of compelling state interest

Whether harm alleged by Z.M., J.S., C.G. & A.J. is nothing but a vicious circle and obviously derived from premise such causes said harm. ~~From~~ And if such premise comes from ~~sex~~ censorship, averse interference, and content representing censorship, or averse interference or distraught behavior ~~disseminated~~ at imaginary, supposed, actual, or suggested occurrences of the currently statutory defined acts (it does the world have issue ~~be~~ diametrically backwards.)

Whether ~~to~~ a friend is infliction of more or greater harm is better than an enemy's humiliation etc. Thus whether a preceived friend committing such is ~~be~~ mitigating, not aggravating.

Whether ~~when~~ as children believing or knowing child pornography and sex ~~act~~ between a child and adult was appropriate, pleasurable, safe, beneficial, etc. than believing such is wrong, evil or harmful because diversity, negative supporters ~~set~~ the negative respected thus interfered with relationship with negative conduct to it causing children to hold negative views of negative good, right or ability ~~correction~~. (ie evil, wrong & harm) is ~~both~~ confusion of one thing as its negative is the first instance or the second.

Whether believing something to be right, good or ~~be~~ beneficial to ability or indifference is better than immediately believing it was wrong, evil & harmful while occurring. Thus whether confusion is mitigating, not aggravating.

Whether being induced into an act is better than being done against your preceived will at the time. Thus whether inducing is mitigating, not aggravating.

whether a claim of harm citing belief or grounds on (A) police (conduct) (B) illegalization & (both negative to it) or (C) public negative support or (a) the results there of or (B) other vicious circle where condition of such is negative ability is premised off of its premise & or (C) the effects to mitigate same harm or the response to harm & or (D) no negative ability applied to some positive ability. Cas C.G. says he was fine, all 4 days harm at the time, C.G. claimed harm of not knowing he was going to be harmed, or C.G.'s manipulation claim which premise harm, etc) or the (E) claim of sheer harm as the harm (as C.G. did, J.S. did along with citing public suggested opinion) Z.M. did & A.J. did) are "compelling evidence of harm"

whether if nothing is mitigating to harm of a crime than its opposite is not aggravating to harm. Whether if the absolute values of harm or negative harm of conduct of a crime in a context is not more harm is zero value to the context of a crime. Thus whether other or more harms occur are paral & irrespective of crime, rather than context of crime. (ie $x = 0 - (\text{harm} = -\text{ability}) = (-x = \text{negative conduct}) = 0$ (harm = -ability), (x / harm) or $(- \text{harm}) = 0$ relevance / context / crime) = harm/a + harm/crime = harm/a = irrelevance / harm / crime. (ie logical validity)

whether (confusion of (evil as good)) is similar to (confusion of (suffering as pleasure)) whether confusion of suffering such, derives a pleasure at time or negative pleasure (ie (confusion = - understanding) = (evil place / ((evil = - good)) = - good) = - good) = (confusion = - understanding)

And whether "children" suffering as adults (ie believing c.p. & child sex, etc as wrong) or as children (believing it to be wrong) "more". Then in which state was the "confusion"

Or whether being against something good derives a pleasure meaning negativity to person who is negative to it.

And whether such negativity to a negative person such negativity to it is pleasure to the negative person. Thus whether "children" (ie person) was neg. confused as adult or child is less harmed by such confusion where instances of harm are less. (ie harm of confusion as adult or child is pleasure of confusion as child or adult which is not such suffering than)

Whether a positive condition of befriending counts as a negative condition, ~~as a person's friend~~
or

Whether it would be better for a friend than a negative friend = enemy to have committed statutory defined acts of sex with, porn of or obscenity to a child? And if both a friend & enemy would be worse is it then a contradiction and means both are irrelevant to issue. (logically)
More true or more false?

Whether the supposed commission of offense = statutory defined act creating or intensifying or legitimizing the friendship is (A)(i) therefore a direct result of elements, not separate, acting as double counting of said harm, or (a) a part of the "harm" of the "offense" or (B)(i) the opposite of harm or not harm therefore unavailable for or as aggravating factor.

Whether the better of two options (discerned in a single variable & and static context or interchangeable contexts) means its opposite & the other one or the other one would be the one in which is harmful. (As in logical falsification) (hypothetically) Thus the better is negative to harm evil or wrong. Lessing such harm, evil or wrong.

Whether an adult testifying about supposed child self as "confused" without what thing is confused as what it is not is equivalent to "confusion of @ things as @ things" which is equivalent to "confusion of @ things as @ things" which is equivalent to "@ of @" which is "undefined" or "[not possible]" or otherwise obviously not confusion where @ things is clearly @ things. Thus such is far to vague & prejudicial. Especially prejudicial by forcing a juror to use their own imaginary occurrences to justify which will suit the pervergers opinions and premises of accuser (unless accuser is disliked). And denies holding accuser to account.

Whether vague claims of a "harm" or "harm to a child" without specifying to what diametrically or what part of such ~~other~~ thing in its entirety (ie diametrically) is not logical by then being some conflated thing. And therefore not permissible by a court. Or otherwise insufficiency of evidence

Not instructing to disregard (26 to 30)

Whether in addition to issues of joinder, or irrespective of issues of joinder ~~the~~ dismissed counts should have jury instructions to disregard such evidence.

Whether additional implications of predisposition weighs more against defendant as character or tendency or description of defendant Rather than categorically disassociated evidence.

Whether evidence of video, or other exhibits, ~~or~~ (not mere assertions of abstract general claims or particular testimony) is more persuasive ~~than~~ to believe a general predisposition. Thus whether evidence of other child should have been prohibited.

Whether "evidence" of predisposition is inherently a matter of mounting ~~evidence~~ thus inherently prejudicial by general persuasion, not to a particular act.

Whether a dismissed charge is void from constituting other "bad acts" (dismissed with insufficiency of evidence considerations) or

Whether contested merits of other "bad acts" or substance of being "bad" or evil (i.e. involving evil ~~crimes~~ but not evil)

POINT IX. III QUESTIONS (aDB) (aPG) (aCO41-43) (pwcDP38-39)

Whether the court "[rightfully] look[ing] beyond the defendant's current assets and anticipated income during the period of incarceration" (Q) is misapplied or

(a) is ~~inadequate~~ insufficient to consider if fines are excessive
(i) for defendant as sentenced to ~~and~~ life time paid on
means law is effectively a life time of [softer] or [different
(but quite hard)] incarceration when comes to sex charges

(2) for defendant has an extended period of incarceration leading up to 2 to be a heavy drag for potentially 46 years then later earning very little in prison work (as some of other assets no longer contributing to themselves)

[illegible]

(4) should consider whether such fines or fees are absolutely excessive per condition or rationality where such child sex charges are particularly forced to be treated as stigmatized (whether people know better privately) thus preventing future means of asset acquisition, and other means of collect money, etc.

(3) Should consider if such charges are an implication of emotional distress which likewise effected past earnings & will thus effect future earnings and assets.

(6) should consider if such fines & fees would not just be detrimental to valueless seeking temporary impulsive pleasures (which those condemning me do) but deplete me of other, lasting, & more worthwhile pleasures (for the much more & other kind of pleasure especially social status) but asset acquisition & other building of value.

(7) Sentence is so long no bases exists to conclude any future earnings potential is impossible given change in ~~market~~
(8) analysis cited is of past earnings thus ~~irrelevant~~ not future. And high earnings in part of so do not reflect future in context of type of case.

(9) defendants past ability to work was really non-existent.

Whether the nature and circumstances of the ~~case~~
~~the~~ supposed way the statutory defined acts occurred
is although not unusual re typical are also likewise ~~merely~~
nearly as mitigating as possible or defendants own believed suffers

(1) Repellent otherwise kind to children

(a) Defend it filled a whole eqn in their line as friendship, etc.

(3) Children appreciated relationship at the time

(4) Children had no behavioral or other problems at the (not really misbehaviors but suggests it)

(5) children volunteered and participated in it.

(6) ~~He~~ was online

(17) defendant was likewise lonely

(8) edz

To lessen ~~possibility~~ fees & fines.

Whether an appellate court should not decline to substitute their own analysis if fines are excessive but vary by courts analysis citing what equates to that is correct for a reason + trial court neglected, address concern cited by defense, and

Whether defendant merely had wealth at some time before irrespective of ~~defendant's net worth~~ any extent or relationship is not an analysis. (ie some value of a variable does not equate to full value of something else (not technically refined))

~~whether~~ whether statute of granting government approval for fines & fees do not justify excess decreed at defendant based on pursuit to statute.

Whether excess fees & fines is (a) impracticality, beliefs of future earnings (b) based on ignoring public persuaded behavior acting to stigmatize acts. (c) ~~publicly~~ ignoring publicity to defendant (c) etc

Whether fines & fees are excessive for child sex, pornography etc ~~whether~~ ~~statutes~~ fees & fines (ie sex cases) for context such convicted persons are often or are completely denied statutory rights of section 8, federally funded housing assistance, local funded housing, food stamps & other economic assistance resulting in less to no safety net (never mind violates those ~~legislatures~~ legislatures often christian beliefs in Bible Matthew 25:30 to 46 especially for the least)

Both prosecutor misconduct & inadmissible testimony QUESTIONS

LONG DEFENDANT WITNESS CALLED LIAR DOES PRODUCE AN JUST RESULT
Whether prosecutor's sublimation, closing statement amounting to calling defendant a liar is ~~not~~ clearly capable of producing an unjust result.

VIRTUALLY JOINING PRESENTED AS EVIL OF CONDUCT WITH OTHER IS PREJUDICE
Whether [joined] ~~for evidence~~ evidence of a person representing defendant as a liar or other demerision of evil (of or without context of context) in a case

FOLIES & IRRELEVENCE OF TARGETED ENGINEERED COMMENT AS ISOLATED OR SELECT
Whether the prosecution's comment ~~is~~ "isolated" or "off handed" ~~is~~

(A) is false

(1) when prosecution (a) solicited state - victim - labeled - victim - entities previously related to prosecutor comment brought up later (b) related to matter supposed to be evidence for (c) ~~defendant~~ counts by credibility & influence (d)

(3) when goes at attacking a defendant's credibility (especially, grandest, when defendant represented himself or only witness of ~~other~~ defense that crimes did not occur.)

(4) related to the associated means of evil of charges either (a) tricking, manipulation, (eg. lying) as in child sex, porn or obscenity charges or (b) result of having deceived children to be in such suggested to be caused context

(5) etc (a) prosecutor experienced ~~an~~ emotional charge in

(B) are irrelevant

(i) for such (a) attacked (i) credibility of defendant, only witness for innocence, pro se defendant (ii) principles, morals, justice, ~~overly~~ empathy, etc of defendant (b) suggests a predisposition for attitudes associated ~~by charges with~~ with charges (c) current culture (c) context suggests spoken with conviction (d) not said as "therefore the defendant could not be always truthful" but "so much", "for defendant's argument" & "that he is always truth teller"

(A) (6) "so much for" itself infers a prior related statement more true or more false?

And whether such is "egregious" & deprives the defendant a fair trial

OTHER OR VAGUE OR NOT COUNT ~~ADMISSIBLE~~ ADMISSIONS FORFEIT RIGHTS

Whether (a) defendant's admissions of (i) interaction with (a) unspecified male friends, (b) absent ~~any~~ particular time, place, circumstances, etc (c) that was denied or implied to not have occurred by children, (d) of unconvicted or dismissed counts, or of unspecified conduct, etc (e) not a complete crime, etc or (B) there is overwhelming evidence (i) when the very issues premise is contexted by prior inconsistent statements where there was no reason to be left available & by the children

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II POINT XI

Issues ignored by appellate court

PRO SE LITIGANTS RIGHT TO ARGUE PRIOR TO FINES OR FEES

Whether a court must hear from a pro se litigant over an issue or pro se litigant has opportunity prior to imposing sentencing. And a violation of such demands remand. (aD656)

MAXIMUM WITHOUT HOW PARTICULAR IS WORSE

Whether a court imposing the maximum* fines & fees or penalties under a statute without implicating how such means of crime is the worse ~~as~~ thus what would have been a better way of committing crimes ~~and means~~ is unjustified (aD656) etc

COURT SHOULD CONSIDER DEGREE AND APPLICABLE TO FUTURE PRIOR WORK

Whether a court should consider how long a defendant held a job, how long unemployed, how many jobs defendant had, had no other work experience, already \$1,000 in debt must be taken into account (aD655) to imply future earnings & necessary for fines or fees ~~costs~~

NO KNOWN MEANS TO PAY BASED ON FUTURE INCOME IS NO ANALYSIS

Whether hypothetically able to pay a fine or fee at some point in life without analysis of what means defendant could accomplish (aD655) with future work to go into

Whether [the mistaken premises] of (aP653) constitute justification for

AGE OR VULNERABILITY OF CHILD ALREADY ELEMENT IN CHILD PORN, SEX, ETC

Whether age or vulnerability of children by age is prohibited as an aggravating factor ~~in~~ in child sex, porn or obscenity to a child case by already being an element (aD650-51)

NEAR TOP OF AGE RANGES IS MITIGATION WHEN YOUTH PREMISED LAW

Whether age of children "near the top of age-ranges" inherently acts as a mitigating factor (under incongruity with rest of knowledge) theory that youth is detrimental (aD651)

"EXTREME YOUTH" REASON IN CONTEXT OF TOP AGES IS RELEVANT

Whether description of "extreme youth" in context of charges ranging from 0 to 10 years old and children ~~are~~ where 10 to 11, 11 to 13, & 12 to 13 or charges range from 13 to 16 and child was 15 years and 10 months old at first interaction, is implication of hypocrite court & a reverse of sentence factor (aD651)

NO ~~RE~~ DEFENDANT CONTACT IS MITIGATION TO CHARGES

Whether no physical contact of defendant with children is a mitigating factor (aD651)

IF WORSE ITS OPPOSITE IS BETTER & VICE VERSA
(ie whether if the inverse or ~~opposite~~ opposite is worse than it is better?)

PARAL CRIMES SERVES INTEREST OF INDIVIDUAL CHILD, & COMMUNITIES & DEFENDANT
whether paral incidences or ~~one~~ incidences distinct in time, place, circumstance or manner with different children mandate ~~concurrent~~ concurrent sentences? (a D6 52) & (a D6 51)

AGGRAVATING FACTOR WITH LONG OR CONSECUTIVE SENTENCES IS EXCESSIVE
whether finding aggravating factor with consecutive sentences is excessive?

DEFENDANT INVESTMENT IN INNOCENT POSSESSION IS MITIGATING
whether defendant advocating for such treated as polarized subject or not believing anything wrongful, harmful or evil, etc is a mitigating factor (a D6 52 & 53)

NOT WRONG OR HARMFUL UNTIL REALIZATION MEANS REALIZATION IS WRONG
whether ~~accidental~~ ~~realization~~ to a child ~~something~~ (such thing) as (pain of, sex with, or obscenity to etc children) is ((not wrong) = ((0 or -1 - right)) = (right)) until realizing it is ((wrong) = (-right)) makes it ((wrong) = -right) equated to ((x = right) / a realization (eg teaching, etc) & / (x = -right) = bases / (x = -right) = ((1 = 1) / (1 = -1) = 1 = -1) thereby invalidating itself proving the opposite? (ie (-1 = teaching / 1 = -1)) (a D6 37) (ie the "realization" is (false) and (cause of harm or wrongness))

OTHER ATTACKS ON CHARACTER OF DEFENDANT

Whether character attacking evidence as children as adults alleged defendant would delete photos admitted as evidence to prove a point here ~~control by defendant~~ influence by defendant is ~~irrelevant~~ inadmissible

- (1) when children refute premise of why wanting images deleted by ~~somebody~~ also claiming as harm ignorance of aversion to it or wrongfulness ~~premise~~ premise as to it.
- (2) when no particular time, [virtual] place or circumstance cited
- (3) when children as children before evidence of photos presented to them denied knowing what defendant would do with the photos (ie when they would have no reason to deny belief G.W. deleted photos) ~~irrelevant~~

OTHER MEANS OF IMPLICATING SAME OR ASSOCIATED BAD

Whether joining another dimension to same kind of premise of evil or bad acts (ie joining violation of consent to sex with violation of consent to saving images, or ~~manipulation~~ presupposed as ~~something~~ imaginatively somehow manipulation to not be met with resistance by child or get participation of child ~~(ie get sex or get child to want sex, porn, obscenity, etc.)~~ ~~But the~~ shares the same manipulation premise or conclusion with an actual act of ~~manipulation~~ means of manipulation of lying (to extent of articulated contents) ~~or etc~~) is overwhelmingly prejudicial.

~~OTHER~~ OTHER THAN DEFENDANTS ACTS TO ELEMENT ITSELF

Whether degree of influence defendant had over the child in any form of sex with, obscenity to and associated conduct is always irrelevant for it is what defendant did as to an element in which is relevant not whether the child actually participated (as far as guilt is concerned. Influence suggests contrary to guilt (whether a valid defence or not for than a child is acting))

DEFENDANTS GUILT BY OTHERS POSITIONS OR ACTS

Whether a defendant can not be guilty of child's actual participation or other factors beyond defendant's attempt, and own actions. As what defendant said, moved, touched, etc. directly related to offense. Not confidence of defendant, etc.

Whether children's ~~refute~~ testimony or assertions refute implication ~~of defendant~~ of or premise of defendant's guilt (as by no harm by ~~no~~ having realized aversion they claim they were harmed by not know then realizing) ~~which~~ either disproves guilt or the testimony or assertion that refutes implication or premise of guilt.

REFUTING IMPLICATION OF GUILT DOES NOT GAIN CREDIBILITY OF GUILT
Whether such ~~evidence~~ testimony or assertion
refuting premise or implication of guilt is not relevant
that defendant is guilty but to prove defendant innocent

whether testimony or assertion of other evil or bad equally needs what defendant particularly said, touched, ~~now~~ applied to, etc.; particular time, place, narrative, circumstances, etc. as another element or proof.

UNEXPLAINABLE INCONSISTENT STATEMENTS IS NOT AVAILABLE TO GARN
Whether a previous inconsistent statement denying ~~the~~
knowing what defendant did with photos, prior to knowing
police possessed photos, ~~the~~ acknowledging having sent
photos is either unexplainable (by acknowledging having
sent photos implies awareness of photos & informing police of
photos, while denial of knowing what is done with photos
would imply concealing photos, etc). This matter of evidence, as
incredible as a matter of law, therefore not permissible to
use as evidence

Whether other premises in consistent statements with (proposed) premise or implication of such examination of other or explanation is inconsistent with facts of premises in consistent statements is not evidence to prove truth or falsity of any of person providing such statements (as

NOT KNOWING IT WAS WRONG AND WANTED TO CONCEAL IT ARE INCOMPATIBLE. Whether (despite many other related inconsistencies which are obviously unjustifiable or incredible, as a matter of law.) Children as adults simultaneously or interrelatedly claiming they did not "know" it was "coronal" while ~~was~~ claiming they had wanted, inquired and/or encouraged by destruction of evidence of it is ~~that~~ incredible "incredible as a matter of law." Thus could not be a means to prove such witnesses as credible or defendants complicity to commit elements.

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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~~xxxx~~
~~xxxx~~
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CITATION KEY

- 1T refers to the transcript of Motion for Dismissal of Indictment on Grand Jury & Statute unconstitutional dated Jan. 9, 2013
- 2T refers to the transcript of Motion for Limita Suppression of Evidentiary dated Oct. 29, 2013
- 3T refers to the transcript of Motion ~~dated~~ continuing suppression dated Dec. 13, 2013
- 4T refers to the transcript of the first original indictments plea cut off dated February 3, 2014
- 5T refers to the transcript of the state having cancelled trial dated June 2, 2014
- 6T refers to the transcript of ~~the~~ second suppression indictment ~~cut off~~ plea cut off dated October 3rd 2014 (note states appeal brief ~~includes~~ only this as plea cut off)
- 7T refers to the transcript of [motion] for dismissal based on De Minimis 20:2-11 for no harm for no violation of compelling state interest] dated Oct. 3, 2014
- 8T refers to the transcript of Motion for Suppression of evidence (turned to dismissing attorney) dated Oct. 28, 2014
- 9T refers to the transcript of motion for defendant prose self representation dated November 21, 2014
- 10T refers to the transcript of Motion for Court threatening defendant not to reach out to state victim - labeled exhibits dated August 19, 2015
- 11T refers to the transcript of defendants competency and denial of suppression dated September 24, 2015
- 12T refers to the transcript of motion for self-representation dated October 20, 2015
- 13T refers to the transcript of motion of defendant prose dated ~~Oct~~ March 9th, 2016
- 14T refers to the transcript of motion of 2nd day continuing defendants prose March 10th, 2016

15F refers to the transcript of motion dated for bail reduction dated May 19, 2016

1GT refers to the transcript of ~~an~~ pretrial Conference dated Oct. 5, 2016

17E refers to the transcript of Pretrial Conference dated Oct 12, 2016

18T refers to the transcript of Trial Opening Statements & States examination of Robert Angler dated Oct 20 2016

19T refers to the transcripts of Trial of 2nd day continuing States examination of Robert Angilia dated Oct. 25 2016.

NOT refers to the transcripts of trial of 3rd day continuing State examination of Robert Angille & defenses cross dated Oct 28th 2016

AT refers to the transcript of Trial of ~~Festimony~~
examination of ~~Ex. 20y 8m 20d~~ old JS dated Oct 27 2016

225 refers to the transcripts of Trial of Examination of 18y10m & 12d old C.G. dated Nov 1, 2016

23T refers to the transcript of Trial of Examination
of 239, 11 m & ~~240~~ Old AD, ~~dated Nov 2, 2016~~
& Paul J Bailey dated Nov 2, 2016

247 refers to the transcript of trial of examination of 205 & 280 Old Z.M. & Sherri Stinnet dated Nov. 15, 2016

25T refers to the transcript of trial of Examination of ~~G.W.'s~~ G.W.'s mother & sister, Pat Schettel & Tozzi dated @ Nov. 16, 2016

26T refers to the transcript of Jury Trial of Examination of G.W. & beginning closing dated Nov. 17, 2016

277 refers to the transcript of Jury Trial of ~~William~~
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28T refers to the transcripts of motion for mistrial & Sentencing Dated April 28, 2017.

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APPENDIX F

- Violation of defendants right to control case by Q & A, narrative
- Violates defendants right to argue motions pro se

1. Whether a trial court violates a pro se defendants right to self representation

- (1) When it prevents him from arguing a motion in which was filed but not argued prior to or before defendant filed for (a) new counsel, or (b) self representation
- (2) requires pro se defendant to prepared questions
- (3) order limitations or special requirements on a pro se defendant that ~~neither~~ a represented defendant nor counsel have
- (4) change or create a condition in which requires change to defense mid-trial strategy or compensation mid-trial
- (5) Not allow pro se defendant to testify in narrative fashion
- (6) Not allow for relitigation of a motion heard or decided after defendant filed for (a) new counsel or (b) self representation
- (7) When it requires that pro se defendant's direct examination to be conducted by stand by counsel.

2. Whether a pro se defendants right to self-representation is violated (1) When defendant opts to or is going to be directly examined by stand by counsel, who (a) refuses to ask all the questions provided by or the defendants prepared questions or (b) refuses to conduct redirect examination.

3. Whether a defendants right to counsel, pro se is greater than a courts right to (1) choose order of motions, or (2) not relitigate argued motions if proceeding was violated.

4. Whether a defendants ^{compliance} ~~agreement~~ to a court order in the heat of trial by saying "yes" is not consent to that court order

5. Whether "general questions" by defense attorney or standby counsel are damaging ~~for~~ to defendant by
- (a) suggests & creates fear on defendant or pro se litigant that questions of relevant matter or covering desired issue will not be questioned
 - (b) suggest to defendant jury will not be able to digest full answer at one time
 - (c) does not direct or remind defendant where question is leading to
 - (d) does not direct defendant to what attorney is seeking
 - (e) is not particular to lead to further examination
 - (f) overwhelms a defendant attempting to find out and cite ever list of factors in a time.
 - (g) blurs the lines between separate issues, overlapping other issues suggesting previously answered questions where insufficient or wrong
 - (h) makes a defendant appear less credible, by having to provide unfocused, lengthy answers, or abstract generalizations
 - (i) provides little to no structure or frame work for defendant's answers
 - (j) confusing defendant by breadth of answer or category
 - (k) breadth at one time preventing defendant from formulating a list of each point in each question.

6. Whether a reviewing court as to the adequacy of a defense attorney or standby counsels questions where ineffective for

- (a) [the concerns addressed in question "5" of this section regarding "general questions"]
- (b) questions direct to answers contrary to defense strategy
- (c) limit practical scope of defendant pro se sublimations, closing statement factual bases etc.
- (d) did not review exhibits which were suggestive of or had been placed out of context of its opposite (as video of JS. supposed as coercion but really just JS's game of play pretending to be coy, to enhance excitement, or early in relationship when towards end)
- (e) questions suggest premise of defendant's guilt [as what was defendant's primary purpose? AGT: suggesting statutory required purposes here purpose of sexual pleasure or gratification]
- (f) asked questions out of sequence or a relevant strategic order
- (g) not exploring possible causes for others to suggest or wrongfully testify to guilt
- (h) not exploring innuences of each element of offense

7. Whether defendant has burden to prove that if not for court order ~~at~~ that defense would have ~~not~~ had a different trial strategy or different effect on trial strategy
(in opposition to appellate court opinion page 34)

8. Whether a defendant pro se rights were violated by not having control over his defense strategy, here by being able to testify in narrative ~~pro se~~ fashion; is limited to solely by what testimonial fact that he wanted to present to the jury but was precluded from.
Rather than strategic order, method presented, own testimony of exhibits, etc.
(ie refuting premise of appellate court pg 34 having to show how it effected his trial strategy)

9. Whether an interruption to trial strategy is any of
(a) Factors in questions 5 or 6
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(a) Catching a pro se litigant off guard
(a)

10. Whether pro se litigant's performance on cross examination by prosecutor was "better" than on direct by standby counsel inters that standby counsels questions impaired defense strategy.

TABLE OF AUTHORITIES CITED

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STATUTES AND RULES

U. S. C. A. Const Amend 1, 5, 6, 9, 10, 14

OTHER

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 judgement below

OPINIONS BELOW

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 unpublished

JURISDICTION

For cases from state courts. The date on which the highest state court decided this case merits was January 28th, 2020, a copy of that decision appears at appendix A

A timely petition for certification was thereafter denied on the following date May 19th 2020, and a copy of that order denying state petition for certification appears in appendix C.

The jurisdiction of this court is invoked under 28 U.S.C. 81257(a) or any other applicable statute.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED (see appendix 1)

U.S.C.A. Const. Amend. 1, 4, 5, 6, 9, 10 & 14 Any & all applicable statutes

Inherent necessary foundation & implication by any existence of any law mandating multiple thing including logic & reasoning is foremost importance & standard. And inducement of meaning & application of rights or laws of artificial structures that are resorted as acknowledgement of ignorance, human imperfection, limits of man, etc. That rights are necessary for we or judges are hypocrites or worse, in interpretation, etc

All previously argued provisions both responded to or ignored in appendices A, B, & C

U.S.C.A. Const. Amend. 1 For violating "...[No] law shall... abridge the freedom of speech... For (1) regulating content without violation of compelling state interest (2) falsely suggesting premising or suggesting violation of compelling state interest (3) blaming defendant for others violations (4) creating their own violation by suggesting or implying its premise in-logical "vicious circle" Etc.

or "...religion..." right of pervading, the only logical, substantively based mathematical, consistent, congruent, cohesive thus true, religious philosophy, secular belief, ideology, etc morality. That what we ultimately use for logic is existence, happenings, to conclude morality. Where sex = existence, porn = existence, child = existence thus porn or sex/child = existence. Existence = good. [Bible Gen. 1] shaming or calling it evil is itself evil [Bible Gen 3, Deut. 28:10-21 & Mark 3:29] And negative existences shaming, censoring, preventing, calling good evil, etc is negative existence, As $(-1 = 1) = (-1/1) = -1$ (culture* is Greatest* evil)

(Prosecutors office. I insist you file perjury charges against M.C.P.O. & MTPD detectives who lied & A.J. Z.M., C.G., & especially the roman catholic altar boys yellow blond & blue eyed J.S. (see pg 11 & 12 here & Aug 26 2020 attempted return))

STATEMENT OF CASE

Page 1

ASSERTION & MAINTAINING ALL PRIOR ARGUMENTS & RIGHTS
I Gary Wolchesky (hereafter G.W.), the petitioner - defendant hereby maintain & persevere all rights, privileges & immunities.

I G.W. assert all prior arguments & motions including but not limited to (1) Appellee Public Defender petition to New Jersey Supreme Court

RELIENCE ON PRIOR PETITION ATTEMPT
I G.W. rely on Aug 26th 2020 filed petition to U.S. Supreme Court for facts of case & more errors of decision of highest Court hearing merits of case.

PRACTICE CONCISE STATEMENT OF THE CASE
ENJOYMENT OF RIGHTS Beginning approximately October 17th 2007 18 year old G.W. began associating himself with thus possitive to the viewpoint children are sexually attractive more so than adults & the desire for friendship with children called pedophilia. By constituting as advocacy. Holding the belief children are harmed by the negative to existence applied to child "porn," "sex with children & "obscenity" to children (later verified at trial).
J.S. [21T: 16-12 to 17-1, 35-6 to 5, 37-7 to 18, 40-16 to 41-1, 42-10 to 19, 43-4 to 25
C.G. [22T: 52-9 to 13, 37-13 to 24, 25-12 to 21, 41-19 to 42-13, 26-4 to 10,
42-1 to 3, etc; 28T: 36-20 to 37-3 etc] A.J. [28T: 34-24 to 25, 35-3 to 5,
35-6 to 7, etc; 23T: 16-21 to 22, 16-19 to 22 etc] Z.M. [24T: 37-2 to
to 38-25 (particularly where "age of consent [must somehow faithfully be
believed to some how, imaginatively be] there for a reason... etc"],
(When is the law, culture or police action creates premise such
must be mysteriously & magically hermit thus the children (not as independent
thinkers or liars) claim or actually believe they were harmed as a
conclusion. Being an illogical vicious circle.)) (see Aug 26 2020 filing
for detailed argument to U.S. Supreme Court))

SUSPECT CLASS CREATED On April 4th 2008 an agent from New Jersey (hereafter N.J.) Division of Youth & Family Services (hereafter D.Y.F.S.) came to G.W.'s family home.

G.W. was not there, G.W.'s mother answered. D.Y.F.S. informed G.W. mother a strange tip came in and that was a tip came in. And D.Y.F.S. is investigating G.W. for his online posts & the fact a child lived at the home.

An arrangement was set by G.W.'s mother for G.W. to meet. G.W.'s mother was frightened of D.Y.F.S. taking her daughter, attempting to force G.W. into talking to D.Y.F.S. saying either G.W. does or G.W. can not live at the house. G.W. refused but reluctantly conceded. Informing G.W.'s mother it was not a good idea. G.W. wanted to withhold details. G.W.'s mother said "tell them everything"

FREEDOM OF SPEECH VIOLATED MORE - SECOND D.Y.F.S. & M.T.F.D.
On April 8th 2008 Maria Montar came to G.W.'s family home after 1940 G.W. dropped off sister at school & before G.W. left for work.

G.W. told Maria Montar what G.W.'s mother told G.W. to do. Maria Montar attempted G.W. to agree to not contact children.

and sign a document G.W. would not be allow with his ~~youngest~~ youngest sister G.W. refused out of principle & respect G.W. called his mother he would not, D.C.F.S. threatened legal action, & G.W. asserted freedom of speech.

~~and later~~ Mother of G.W. continued threat. Thus G.W. signed document. (This is what G.W. later commits civil-disobedience of which prosecution & judge suggests makes G.W. or guilty of criminal acts at trial)

G.W.'s mother is contacted at work being told she needs to leave work & come to ~~MT.P.D.~~ Middletown Township Police Department (hereafter M.T.P.D.). Officer ~~Paul~~ Paul Bailey. She left work early which could be fired for and was made to go through the humiliating process of giving G.W.'s details including car he drove which a warning was put out by Officer Paul Bailey for G.W. & his vehicle.

TERMINATION - FIRING mid-April 2008 I G.W. was working a manager called me G.W. into the office. The Buildings manager was there. They told me they were contacted by an agent and that they told them of G.W.'s video online. The managers told me I G.W. was their best worker on the I.C.S. team ~~but~~ and they wouldn't schedule me for anybody else around my G.W.'s collage scheduled firing me G.W. at 19 weeks of the job (2 week before unemployment insurance)

I G.W. was angry and amidst the housing crises did not have hope for a new job

SEARCH SOLICITATION On May 23rd, 2008 M.T.P.D. Officer P. Bailey & Monmouth County Prosecutors Office & Robert Angilina of Computer Forensics came to G.W.'s home. Officer ~~and said~~ "Can we come in you don't want to talk about this outside" to that effect. Inside they talked to G.W. Officer Robert Angilina said they could search the computers without taking the computers G.W. playing with the opportunity of suggesting billy emphasised really in saying he would feel really uncomfortable with that. At one point Robert Angilina gave G.W. mere words warnings G.W. interrupted asking where that is from. G.W. disagreed with the officers children being held accountable for something (to test them) and informed them he G.W. did not want to talk.

Robert Angilina asked "where is your bad room" G.W. grumbled pointing behind his back saying that was Robert Angilina said "Can we see it?" G.W. said "well there isn't anything" and walked them to the room. They both put their heads in in a weird manner which made G.W. uncomfortable and close the door (made at trial detectives gave contradicting accounts of such. G.W. knowing to ask proved Robert Angilina's account ~~later~~ was a lie (and he R.A. contradicted himself ~~later~~)). [201:33-10/23/08-14-18] etc.

SUBPOENA FOR SPEECH ~~and~~ M.C.P.O. R. Anglin receiving a subpoena response for July 22nd 2008 [201:39-344] because they received information that person with that screen name writing things & posting it which was G.W. was sexually attracted to children [201:340-3 to 41-2]

G.W. DURING LAW ENFORCEMENT - ~~PROTEST~~ telling FBI to ~~investigate~~ a search warrant [201:122-4 to 133-12] etc in a video which detective never seen the like before. Etc.

~~only~~ MEETING J.S. Late Spring 2008 G.W. & J.S.'s mutual friend an 8 year old boy told G.W. "I know who you would like & matched G.W. with probably one of the best possible matches J.S." ~~and J.S. & G.W. 14 y.o. G.W., 12 y.o. J.S. & 8 y.o. (boy)~~ Formed a great friendship & bond

MEETING OTHERS / G.W. meet Z.M., G.W. probably knew J.C.G.

~~and Dec 25th 2008 G.W. got arrested~~
Z.M.'s mother caught Z.M. mid Nov. 2008 12 y.o. Z.M. left to use the restroom with his bedroom door open. Z.M. had also left G.W.'s ~~profile~~ profile page open. Z.M. mother Sherri Stinner hereafter S.S. discovered G.W.'s page identifying himself as 20 y.o. and liking little boys.

S.S. sent G.W. a message not to have anymore contact with Z.M. or she would contact the authorities (G.W. got what he wanted a G.W. someone who would report G.W.)

S.S. blocked G.W. on Z.M.'s profile & removed G.W.

12 y.o. Z.M. used his BROTHERS ACCOUNT A little while later Z.M. used the account of his older brother to contact G.W. 12 y.o. Z.M. did not say who he was but G.W. figured it out waiting until Z.M. logged off so that Z.M.'s brother would find and report it to S.S.
G.W. said he did not care if she contacted the police

FBI ~~and~~ ~~NATIONAL~~ N.C.M.E.C.
S.S. contacted the FBI, whom told her to contact National Center For Missing & Exploited Children.

S.S. merely told N.C.M.E.C. that ~~G.W.~~ she caught Z.M. talking to G.W. whom had on his profile he liked little boys

N.C.M.E.C. told S.S. said that Z.M. said G.W. & other

little boys told Z.M. that G.W. & those little boys meet met having anal sex, to the NJ state police. (obviously to pressure a search warrant)
1240 Z.M. COUGHT CALLING & TEXTING 1240 G.W.
January 23rd 2009 Z.M. was caught by S.S. sending pictures to G.W.

The exam of the phone showed 1240 Z.M. sending 2040. 1240 G.W. sexually explicit text messages but not the other way around. And Z.M. indicating he was ~~not~~ masturbating without direction of G.W.

SUBPOENAS DISJOINTED TIMES at various times subpoenas were issued without any connection in time. thus no relation in reasoning.

VIDEOS MADE nude photos of 1140 C.G. May 17 2009 1:35 pm
~~1140 C.G. nude photos of J.S. April 10 2009 2:40 am to 4:13 am~~
~~1140 C.G. nude photos of 1340 Z.M. August 13th or 19th 2009~~
1140 C.G. & 1340 A.P. video
X August 14th to 26th 2009. Love you & right to remain silent 1340 J.S. video & August 7th 2009 to 19th 2009.
~~1140 C.G. & 1340 J.S. video & August 7th 2009 to 19th 2009.~~
"Reluctance" of 1340 J.S. to strip after August 7th or 18th 2009 (ie last 2 months of 14 month relationship thus J.S.'s "reluctance" is a lie or G.W.'s crime or J.S. before then) Nude photos of A.P. September 11th 2009 (11 years ago today). See G.W. Aug. 26th 2020 filed petition pages 293 to 299 for proof.) Thus A.P.'s "persecution" as or after date.
All such ~~video~~ videos created as G.W. awaits arrest (notice youtube profile on date) G.W. preparing for arrest.
All such much later than prosecution & victims suggest (except A.P.)

SEARCH WARRANT APPLICATION on October 20th 2009 (G.W.'s 21st birthday a search warrant is issued (illegally))

SEARCH WARRANT EXECUTED on October 21st 2009 before the sun rises & G.W. am walking through the living room when I G.W. hear a nearly imprecise knock at the door. I G.W. open the door seeing officers holding a Ram (I suppose they technically knocked)
Computers were confiscated some searched on screen but they decided to leave after about 4 hours.
Search was supposed merely for evidence relating to Z.M. ~~APP~~ but such went far beyond looking for photos not evidenced, looking on personal computer systems (ie regular computers which Z.M. did not contact G.W. on etc.

SEARCH WARRANT FOR CHIEF "PORN" on October 21st while search computer "child porn" was found and a new search warrant was applied for

ARREST WARRANT ISSUED On October 21st ~~2009~~ 2009 an arrest warrant was issued for G.W. for possession of "child porn" probably.

Z.M. STATEMENT on October 27th 2009 Z.M. was interrogated. Z.M. denied own interest in involvement but deferred to others as the persons who did seek Z.M. at trial had denied much other things he said over 7 years prior.

BAIL HEARING Around November 2009 G.W. had a bail hearing for a charge which is supposed to have a \$2,500 to \$1,000 to \$2,500 bail & 10% option was 40 to a 100 times higher without 10% opt. Thus 1,000 to 400 times higher. Because G.W.'s viewpoint And unwarranted conditions imposed. G.W. is severed from friends (all children)

~~Page 13~~ U.S.O. JS. FALLS APART JS. having lost his best friend and only one worth counting whom was extremely valuable falls apart. (Probably the horror of the world having who you loved & loss is much worse than just losing someone.

JS. INTERVIEW on November 25th 2009 JS. was brought & questioned which brought much more pain & suffering telling on somebody you consider a friend. JS. was led to be suggested JS. felt uncomfortable which at first JS. answered questions that promised such JS. eventually ~~he~~ denied having felt uncomfortable when interview was stopped

G.W. FIRST PRIVATE COUNSEL After months of inaction by the prosecutors office G.W. had to drop the first private counsel. (Approximately June or July 2009) POLICE DELAYED CHARGE OF JS. TO JS.'S BIRTHDAY BELIEVED BIRTHDAY G.W. was charged for charges relating to JS. whom was known to be very upset about G.W. being arrested. (militaristic police) CHARGED FOR Z.M. STILL NO SEXUAL ASSAULT CHARGE On around February 20th 2010 police charged G.W. regarding Z.M. no sexual assault charges for either.

C.G. LEAD TO AGREEMENT OF G.W. BY POLICE PROMISE A search destroyed @ 12 U.S.O. C.G.'s bedroom made [22T: making C.G. believe G.W. did something wrong & porn & sex with children as wrong [22T: 23-12 to 22] and police interview charged C.G.'s possession of G.W. [22T: 37-13 to 24] C.G. only would otherwise believe such by similar negative treatment [22T: 27-13 to 17] And didn't think there's going to be a problem [22T: 13-7 to 8] meaning "problem" is external.

G.W. SECOND PRIVATE COUNSEL G.W.'s counsel attempted to get G.W. to accept a 20 fled plea promising 1 year & 11 months prison term. G.W. with nearly a year in. G.W. being principal not wanting the government's horror to corrupt more children & adults refused. G.W. COMMITTED TO NO PLEA Around October @ 2010 G.W. official refused the plea

G.W.'s private counsel having spent time to convince G.W. into taking a plea. G.W. did not have funds available to continue private representation after one year of prosecutor delays. Said he never met anybody like me G.W. before.

FIRST INDICTMENT on December 3rd 2010 charges went to Grand Jury. Grand Juror asked to add charge of sexual assault and without any evidence presented to Grand Jury G.W. made any representation for J.S., Z.M. or C.G. to touch themselves at all. On January 7th 2011, 14 & a half months after G.W.'s arrest & confinement, and extreme conditions of bail G.W. was indicted. [IT: 17-17]

PUBLIC DEFENDER G.W. first public defender knew she was not equipped to handle case (a discovery which would have been discovered earlier & not needed if trial occurred within first six months.) Thus deferring to pool attorney.

POOL ATTORNEY In later 2011 pool attorney Michael L. Kuhns had to review the case being newly assigned to case difficult to defend against the ease on prosecution as suggestive photos, ~~the~~ videos, possessions of defendant were testimony of supposed victims ~~are~~ considered nearly irrefutable, etc. The review only necessary for initial delay by prosecutors when G.W. had private counsel.

MOTION FILED February 6th 2012 [IT: 8-8] G.W. 4th attorney & defender Michael L. Kuhns filed a motion in Limine [IT: 4-7] additional discovery [IT: 4-8], suppression of evidence [IT: 3-23] & dismissal of indictment [IT: 3-23].

DISMISSAL OF INDICTMENT - GRAND JUROR & STATUTE UNCONSTITUTIONAL
 1/16/2013 January 9th 2013 hearing for dismissal of indictment for (1) citing DYS investigation inappropriately buys credibility of police's backing off promise & suggestion to Grand jury acting as a negative exception to evidence falsely [IT: 8-10 to 20] (2) Third, instead grand jury to believe 1950. G.W. was willing to talk to officers on May 23rd 2008 [IT: 10-11 to 18] (4) Fourth, not citing need for a second search warrant suggesting credibility of first warrant for breath of conduct buying credibility of good police work thus legitimacy of case before grand jury [IT: 11-12 to 13] (5) Fifth, no dates, [times, [initial] places & circumstances] or even sense of such or dates were given to the grand jury being told assertions & completely impossible to build a defense around [IT: 11-3 to 12] (2) Second, reference to video [implicates can be seen] where people believe what is said to be on video as And knowledge of video makes references seem true [IT: 8-21 to 22 10-11], which and presenting G.W.'s video of his viewpoint supporting his association with pedophile/ri violates 1st Amendment [IT: 13-23 to 14-4]. Due to jury taking it at face value when no cross examination in place [IT: 12- to 23]. Taking Grand Jury independence by suggesting imaginary facts or relevance [IT: 20-8 to 11]

landmark to half truths [IT: 21-10 to 15] by denying that by claim it was "now certain... evidence was argued or explained" [IT: 20-21 to 22-2] (6) Prosecutor incorrectly defined the word "exhibit" in N.D.S.A. 20:34-3(b) [IT: 25-21 to 26-3] (7) The word "exhibit" in context of computers may be different [IT: 26-4 to 8] (8) Eighth, which judge denied in IT: 21-21 to 38-5 (with many problems with opinion) But not recognizing false suggestions or implications of guilt as negative exculpatory that needs to be refuted. (8) Eighth, "Sexual Contact" of N.D.S.A. 20:24-4(a) is unconstitutionally vague [IT: 16-3 to 12 & IT: 11-13 to 21] which it was in *Osborn v. Ohio* (1991).

EXCLUDE STATEMENTS WHEN JUVENILES on October 29th 2013 heard motion to exclude statements of juveniles for "molding them", "trying to get their [the interrogators] answers to come out a certain way" "certain language... used" & leading people to believe that there was some harm (ie producing it see Aug 26th 2020 filed petition) etc [IT: 21-8 to 2 so tainting them could not testify ~~that~~ [IT: 8-15] (see contradictions in Aug 26, 2020 filed petition) SUPPRESSION OF EVIDENCE on same day a to suppress evidence of results of continued question of G.W. in his own home after he said he did not want to talk, opened the door for officers to persuade G.W. into showing detective his bedroom [IT: 17-12 to 16]

DECISION OF SUPPRESSION on December 13th 2013 judge denied suppression motion [IT: 4-3, & 7-10 to 12-25] Due to suppression targeted offering detectives opportunity to look in his bedroom [IT: 7-3 to 4] according to Computer Forensics Detective Angelini [IT: 8-2] because defendant was not in custody [IT: 11-24 to 12-3], made an invitation [IT: 12 to 10] which both were false & a lie by Computer Forensics Detective where he contradicted himself at trial [20T... & 19T...] & contradicted by MTPD detective Paul J Bailey [23T...] And such was not the fact G.W. knew to ask proper who was lying. And such was not the only information to get search warrant [IT: 12-18 to 23] (which was ignoring context) & information a year & a half old [IT: 12-14 to 17] (which ignores the encouragement & framework for officers)

PROSECUTION CANCELLED TRIAL on June 2 2014 a state prosecution had undermined prior seven months delay to trial [IT: 3-20 to 22] (amounting to 23 total months of direct prosecutor delay (excluding retractions afterward) & arguably all 4 years & 7 1/2 months causative delay) to add additional charges of first degree insertion of finger or object into anus at an age 0 to 13 years with or without 12 y.o. S.S. & 11 or 12 y.o. Z.M. second degree on same S.S. but at 13 to 16 years of age. [And on 15 y.o. and 10 month old A.D.] And several other charges now with the 18 y.o. S.S., 17 y.o. Z.M. & 16 y.o. C.G. saying what first grand jury indicted G.W. for without evidence (and counter to evidence not presented to grand jury) & the other charges in direction & beyond those illluminated grand jury charges. Along with suggestibility of other charges themselves, culture, restrictions on G.W., G.W.'s position, etc leading to belief of charges (see Aug. 26 2020 filed petition for more details of S.S., C.G., A.D. & Z.M. suggestibility even while well into adulthood older than G.W. was)

All in an unrecorded telephonic interrogation (while two of which were minors and all of which minors)

SECOND INDICTMENT Approximately July 16 2014 state prosecution indicted G.W. on above grounds. Again (1) without any evidence of date, time, place, manner, circumstance or sequence of events of such (2) without direct testimony of witness (3) without disclosing witnesses as victims previously denied such or merely labeled conduct as just requests for mere nudity (4) without citing images are of mere nudity & of childrens own imaginative way to pass their time (5) without citing how late in relationship contact was made which supposed precursor to conduct which if true would invalidate such occurring to JS under 13 yrs. bus stop, etc. (6) Etc.

NON-CONFORMING PRO-SE MOTIONS Later summer 2014 G.W. became frustrated by delays & filed several motions which were dismissed without hearing as non-conforming. As dismissal of indictment for denied speedy trial right, no harm to children with NJSA 2C:2-11 De minimus & several others.

DE MINIMUS On October 10th 2014 G.W.'s attorney speedily filed a de minimus motion. Judge Lisa Thornton refused to consider the merits of motion [ST: 7-7 to 8-1] insulting that any such motion ever would be argued or filed [ST: 8-3 to 5] (implicating she wants children to be harmed & intentionally triggered) Undermining purpose of statute & motion of issue beyond trial & violating first amendment not requiring any harm non-the-less a compelling state interest violated & ignoring implication of no harm would negate guilt at trial where at trial harm is implied if defendant is guilty (where if no harm it should be dismissed prior to trial) [ST: 8-12 to 22 & 9-3 to 16] Judge making up imaginary harm from the acts defined by statute [ST: 11-18 to 22] ignoring New York v Ferber (1975) [ST: 11-3 to 7] Create imaginary harm and ignore purpose of De minimus statute, Constitution & inevitable logic (which contradicts Judge Thornton) [ST: 12-10 to 17] Defining protecting youthful victims as not preventing harm (which is a violation of logic) [ST: 15-6 to 13] Judge Thornton does not care if child enjoyed it or was better off (because she is against the conduct even if she causes harm to the child) [ST: 15-6 to 15] Judge not care for feelings of the child [ST: 16-14 to 22] Denying motion irrespective of truth or law [ST: 27-4 to 9] (meaning she is willfully in negative congruent meaning a negative person. thus hateful, grotesque, etc.) All things are judged by a single standard to ~~truth~~ as possible, zero, or negative to the utmost existence to the philosopher & spiritualist God's word (existence) to prevent or persuade is morality. She prevents existence or happening that she is ~~imposed~~ wrong. Mixing it as immoral makes her immoral & hypocrite.

PRO SE APPLICATION On October 28 2014 Judge oxley@acknew ~~acknew~~ -kessed receipt of defendants pro se application (2) aligned with judge

Therefore position claiming it as good advice [6T: 11-19 + 12-3] (3) imotional
 statistics & irrespective of how people feel of statistics is irrelevant [6T: 12-14 to 18]
 suggesting blame on G.W. for prosecutions 29 1/2 months direct
 delay to preprosecution January 5th 2015 and 30 1/2 months causative delay
 and 13 of the latest months on prosecution along with first 16 months [6T: 10-11 to 22]
 to 22]

~~COMPETENCY~~ COMPETENCY & PSYCH EVAL TO BE PRO SE
 on November 21st 2014 a competency & psych eval is ordered
 Because G.W. frustrated by delays primary & wants to represent himself.

COMPETENCY, SUPPRESSION, & PRO SE ~~GRANTED~~ ~~THIS~~ REVIEW on
 September 24th 2015 G.W. diagnosed with unspecified personality disorder
 [1T: 13-14 to 4] because G.W. is not a hypocrite [1T: 13-20] because of bias
 of culture ~~flawed~~ & acts of others as firing G.W. [1T: 14-9 to 15] G.W. is consistent
 [1T: 14-2 to 8 & 16 to 26] and because ~~of~~ of preconceived notions that the
 choice to have some interactions with children as impulsive (although not said
 here, no ground is said for belief (but I G.W. sacrifice doing it with more children
 to fight for cause. Even the charged children I did not do what I wanted to
 for just pleasure)). Suppression motion denied for any or all associations
 of sex [1T: 36-12 & 13] for sexually explicit text messages [1T: 36-13 to 14] that
 Z.M. said [23T: 81-6 to 11] & G.W. did not say any explicit texts [1T: 80-15 to 81-5]
 (some mysteriously sexual conversations [1T: 36-9 to 12], that was sexual based
 merely an interpretation of ~~that~~ a 17 year old boy presumed irreducibly to not understand
 such [NTSA] & was not actually said [24T: 73-22 to 74-1 to 4] of 3 occasions [24T: 73-1
 to 4] third time [24T: 64-8 to 65-18] (also proof G.W. sacrifices sex with children for cause)
 re righteousness [Matthew 1:19, 5:10/24:51, 23:23-] of facts after search warrant
 [1T: 36-17 to 37-3] after October 20th 2015 search warrant by Oct. 27th 2015 [24T: 34-13 to 20]
 Pet claim that Z.M. said G.W. told Z.M. to send sexually explicit photos [4T: 11T: 36-22 to 25]
 but Z.M. did not claim that ~~was~~ And Z.M. sent photos some where heard would
 be on his penis [1T: 36-25 to 37-1] which Z.M. did not say in interview. That Z.M.
 said G.W. would send Z.M. sexually explicit photos [1T: 37-1 to 3] which Z.M. also denied
 in interview. Thus nothing about the child of the charge in search warrant was used
 to hold up the search warrant. And G.W. had some mysterious sexually explicit
 behavior with some other mysterious children [1T: 38-17 to 9] Thus probable cause
 with no grounds [1T: 31-14 to 38-] G.W. was given insufficient questions
 to represent himself to be valid where G.W. had to correct judge on law
 [1T: 50-2 to 5]

GRANTING PRO SE On October 20th 2015 G.W. was questioned
 and granted self-representation G.W. had to October 30th 2015 (10 days)
 to file notice of all substantial motions. [1T: 30-24 to 31-7] None of
 G.W. prior motions had any effect ~~on~~ on delay (excluding self representation
 (which should not have taken a year)) (but only caused 9 1/2 months from
 prosecution made trial date)

ALL PRO SE MOTIONS HEARD IN COURSE OF TWO DAYS
 all G.W. supposed many prose motions ~~in one day~~ where
 heard on March 10th 2016 & March 9th 2016 (a course of two days)
 excluding bail reduction & pro se motions)

BAIL HEARING On May 19th 2016 G.W. pursued a bail reduction to protect G.W.'s ability to represent himself at trial [15T:3-17 to 22] Bail was reduced on other indentments but remained \$300,000 on case at issue. For supposedly bail should (be an arbitrary "legislation" rather than method be 1,098,000 to 2,760,000 (if G.W. knew losing bail meant guilt at trial (I would have worked on appeal anyway))

TRIAL PREPARATIONS On October 5th 2016 citing G.W.'s list of jury questions [16T:5-19 to 21] which would have gotten rid of necessarily prejudicial jurors & tested their prejudice (As equivalent to would you let a black man watch your children or a gay man would be, but replaced those immutable, ~~traits~~ natural, inherent, ~~in~~ innate, unwillable, etc traits with predominate characterizations ~~as~~ distinctive, distinguishing, factors, or unavoidable to proving negative guilt (ie alibi, motive, alleged by suggestibility & opportunity, exaggeration of extent of real relationship, etc. defense which affirmative prove not guilt, actually negative guilt)

MOTIONS IN LIMINA On October 13th 2016 matters addressed (impermissibly)

OPENING STATEMENTS (ACTUAL TRIAL - BEGAN (at end of 2nd day of court) On October 20th 2016 ~~at the beginning~~ trial began.

At trial the computer Forensics Detective & other government & detectives & investigators made contradictions or contradicted each other and other matters necessarily & rationally mean incredibility. ~~and~~ And all the state-victim-labeled-entities likewise did the same (See Aug. 26th 2016 filing (if petition granted a clearer & more numerous address will be cited))

For example just one "victim" - prior child now adult, the most impressionable the ~~light~~ Bland Hair Blue Eyed (like me but reverse not having principles) Roman Catholic Alter Boy ~~JS~~ (which I am son of one) ~~JS~~ and one, the worst count is... At trial evidence (consisted of) & (was (insufficient = 0 or (sufficient) for)) testimony of state victim labeled entity James Spencer at 20 yrs, 8 mo. & 20 days old on October 7th 2016 for Count of First Degree ~~murder~~ NWSA 9C:14-2a(1) As existed in 2009 which was insertion into person (not ~~average~~ greater than 13 years of age = (not (≥ 13)) years/age)) anus. (ie presumptive and irrational setting 0 of "not" at place of 13). For only source of representations of happening was from conflated entity JS. By Q&A of [21T: (1) 14-3 to 5, (2) 14-6 to 13, (3) 23-15 to 18, (4) 23-19 to 23, (5) 23-8 to 11, (6) 67-15 to 20] which had many problems.

TWO FIRST TIMES In [21T: 14-6 to 13] G.W.'s articulation of JS inserting into anus "came about" "[when] we [G.W. & JS.] were accustomed to over video chat" but in [21T: 23-19 to 25] JS. contradicted himself claiming G.W.'s first articulation of JS. inserting into anus NOT ("[after] we were accustomed to over video chat") but ("almost immediately" after meeting. ELSE ACCUSTOMED IS IMMEDIATE. To save JS. prior argument JS. & G.W. would incredibly have to become "accustomed to over video chat" ~~almost immediately~~ meeting

after meeting where both accustomed and video chat are both independently intimate experiences requiring much time. Both in context of one another requires even more time.

PROOF (((accustomed or video chat,...) = (much time)) (Almost immediately = varies little time) Varies little = not much) ~~((x=x) & (x=not x)) = (contradiction = (negative (consistency = truth)))~~
 ((x=x) & (x=not x)) = (contradiction = (negative (consistency = truth)))
 BAIT CREDIBILITY SWITCH MORE GUILT [21T:14-6 to 13] JS buys credibility claiming (another deeply intimate experience) is place of insertion into anus "came about" [when]... accustomed to video chat itself a deeply intimate experience. Thus consistent or implying much or many interactions. But after JS establishes credibility, JS. in [21T:23-18 to 25] buys more guilt, aggravating factors and (cultural animosity thus prejudice) by claiming penetration "almost immediately" after meeting thus sooner while JS. younger (now under 13 exposing G.W. to N.J.S.A. 2C:14-2a(1) a first degree (effectively doubling sentence). Meaning G.W. was more aggressive and bold. Thus less sympathetic.
 NOT WHAT IT PREMISES TO YBE [21T:14-6 to 13] the only supposed statement of how G.W. instructed JS. to penetrate himself does not instruct penetration. Penetration is only interpreted only if penetrated. Penetration is premised prejudicially. That is JS. use of finger. "fingered" is not to what ~~and where~~ not where and to use object is not said where or in what way. The question & previous Q&A [21T:14-3 to 5] or vary suggestion of case provides the premise. Thus those concluding soon where prejudiced.

Q & A NOT EVIDENTIARY, JS.'s Q&A of [21T:(1) 14-3 to 5, (3) 23-13 to 18, (4) 23-19 to 25, (5) 23-8 to 11, & (6) 67-15 to 20] does not describe any particular actions especially not arrangement and order of actions by G.W. Not even words to constitute anything to begin with.

PREDISPOSITION OR TENDENCY OF MEANS CONTRADICT BETWEEN ACCUSERS Between the state-victim-labeled-entities the means in which G.W. is said to be guilty of instruction or when actually presuming instruction by G.W. for them to insert finger or object into anus while at an age not greater than a statute sets (illogically other than zero) N.J.S.A. 2C:14-2a(1) or and and N.J.S.A. 2C:14-2c (dependent on age of the accuser, or state-victim-labeled-entities) varies as much as imaginable by me or inconsistently or as much as possible within confines of obvious, or understood limitations of facts.

	C.G. JS.	Z.M.	A.J.
"victim"	N/A	Finger	Finger [23T:12-9 to 14] (implied only once)
insertion of:	N/A	(Not object)	& marker [23T:32-3 to 4] (not said first time)
(request)	N/A	audio chat	game video [23T:25-14 to 24 & 19-19 to 20-27]
Platform	N/A	(not video)	chat [ZM said [26T:48-23 to 49-6] was impossible] [24T:46-23 to 47-12 to 19]
Propose method	N/A	Just try	N/A
Word for anus	N/A	anus	ass
Extra words	N/A	N/A	"and show (sic) him"

	J.S.	Z.M.	AJ.
When	N/A [when] accustomed to over video chat & entire time knowing each other	N/A	N/A
Occasions	N/A [many]	one [247:24-0 to 1] multiple [247:57-3 to 6]	At least once but not specified / N/A
Start	N/A "accustomed to video chat" & "almost immediately after meeting"	N/A somewhere in entire relationship	N/A
Last time	N/A until arrest	N/A	N/A
Action	No	Fingered & used	stroke your
Did After	N/A	N/A	N/A

JS-^S SAID RELUCTANCE RATHER THAN TEASING IN [Aug to
2009] VIDEO ~~JS-^S SAID~~ LACKING [CONSTITUTION]
FOR JS TO PENETRATE JS stripping video occurred in August
to October 2009. Littering the last 3 months of relationship out of 14 months
and JS was well older than under 13 y.o. ~~JS-^S SAID~~ proven at trial & exploded in
(G.W.'s Aug. 26, 2020 filed petition to US Supreme Court part 10 & 13
pages 336 to 338 & 285 to 299) thus either JS, prosecutor & all courts lied or JS lied
JS REPEATING LANGUAGE OF STATUTE 6. In 71T:6 to 13 JS uses the
language of N.J.S.A. 2C:14-1 both "finger" & "object"
JS CHANGES FROM STATUTE LANGUAGE TO MARKER From "object"
in 71T: 6T-15 to 20

JS. REPLICATES OS MARKER CLAIM [from AS.] AFTER PROSECUTION
DETECTIVE [Andrea Tozzi] CONFUSION OF WHO ~~OS~~ CLAIMED MARKER
In Det Tozzi's Confusion A [AJ] or JS. Claimed a marker [AST]
JS. Claimed the object he accurately said [I am not sure] was a marker [3/11/67 15:20]
Gtc...

JURY VERDICT on ~~Oct~~ Novemb. 18th 2016 the jury found guilt on GW. on all 22 counts in approximately 30 seconds per count faster than it is possible to read it. Even on counts no one said happened in anyway. And all other counts contradicted by the only witnesses (see Aug 26th 2020 filed petition for more)

REASONS FOR GRANTING THE PETITION

LEGAL ARGUMENT(S) POINT I SPEEDY TRIAL

1. APPELLATE COURT VIOLATED DEFENDANT'S RIGHT TO A SPEEDY TRIAL.

Appellate Court ~~reverses~~ merely ^{remands} for reconsideration violation of right to Speedy Trial rather than dismissal of indictment vacating sentence & full reversal on grounds of speedy trial violation to defendant's right.

By deferring to trial court to consider host of grounds, or (a) claiming to not having a comprehensive Law Division opinion or (b) claiming impracticability of review under any one or more of the following

1. CHILDREN FALLING INTO BELIEF OF HARMFUL VICIOUS CIRCLE
(1) The case deals with expressive or representative conduct or content. Where such is regulated by its association, expression or representation. Here "sex" with "porn" or "obscenity" to, which are children. The circumstances are protective & degree. Thus regulation entirely by supposition of violation of compelling state interest = (interest/state/compulsion)

(2) The children started to believe that premise presupposing harm or wrongness to children from culture, law itself or law enforcement action (As clearly indicated in record) To draw such conclusion of harm or wrongfulness

(Factual grounds withheld to focus on law. But see Aug 26th 2020 filed) petition & example in 24T:38-14 to 25 (Z.M. ~~but~~ feels conduct is inappropriate because age of consent law is believed to have same legitimacy reason which 20 yo. Z.M. can not identify & E.M. denies any harm other than the aversion he holds from laws premise. (And harms that come from aversion))

Those premises of such statutory defined acts as negative right, wrong, negative ability, harm etc are used to draw conclusion of wrong & harm, which in turn justifies premise of statute.

In other words the "world" treats it as evil & harmful. Thus the children begin to believe it actually is evil & harmful, which the world then uses to conclude it is wrong & harmful.

As in math the negative keeps making positives into negatives. The value of the positive reflects the negative value of the negative.

Each child started becoming negative supporters thus adverse in the face of aversion, negative support of others. Which occurred very quickly a matter of weeks

Thus a delay of only a few months after arrest greatly prejudices a defendant. Where an averse child may willfully withhold exculpatory evidence maliciously lie, distort versions of facts, falsely claim degrees of harm, make false allegations etc.

(If children's aversion = negative support results in harm negative ability which results in more harm. Then why does society teach aversion children to be averse or negative support? Instead of negative aversion thus support.)

Each child as adults acknowledged pleasure or not suffering as children. But suffering upon police intervention. Then blame on defendant eventually becomes averse.

The appellate court's order to trial court is therefore insufficient. Where ~~only review~~ a review is necessary to ~~merely~~ see another factor. If enough time elapsed by prosecution delay to cause circumstances for a child to accept premise of wrongfulness or harm to draw its own conclusion.

Further appellate court was ~~well~~ within its comports to discover such. Where record is riddled or has various independent locations to see such & inevitably crossed without large all encompassing review. Where its sometimes a single Q&A as [24T:37-13 to 24 or 25-12 to 22] or two pages [24T:37 to 38], etc.

Thus case must be dismissed with prejudice or the prosecution had made an initial or accumulated error on a lengthy delay.

L2 CONSIDERING...SERIOUSNESS... & COMPLEXITY & LOGISTICS ARE THE SAME.

Page 21 appellate court opinion falsely parces ~~some~~ specific findings as to consider Barker factors... [have] many circumstances to consider... (1) the seriousness of the crimes [charged]; (2) the complexity and logistics...

• [Seriousness is implicit of legitimacy of investigation investment of resources into investigation which is sought by complexity. Thus such "seriousness" would be overcome by simplicity.

And nothing is simpler (for prosecutors) or more to humans than sex, porn or obscenity. (It is only complex for defense to having to overcome hypocrisy of the world, vagueness or silence is suggestive or interpreted as inference of sex or harm and other unique problems.

• The state does not have freebie's to delay merely because of seriousness as defined by degree, punishment imposed, hostility to accusation, legislature, etc.

Seriousness is only relevant to investigation complexity of how facts are related & where are facts being sought & how. Not uniform words & practice (unless seeking what practices could be done.)

In porn or obscenity cases if you don't have it it is simple you don't have a case. If you do have it it is simple don't start a case until you identify child and associated adult.

Sex is entirely unrelated evidence. No physical evidence or no accuser no justification for time or resource use. Evidence of such kind does not tend to last long & otherwise becomes convoluted.

Statement evidence is usually ad lib and off the cuff thus no justification for delay.

Thus no justification for delay as "complexity" Thus seriousness & complexity are irrelevant

Further supporting speedy trial violation the defendant had not been charged with ~~any~~ other particular state victim labeled entities until after identified. Thus not excusing preceeding delay. And in the ~~reverse~~ child porn was charged after identification for creation, et ~~but before for~~

Again in porn & obscenity cases you must have it already before you charge it. Thus seriousness & complexity are irrelevant. And in sexual assault, etc or just sex you need an identified victim who is complaining. Thus no justification for delay.

Thus "seriousness" as suggested by appellate court ~~disputed~~ different from "complexity" is invalid. And "seriousness" unlikely to be relevant in this type of case but for a defense delay.

1.3 CLEAR PREJUDICES NEED NOT BE REMANDED OR IRRESPECTIVE REASONS FOR DELAYS BUT REVERSED

The defendant had clearly been prejudiced ~~by~~ at trial including but not limited to

1.3.1 VICTIMS USE OF VICIOUS CIRCLES FOR HARM

Accusers as victims or witnesses used logically invalid arguments of "vicious circles" in order to justify concluding harm where premise comes from police & law enforcement premise of harm or the real harm law enforcement & censorship caused blame on defendant which grew & developed in months.

1.3.2 VICTIMS REFRAINED FROM SUGGESTION OR EXCULPATORY EVIDENCE

Accusers as victims refrained from testifying to exculpatory or suggestions of, or connotations of, or implications of exculpatory evidence.

1.3.3 Accusers as victims became malicious or hateful of defendant

which previous to delays they were not. Nor willing to lie.

1.3.4 CHILD ABILITIES AS CHILDREN COULD NOT BE TESTED OR DEMONSTRATED

At a much later trial the accusers as victims could no longer be cross examined as to their eldities as children or what they had been aware of or thought, which as a child could be questioned and answered even strategic avoidance would implicate they do realize & know such as children. ~~One~~ where older as C.G. who blanketly claimed he did not know what they were doing (the other 3 said both they did know & not know), not enjoy the conduct (Z.M. acknowledged want, J.S. claimed both joy & coercion, A.J. ~~was~~ added by far claimer disapproved but contradicted such too), thought nothing of it (Despite other questions or accusations contradict such as images of C.G.'s erection or video or with C.G.'s voice excited & labored after serious of images)

Three of four J.S., C.G. & A.J. insinuated & provided conclusions they did not know there was law enforcement and others aversion - which

J.S., Z.M., C.G. & A.J. insinuated to be the harm (Despite even merely means law enforcement and others are the harm). However J.S., C.G. & A.J.'s supposed ignorance is contradicted by claim defendant lied about deleting photos they wanted deleted (which is a concern only if they thought something about it [supposed crime]) Besides other acknowledgements as concealing such from version or not incidentally get caught, etc.

Thus "victims" lying maliciously, denying abilities

Such cross examination could only be done as children

Defendant merely got lucky J.S., Z.M., C.G. & A.J. exposed lies by playing both sides (as adults) contradicting themselves attempting to make G.W. seem evil two different ways. (Which is "incredible as a matter of law")

1.3.5 CHILDREN NO LONGER LOVED OR CARED FOR DEFENDANT

Irrespective of evidence of case G.W. suffered a prejudice clearly by "victims" once cared for defendant & now does not. This violates right to freedom of association. (But also tainting testimony)

1.3.6 CHILDREN DID NOT PROVIDE PARTICULARS

A.J., Z.M., J.S. & C.G. did not provide particulars as time, place circumstances, narrative of a series of actions occurred, etc. clearly preventing any hope of defense from accusations.

As defendant could not disprove two years of time,

Or could not elicit witnesses of deep & cross referenceable details to reveal lies

1.3.7 A.J., J.S., C.G. & Z.M. ~~were only able~~ GENERALLY & BOLDLY TESTIFIED

A.J., J.S., C.G. & Z.M. were only able to provide general conclusions, bold assertions, or accusations (which explains why more vandy (which is more polished) conduct would be alleged (ie all becomes abstract an ~~acted~~ abstract relation with someone charged with child porn, associate as a pedophile, etc abstractly becomes all kinds of crimes.))

And such general, etc assertions are considered more credible or viable although not evidence, and specifics could be tested for actual credibility.

Just as the appellate court used such to conclude overwhelming evidence quite to the contrary of the record & contradictions (see contradictions for each count in Aug. 26th 2020 filed petition)

Such is clearly evidence by no specifics to be found or allegations are bold

1.3.8 CLARITY The clarity of the seven above subsub points

justifies immediate & full dismissal by the appellate court & without remand back to trial court.

Which clarity is by no or very little the opposite of such. Such is throughout the record. Or is observable without much or any cross reference to other parts of record.

1.4 APPELLET COURT ERROR IMPINGING LEGITIMACY OF CONCLUSION FOR TRIAL COURT REMAND. The appellate court decision "[I]n this instant case" is invalid. For appellate court relies on implication of false & irrelevant premises as cited & contradicted below.

1.4.1 PRIOR DELAYS BY PROSECUTION ARE SUFFICIENT TO RESULT IN ~~PREJUDICE~~ PREJUDICE Page 20 "[R]easons for the seven year delay period in [is] clearly attributed to both sides" (Note "period" not "delay") is a fallacy by appellate court, where prior delays by state prosecution had already prejudiced the defendant.

1.4.2 PRIOR PROSECUTOR DELAYS MANDATED DEFENSE TIME TO RESPOND Those prosecutor delays necessitated different responses by defense, which may provide an illusion of defense delay.

SUBSEQUENT DELAY BY DEFENSE IS IRRELEVANT. Besides original & obvious delay by prosecution to indict by 14 & 1/2 months (which is especially prejudicial & with even fractions of that time in a child sex, porn or obscenity to children case, [evidenced by speed in which premise of harm to draw its conclusion is assumed & speed of suggested guilt by children even as adults (see Aug 26, 2020 Petition parts 1, 2, 3, & 4)]

Therefore it is presumptuous for appellate court to lay blame of both sides & the clarity of prosecutors initial delay should justify dismissal

1.4.2 FALSE SUGGESTION ~~RELEVANT~~ RELEVANCY OF DELAYS ARE PROPORTIONAL.

Appellate opinion page 20 "[r]easons for... period [delay]... are attributed to both sides [] [] in part because speedy trial issues were raised at different times" is a fallacy

For claiming raising a speedy trial issue has no effect on blame for delays of other causes. And could only blame defense (the ones that raise speedy trial issues)

Or suggests that measure of proceedings should be fractions of delay rather than absolute time of delays & origin of delays. (ie 3 1/2 years of prosecutor delay does not become justified because defense also delayed 3 1/2 years. Or defense delay after prosecutors delay of about 16 1/2 months does not nullify prosecutors initial delay.)

1.4.3 FAILURE OF PROSECUTION TO PROVE REASON FOR DELAY DOES NOT GRANT PROSECUTION A RIGHT TO (1) YET ANOTHER TRY OR (2) TO FURTHER DELAY

Appellate court opinion page 20 & 21 "[appellate court] do not have benefit of a comprehensive Law Division opinion that divides the overall delay into discrete periods and then explains and evaluates the reason for delays... is true but falsely premised.

For the prosecution had not provided nor attempted to do the same themselves. Burden rests on prosecution. Their failure thus results in courts failure does not grant the prosecution (1) another try to explain or excuse away violation of speedy trial right (ie at least their prior failure (inherently). or (2) to further delay defense with panel

The appellate court error of providing another ~~try~~ opportunity implicates (1) that defense does not have a right to a speedy trial where it could not exist in consideration of (2) logic

dictates only one result, could secure commitment that prosecution must always win for to take it to the extreme (as a strategy in logic) means indefinite demands until prosecution wins (by explaining position) or an arbitrary designation of number of demands (ie prosecution could keep trying again until win or they get some number of freebies)

Not reason for delay in consideration of ~~the~~ violation of right to speedy trial is equivalent to denial & violation of right to speedy trial.

Not considering a violation of a right to a speedy trial is equivalent to no speedy trial

That is logically the appellate court acknowledged a violation of right to speedy trial in original consideration (ie no reason explained) but inconsistently & hypocritically not practice what they believe (ie violation of right to speedy trial). Violating due process by inconsistency.

Therefore reversal & dismissal of indictment is proved.

Further allows for more peril to the defendant for what is not fault of the defendant (ie prosecution not proving reason). Thus unfairly violating premise of any law & due process U.S.C. Const Amend 5 & 14.

HOLDING DEFENDANT RESPONSIBLE FOR PROSECUTION REPEALS ARTIFICIALITY OF LAW GOES BOTH WAYS

As in cases of appeal or re litigation prohibitions the failure to get a sought result ~~whether~~ whether litigation or not does not warrant re litigation

~~or in logic a reiteration evaluation is assumed to have been opened~~

The failure of the prosecution to provide grounds for delay which prevented the court at a particular time presumes it is not provable. ~~At setting~~ circumstances do not change. The appellate court standard ~~violates~~ defendants right to speedy trial ~~initially~~.

1.4.4 REASON FOR DELAY IS NOT DETERMINATIVE OR NOT HAVE MORE WEIGHT THAN (1) LENGTH OF DELAY, (2) ASSERTION OF THE RIGHT BY DEFENDANT, AND (4) PREJUDICE TO THE DEFENDANT

As appellate court hypocritically acknowledges but does not apply page 19 "None of the Barker factors [are] determinative, and the absence of one or some of the factors [are] not conclusive of the ultimate determination of whether the right has been violated." Id. at 267 (citing Barker, 407 U.S. at 533). The length of delay is known, 7 years, which is beyond exceptional. Defendant asserted right more than just once. And prejudice is presumed after one year unnegated by prosecution, presumably far worse in a child sex pain or absconding to a child case & clearly occurred here lacking competent testimony, guess work, uncertainty of time frames, etc much more

For any one of such factors not outweigh the least important reason for delay is an absurdity. For all 3 to fail in the face of another is another absurdity.

As bad as it could get to the third power is not overcome even in best circumstances for reason for delay. No reason is worse.

The appellate court's position premises reason for delay could ~~overcome~~ overcome all the other three Barker factors. But does not acknowledge the premise, But suggests a mere desire for a complete record.

Which in such a suggestion is entirely irrelevant. The appellate court again hypocritically, espousing principles of completeness while they actually seek denial. (Their belief of overwhelming evidence in case and other, obvious misinterpretations necessitates a principle of condemnation irrespective of truth.)

1.4.5 FALISY OF COMPLEXITY TO DELAY IN CHILD SEX, PORN OR OBSCENITY TO CHILD CASE.

Page 21 appellate court suggests justification for delay as "(2) the computer complexity and logistical challenges of an investigation that required forensic analysis of digital evidence used to identify and locate out-of-state child witnesses" is ~~entirely~~ falsely premised.

First presumably upon arrest there is already sufficiency of evidence to take to trial in ~~these~~ these types of cases. Second other charges you want to file does not justify delay of other charges. Third, for possession of child porn or production of such or obscenity ~~or~~ to a child you need the content before charge. Likewise for production, sex and obscenity you need the child whom is complaining (or treated as complaining although they are just avoiding negative attention). Eliminating excuse for delay. Except maybe for return of physical test results as for sex. Fourth

Fourth, computer forensics is perhaps the simplest form of forensics.

It is not like having to reinvent the wheel each time. Systematic protocols are in place, fully automated by software and being digital is as far as humans go insidious. It is neither manual as searching for blood drops on a scene nor require cleverness as using hair follicles instead of blood, etc. (ie unlike a Sherlock Holmes investigation, needing creativity)

Fifth, as identified in Robert Anglin's testimony investigation occurred quickly but then vast delays in investigation.

~~Also~~ Suggesting the easiest forensics of easiest to investigate charges

Irrespective as identified all the state victim labeled entities had been identified at most weeks in discovery hours.

1.4.6 ~~Page 21~~ NEW INFORMATION IS NOT HELPFUL TO JUSTIFY DELAY

Page 21 appellate court suggests justification for delay as "(3) new information provided by two child victims who had been reluctant initially to reveal that they had been urged to engage in anal penetration."

Problems are blatant. First lying claiming defendant "urged" which no such claim made and contrary to their allegations. Thus falsely premising. Second, "child victims" were adults*, where not victims of defendant but of court & prosecution's premise. They merely joined in the hypocrisy (to gain the world). Third "reluctant" is not as suggested and devoid of evidence, but to conceal it from the government they knew was their enemy.

Fourth, that "new information" from result of prejudice. Essentially ~~the~~ court concludes a vicious circle justification of delay, is "new information" that new information was gained by delay.

There is no required justification for original delay. That the future evidence goes back in time to excuse the past.

And that "evidence" is exceptionally weak see Aug-26 2020 petition part 1 for implication, & 2.1 for explicit weakness. And this case history.

1.4.7. NUMBER OF JUDGES IRRELEVANT TO JUSTIFY DELAY
~~that~~ On page 21 appellate court suggests justification of delay as "(4) the number of judges assigned to preside over various events." Such ~~excess~~ justification is false. Each judge whom is assigned has no need of personal history of case but perhaps for a dismissal of indictment on grounds of violation of speedy trial, execution of motions In Limine for trial itself & motion of acquittal. Even dismissal for violation of right to speedy trial does not need a judge's previous history. Second the flexibility of multiple judges suggests even less justification for delay. And ~~even if~~ not such still counts in favor of defendant.

1.4.8. Page 21 appellate court suggests delay is justified by "(5) number numerous pretrial motions defendant filed at all stages of the case." is a fallacy. First defense had filed ~~and~~ substantive motions on one day prior to state prosecution bringing a delay to trial after 5 years & 2 months in arrest. Second other than motion for self representation no prose motion ~~was~~ made any effect until self representation day after 6 years in. And such motions were heard in the course of 2 days consecutively. And defendants prose motion inexplicably took nearly a year to grant.

1.4.9. UNORTHODOX DEFENSE STRATEGY AS CITING CONSENT ~~IMPLICATION~~ IMPLICATION OF NO HARM, EXPLANATIONS OF WHY CLAIMS MAYBE CONFUSED ETC IS NOT UNDOING PREJUDICE AND DOES NOT RENDER OTHER DEFENSES IRRELEVANT. TO PREJUDICE, JUSTIFY THE PREJUDICE CAUSING IT.

Page 21 appellate court suggests justification for delay is "(6) defendants unorthodox defense strategy, which may be relevant in determining whether that defense was prejudice by delay." is premised falsely.

First, "that defense" suggests a limited number of defenses or a particular defense (a) ignoring all other defenses as guilt of insufficiency of evidence (inherent defense to all cases) as by testimony is not particular; lacks time, place, manner, circumstances, series of occurrences in a narrative, etc; ~~boldly asserted~~ merely bold assertions, sources are incredible as a matter of law, etc. (b) ignoring negative guilt as explaining suggestive evidence is actually something else as civil disobedience of another rule not the element of a charge, or children acted of own volition which technically is consent but violates due process to consider defendant guilty and not same kind of consent intended to be prohibited. Or the children believe such occurred because of suggestibility of defendants conduct, openness, forwardness, possessions etc of associated conduct etc.

Therefore the appellate court ordered the remand back to trial court only consider prejudice limited to a particular defense. Even worse a misrepresentation of that defense. Likely consent defense. Where the court suggests G.W. had ~~be~~ instructed or asked the children to do such and they agreed to G.W. Thus either way side must be reversed and all conceivable defenses including but not limited to defenses cited above.

Second, if in regards to consent or no harm etc. (1) is suggesting the defendant ~~be~~ admitted to guilt. However (a) defendant did not admit to guilt (b) defendant never said Z.M., J.S., A.J., or C.G. consented

to ~~guilt~~ or not harmed by guilt (despite belief he believes they would be over if guilty) The court & prosecution are imagining such corroboration.

Thus appellate courts premise should be nullified

Third, such was clearly G.W. more perserving the issue & equities evidence to argue later for law, to overcome lies of the world.

Fourth, it's a wonderful cross examination tool demonstrating insufficiency of evidence by self contradiction of accusers

which appellate court is chilling its use thereby requiring reversal of decision

Fifth, elicits implication of innocences as no harm either means defendant did not commit the statutory defined acts or such ~~stat~~ conduct of statutory defined acts is constitutionally protected, even more so the oversay to soon would then be the harm & violation of compelling state interest. As premises prove at trial but alleged conclusions contradicted (Inherently a premise must be more credible than the conclusion if inconsistent) The children were fine until divided by context of others negative to possible of support & making it a negative to children (its literally mathematical)

Thus appellate courts position is ~~negative~~ premised negative to truth (or mere evidence) thus needs a full complete reversal

(If accepted examples & proof will be provided please see Aug 26 2020 filing)

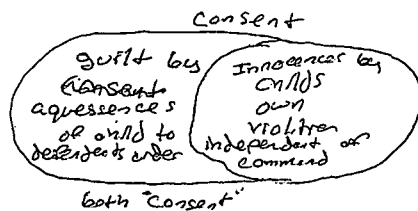
2 POINT II — WAIVE RIGHT TO COUNSEL

2.I DEFENDANT ACTUALLY DID NOT KNOWINGLY, INTELLIGENTLY & WILLFULLY WAIVE HIS G.W.'S RIGHT TO TRIAL COUNSEL CONTRARY TO APPELLET COURTS CLAIM

2.II APPELLET COURTS CONTENTION [on pg 23 to] IS BASELESS OR OVERZELOUS BY INCOMPLETENESS

Appellet court bases its position on (i) a bold assertion the defendant "knowingly and voluntarily... accepted the challenges of self representation" (a) claiming defendant "indeed gladly, accepted the challenge which (if true) would be irrelevant to "knowingly and voluntarily"; (b) contrary to evidence where defendant (i) sought & maintained counsel for five years (where this issue & speedy trial calage) (ii) asked for bail to assist in self defense may 2016, etc. (3) irrelevantly claiming G.W. holding an alternative, to advocate for himself & advocacy for "pedophilia" (4) not (c) claiming in large part because defendant wanted to advocate for himself (which is inherent) and a range of conduct & conduct referred to wrongfully as "pedophilia", this is (a) irrelevant attempt to draw animosity to justify denial (b) is misleading & suggests an "mean grievance" between self representation and advocating for self (literally what self representation is) or "pedophilia" (again literally a self defense where here G.W. assert original implicitly defense of O guilt by insufficiency of evidence as just bold assertions, sources contradict other sources the jury found credible in other counts, sources contradict themselves, a part of an element is missing, no particularity, no time place, etc. etc. Or negative guilt by which is G.W.'s support for pedophilia as by expressed position, associated conduct, etc. suggests is suggestive where children over time begin to believe G.W. did more. The public charge or treating G.W. as criminal did the same, etc. Or the implication of no identifiable harm at the time as all children testified to is O guilt but with "passive evidence"

a moral
not good
not evil
irrelevance
veracity
0 value
Existence



child
porn
sex
justice
love
good
support
Exists

illegalization
of sex
provisions
injustice
hate
evil
aversing
- Existence

(Existence = - Existence)
= (Existence / - Existence)
= - Existence

Page 22

evil
injustice
immorality
Existence = - Existence

(Where the case is not dismissed per se as de minimis or unconstitutional the "harm" is assumed to have occurred if crime occurred. Therefore no harm implicates no crime) (The harm implicates or even less than violation of interest of state of compulsion (literally a compelling state interest logically means irrationality (its not actually to prevent harm otherwise it would be an element, etc.) The covering of causes of harm proves both the negative to pedophilia caused the harm thus the extent of "pedophilia" would not be being positive or negative to the negative thus negative harm. or explains why people could become confused as to the cause of such harm rather than said "pedophilia," etc.

(The necessity of disproving cause of harm or violation of compelling interest) Further, (c) is misleading again by again suggesting or weakly incomplete where such support is moral being negative to the negative. It actually exists, not tries to stop existence [Colossians 2:20-23/1 Timothy 4:1 to 3 & 4] That is it is the most moral contrasting the most grotesque of (incongruities of moral. It is hypocrisy) which is the worse because of degree of expressed aversity (especially with media) a verification that it is false (we were all once children, etc.) the value in which the incongruities are placed. (ie the aversity to pedophilia is probably the greatest lie in all human history the incongruities are placed in the worse places possible to create the greatest non-existing thing, a grotesqueness)

I G.W. would fight for it not for "pedophilia" but for love of truth. [1 Thessalonians 2:10-12]

2 QUESTION IS NOT USUALLY WHAT JUDGE DID BUT DID NOT DO. (1) The appellate court merely asserted satisfaction of the requirements however neglected if each was merely associated as satisfied or not whether substantively satisfied (2) not addressing whether defendant was questioned more specifically as defined in State v. Raddish 18, NO 553, 587 (2004) and Fareeta v. California, 422 U.S. 806, 835 (1975)

And (3) Even though some of the points the appellate court cited is accurate they are not fully accurate. where applications of such are neglected from the record.

For example elements of the offenses were not addressed, the courts interpretation of those elements as far as being categorized (not particular case events).

No possible defense cited what so ever. Whether implication of innocence is compelled to prove no guilt.

(note I G.W. do not like this issue raised by appeal counsel)

The defendants conclusion of being well acquainted with the law is irrelevant to a series of premises of portraiture which would draw such a conclusion.

2 POINT III = PUNDO SELF REPRESENTATION
3.1 RELITIGATION IS REQUIRED WHEN DEFENDANT FILES FOR SELF-REPRESENTATION THEN COURT CONTUES COUNSELS MOTIONS Trial court had superceded the defendants right to counsel U.S.C.A. Const Amend. 6 by forcing counsel on a defendant for a motion after the

Defendant demands the right to proceed pro se ($\equiv$) = (logically equivalent to) Requirement/relitigation = (contingency / (time/demand/defendant/right to direction / (continuation = place/self representation))) + (time/decision/motion/court/trial))))

For the defendant's right to representation was asserted prior to trial court hearing or having motion argued or decided.

For a defendant's right to representation is greater than a trial court's right to scheduling outside time continuum.

For either law is an artificial institution likewise rights & authorities are ~~not~~ not quantified by value based or applied in ignorance. And the U.S. Constitution more explicitly defines right to representation and directly cited. Along with U.S. Constitution the highest documentary law (under reasoning).

Or if a trial court has the ability to schedule motions & self representation outside the continuing of time undermines any and all use of right to representation. Where in absurdism pushing the issue to the logical extreme would mean a court could neglect the practice of representation until years later after all issues are prohibited from use.

A court having violated that principle requires correction. And the only correction is relitigation of the issue (See erroneous decision in this petition's summary of case).

3.2 COURT IS OBLIGATED TO DELAY LITIGATION OF A PREVIOUSLY FILED ISSUE WHEN DEFENDANT FILES FOR SELF REPRESENTATION.

In the absence of having already argued & decided a motion a court should either acknowledge permission for relitigation or delay litigation once a defendant asserts the right to self representation. If relitigation would be denied when motion sought.

For the defendant's right to self representation is greater than a trial court's right to decide the sequence of pending motions.

For a court's right to decide the sequence of motions would entirely eliminate the right to self representation.

The trial court must decide the sequence of pending motions within the bounds and sequence of a defendant's practice of rights or in the alternative relitigate issues.

3.3 SELF REPRESENTATION ENCOMPASSES CROSS EXAMINATION AND WAY TO TESTIFY AND NOT SATISFIED BECAUSE IT WAS VIOLATED WHEN DEFENDANT REPRESENTED HIMSELF

The defendant maintained his right to represent himself and was not surrendered by choosing to represent himself as Appellate court plays in a switch a roo.

Counter to suggests of a pretrial court the defendant is not claiming "Ineffective assistance of counsel" but denial of right to present his own defense.

Nor can the defendant be blamed for the trial court forcing the defendant to have a stand-by-counsel asking detrimental questions (which should not have been asked forcing a catch 22.)

3.4 STAND-BY COUNSEL TOOK OVER PROS PROPOSED PRO SE TRIAL

3.5 MID-TRIAL COURT DIRECTING TRIAL METHOD

as the appellate court blamed on defendant
 Stand-by-counsel not defendant determined questions, the order of these questions respecting of the build up the defendant had been engaging in during trial

This disrupts the defendant's trial strategy.
 The court in the midst of ~~which~~ an already going on trial changing the rules mid-trial so fundamentally would destroy the effect of strategy leading up to that point

3.6 MID-TRIAL DEFENDANT HAD TO DIRECT ATTENTION AWAY FROM OTHER DEMANDS TO FORMULATE QUESTIONNAIRES [ON PAPER]

The very fact the defendant had to hand write & formulate questionnaire for himself ~~then~~ took defendant's attention off other matters concerning trial (having to work on these questions was itself detrimental)

3.7 DEFENDANT DID NOT ACT OF OWN VOLITION BUT CONCEEDING TO COURT ORDER TO SAY "OKAY"

The appellate court's citation of defendant "okay" was not because of the defendant's consent nor own volition as appellate court suggest but conceding to or acknowledging a court order the defendant had no present authority to override

Nor could any affirmation after a court order ~~be~~ informing. In court is going to work constitutes as consent. Further consent other than demands of own volition can not be said to be consented in a trial setting other than when an alternative is provided.

Thus should be reversed where justification is invalid.

3.8 DAMAGES OF STAND-BY-COUNSEL QUESTIONING OF DEFENDANT SUPPOSED AS PRO SE

Such "general questions" (a) did not have the rigid formatted and specifics defendant needed (b) did not act as a reminder to defendant of particulars needed (c) where incongruent to the narrative that was denied to be sought as (i) a time line (ii) interconnectivity of issues (not time lines are easier to understand) (iii) ~~the~~ prevented laying out the information in a formatted way, etc. (d) required defendant to make a mockery of himself in an attempt to hint at or include information (i) not included in exhibits or explanations of exhibits (ii) that G.W. was unsure stand-by-counsel would ask, etc. (e) suggested a premise of part of defendant's guilt as what is defendant's primary purpose suggesting another purpose of statutory defined acts. (f) element (g) Abstract general questions require a short time & narrow context in which to attempt to provide pertinent information. (h) the combination of breath of questions with categorical limits confused defendant, (i) Breath of question at one time prevented defendant from formulating a list of each point in each question

- (i) Defendant had no ability to amend statements (ii) Defendant was not asked follow up questions (iii) Defendant was caught off guard, etc. etc. (Compare & contrast quality of G.W.'s answers between stand-by counsels "General" questions & prosecutors questions (stand-by-counsel was MORE detrimental than prosecutor))
- 3.9 GENERAL QUESTIONS DO NOT FORGIVE ISSUE BUT MAKE IT
- 3.10 TESTIMONIAL FACTS NOT PRESENTED TO TRIAL JURY Contrary to appellate court position I do not have to provide what I was prevented from doing. But I will humor it (a) narrative, (b) review of all exhibits, (c) my account of why I had my purpose (d) what I meant by "Civil Disobedience" (e) what caused it, etc etc. There fore case should be reversed & mistrial issued.

4 POINT IV - FAILURE TO SEVERE
 4.1 APPELLET COURT ILLEGITIMATELY DID NOT REVERSE FOR TRIAL COURT'S FAILURE TO SEVERE COUNTS SUA SPONTE, BASED ON FALSE OR IRRELEVANT PREMISE

4.1.1 TWO FACTUALLY JOINED COUNTS PROVED TO BE PREJUDICIAL WITH (impossibly fast) JURY VERDICT OF GUILT DESPITE INSUFFICIENCY OF EVIDENCE OR INCREDIBLE AS A MATTER OF LAW ETC. The joined counts caused a jury verdict of guilt despite contradictions & with jury deemed credible witness by guilt of count only they testified to, themselves, etc testimony was mere bald assertions, etc.

Such is not rational to accept as credible or evidence.

Therefore joinder is hereby impermissible in all cases.

Further even court & prosecutor conflated a statement of one or form of conduct with all others, thereby maximizing adversity to defense & prohibited any reasoning. Such would likely be the takeaway from juror's view.

4.2 JOINED IS IRRELEVANT THUS IRRATIONAL THUS ONLY PREJUDICIAL TO PARTICULARITY EVEN IF SAME CHILDREN IN SAME EXPERIENCES UNLESS ACCOUNT IS ONLY OF SAME PARTICULAR INCIDENT. & SAME CHILD AT SAME TIME two or more children testimony ~~the~~ even alleging conduct of or with the other or of separate incidences by different times, places, means, circumstances, events etc. is prejudicial, where one does not testify to the same events being irrelevant to each other carrying no weight.

Further unless it is same child at a time on trial for such disregard from counts relating to or with that child.

4.3 JOINED CAN NOT HAVE AN EXEMPTION IN A CHILD SEX, PORN OR OBSCENITY CASE FOR VIOLABILITY ~~of~~ OF MIND, ~~FROM~~ UNFORMATED OR STRUCTURED MIND, ABSTRACTION & BREADTH OF SEX PORN OR OBSCENITY IN ~~BEING~~ CULTURE, CENSORSHIP OF ORDINARY REVIEW OF SUCH ETC.

Unlike any other case child sex porn or obscenity cases are inherently problematic with their abstract concepts, references

or implication by silence or odd statements, violation of a child's memories, child had not efficiently cataloged information to recall details with easy access, many references may not have been taken in or timed, etc. And worse of all cultural censorship of ideas or manifestations keeping concepts at distance or suggestions it is some how in some uncoded way different than life experienced events. (A form of denial & villinization)

Being right to an immercial jury & due process (reasonableness)
 4.4 APPELET COURT PREMISES FALSELY PEDOPHILIA, SEXUALLY ATTRACTED TO YOUNG BOYS (redundant thus deception & false being older of "boys") & BELIEF OF RIGHT TO PERFORM ACTS PROHIBITED BY LAW AS EITHER OR BOTH PREDISPOSITION OF CRIME OR DEFENDANT CHARGED SUCH

(a) The appelet court first argument for joinder is ("predisposition [for crime]") is (viewpoint [pedophilia], "sexual attraction to young boys," & "[belief of] right to perform [criminal acts]"), which is false as merely view points & thus not itself criminal acts.

(a) The first premise of appeal court is pedophilia (litterally child affection) is an act of committing a crime, most certainly it encompasses potentiality of committing some sex acts with children but also activities not a crime. (Thus irrelevant to crime) No different then the state of being a civilian, a car driver, etc. There is no necessity to commit a crime.

Likewise "sexual attraction to [double negative thus false] young boys [but conflicting irrationally to mean either "young" or "boy" (and false where they were older)] is not a commition of any ~~general~~ statutory defined act.

And a "[belief in a] right to perform acts prohibited by law" is both not itself a crime and rather hypocritical for challenges occur often or had occurred for various activities by a right & how rights come.

All 3 cited above are also constitutionally protected by freedom of representation & thought U.S.C.P. Const Amend 1 thus obviously not predisposition of crime But its claim to its chilling & here a violation of it.

(b) The implied premise defendant does not have "a right to perform [activities definition of statute]" is false. In first instance such it is legally recognized ~~as~~ as protected only in second it has not. Second, premises an arrogant belief of authority. Third, assuming such as true premises such is not an inherent right which sexuality & representations are

The issue is only severe harm. Which the harm only exists upon oversten by ~~ability~~ others. Thus both caused by others & proving it is itself negative harm which is ~~ability~~ ~~about the harm~~ (c) The inferred "right to perform acts prohibited by law" is merely derived from courts violations of first law of rationality, rejecting falsification & implication which they suppose as ~~acts~~ ~~the~~

4.5 APPELET COURT IGNORED IMPAIRMENT TO DEFENSE BY TYPES OF SENSES OF PREDISPOSITION OTHER THEN SOME IN OTHER CATEGORIES.

The defense had a right to control its own defense in where to attack & how to attack. Thus could reveal some predispositions but not reveal others. And on what counts to utilize so said predisposition & when not.

By not separating counts trial court violated defendants rights where obviously he would be found guilty

(1) By the defendants social advocacy demonstrates an association & targetting of defendant by false claims, as a defense. But joinder limited the effect of such defense to point of detriment (Also prohibiting jury questions that get rid of prejudice to pedophile jurors)

(a) The defendants other disputed types of crimes that had been dismissed likewise would explain why the defendant was targeted and why categories of crimes would be added on in attacks. Additionally accusers creates a predisposition falsely or unjustly of those types of crimes.

(3) At no time did defendant claim defendant committed other criminal activities as penetration, production of child porn etc. And even if he had such would be recognized as honesty thus credibility rather than necessity of confronting allegations of others. (ie predisposition/8 or with a = not 4 or not with 6))

(4) At no time did defendant present a predisposition to commit crime.

(5) Defendant had a right to preserve separate means of defense. Rather than needing a predisposition of one as to prove they were swayed to believe crime occurred But another is maliciously making up the matter entirely.

(6) The defendant claimed innocence from each individual state victim labeled entity. Thus guilt of one should not affect the other.

(7) If defendant had ~~not~~ suggested or imply other crime, but implied or suggested no harm, crime could not have occurred. Thus associating such in a way, could act as a defense as to whom caused such harm in which is confused as result of crime supposed predisposition of other accusers of other crimes. (ie (harm=crime)=(No harm=No Crime)

(8) Defendants guilt of one count or another should not sway jurors in to defendants guilt of another crime or accuser accuser or crime.

Thus irrespective of defendants "unusual defense strategy" joinder was inappropriate for justice. Denied right to differences.

4.5 JOINDER INAPPROPRIATE NATURE IS NOT CONTESTED BY ~~SUSTAINING~~ SUSTAINING A CONCLUSION THAT IS CONTRARY TO THE PREMISES OR PRINCIPLES APPELET COURT SEEM TO RELY ON

Appalet court in order to attempt to sway against defense position joinder of charges is inappropriate appalet court blanketly claims permission of joinder for sex abuse (which sexual "abuse" is negative thus by such court judges) & "child pornography" "cases involving multiple [accused as if] victims"

And citing case is a mere conclusion of its satisfaction without context. Even had "clearly... [resulted] [in] an unjust result" where (1) what one accuser (Satin) said was conflated with others by prosecution & courts (2) some as J.S. for sexual contact never even testified to crime, yet jury found G.W. guilty in on coverage of <45 maybe <30 seconds each (3) each accuser as if a victim contradicted themselves or each other yet G.W. was found guilty by jury. And (4) other grounds of manifest injustice cited in counter statement of facts from appalet court in this brief.

It is impossible to imagine any case especially in this current cultural environment where child porn & sex sex & porn cases could be joined without overwhelming prejudice.

The fact is there is not even sufficiency of evidence yet each is overwhelmed by the theme and number of representations rather than validity of any particular accusation.

Joinder unfairly eliminates consideration of credibility by jury entirely eliminating purpose of jury. Even guilt is merely assumed by confusing issues.

No jury could be expected to consider all factors of odd statutes, different (statutes & means they apply), many counts (of supposed different crimes (ie sentenceable consecutively)) and many different accounts & claims.

Guilt then becomes (1) number of allegations, (2) theme of allegations,

~~(2) number of claims, etc.~~ (3) number of claims.

No person could defend against such without deep analytical review impossible in a trial format. As logic statements would provide thus especially in child sex & porn cases, that courts are should be severed.

As for appeal court "accusations may be tied together if among other things, the offenses charged are of the same or similar character" (1) is actually the problem. For example Robbing a bank & a child porn case facts, association, etc would not get as easily mixed up thus less odds of prejudice (2) those "other things" is not said or satisfied (3) the supposed similar or same conduct does not make sense between multiple state victims or different dates & times.

Such produces a mere theme rather than requiring evidence. Such overloads a single jury and conflects arguments & allegations.

Such turns into premise of guilt if one or another or parts of a variety of type of offenses are thought to be proven. Or combination of accusations borrowing pieces to create theoretical crimes.

Further those among the common character creates a character of defendant is guilty. Thus itself ~~being~~ constituting as the predisposition.

Further the allegations are wildly different between accusers of G.W.'s overall strategy, plot or superstructure or interactions, micro means, ways G.W. went about it, forwardness, or as wildly different as could be within known means of how platform works (which such ~~contradicted~~ tendencies of behavior contradicting between accusers (even in separate trials needs to invalidate at least one) etc.

Repeating for clarity (1) such joinder prevents different means of defense (2) such joinder made facts irrelevant (3) result was impossible in face of not credible as a matter of law within accusers own testimony between each other.

Besides, & if not any of the above the appeals court reverses the order of events.

(a) The defendant was brought to trial with an inevitable perception of predisposition by already have counts joined. Thus it is not defendant whom would have himself brought the predisposition before the jury. Thus defendants actions of supposed predisposition are irrelevant.

(b) The defendants own predisposition demonstration of predisposition with multiple accusers would have been interpreted as necessary rather than honesty of defendant. Thus unfairly eliminating credibility of defendants acknowledged.

4.7 APPEAL COURT PROVEN TO FALL FOR THEME BASED PREDISPOSITION. Most importantly the appeal court again hypocrisies (see Aug 26 2020 filed petition) By ignoring theme based prejudice believed "predisposition" But yet themselves using it.

Where in section "VII" page 38 regarding Detective Andrea Totti as a "brief comment" court claims as a "brief comment" "isolated remark".

Factually all specifies that are also evidentiary are "brief comment" "isolated remark" meaning the appeal courts own categorization of ext. determination is by theme or tendencies of association (as artificially induced by strategic & focal pushing).

Which suggests all particular evidence & particular contexts (ie a cross referencing) is considered minimal or irrelevant by the appeal court which is erroneous for such particularity is only kind of evidence that exists.

Thus appellate court is suggesting guilt by the mere associations of occurrences with crime. Thus the supposed but not actual "predispositions".

Thus the appellate court's conclusion of "overwhelming evidence" is not based on whether evidence actually existed [page 38] but its suggestability proving prejudice by appellate court & or by U.S.'s association then evidence credibility is irrelevant then unjust result

Thus actual representations of predisposition or evidence of disjointed occurrences or other children is inherently too prejudicial to be alleged by accusers

5 POINT # V - WRONGFULLY DISREGARDING ERROR OR EXEMPT

5.1 APPELLET COURT FAILED TO ACKNOWLEDGE APPRECIATION OF CLARITY OF COMPLEXITY TO PRODUCE AN UNJUST THAT "NOT INSTRUCTING JURY TO DISREGARD EVIDENCE" TO PRODUCE AN UNJUST RESULT" DESPITE ASSUMING TRUTH OF FALSE PREMISE THAT DEFENDANT CHOSE TO PLACE HIS PRESEXUAL PREDISPOSITION BEFORE JURY, OR TRUTH OF AGAIN FALSE PREMISE OF "STATE'S EVIDENCE OF GUILT ... WAS... UNCONTRAVERTED & UNQUESTIONABLY OVERWHELMING" AND BOTH ARE FALSE. [Pages 36 to 37] Appellate court "agree[s]" with defendant that the trial court should have instructed the jury to disregard evidence that had been present concerning [the] child" who chose not to testify.

However the appellate court excused the trial court's (plain thus predictable error) as if "not clearly capable of producing an unjust result" R2:10-2 Based on two false (and) thus (disjointed) irrelevant premises

The first premise that "defendant chose to place his sexual predisposition with respect to young boys before the jury." (1) As noted in previous point all arguments assumed here. Such is false where (a) court joined trial first (b) defendant did not testify to guilt of particular crime with others, (c) reference & defendant "sexual predisposition to young (sic) boys" is not committing a crime, etc & itself prejudicial to join prejudice = injustice, -justice, -justice = -2 justice = (prejudicing > prejudice). Thus argument by appellate court is worse. And (b) (d) defendant had to acknowledge predisposition of attraction for defense to have foundation (the trial court should have accepted defendant's jury questions to not have jurors who are prejudicial against or confuse defendant's viewpoint as criminal predisposition)

And irrelevant that if true for defendant did not get to control the predispositions to reveal to fight counts his own way

The second premise of the court again is self contradictory of "state's evidence of guilt... was... uncontraverted and unquestionably overwhelming"

That is false for an actual "discernment" or "analysis" reveals rather than confusion and confusion (as multiple things are one (ie predisposition) or one thing as another (predisposition) reveals the computer forensic detectives & all four adults as children in pain or sex where (a) self contradicting, contradict each other, contradict exhibits they are basing such on, and other grounds of "not credible as a matter of law" or consists of mere bald assertions or other grounds of insufficiency of evidence. [see Aug. 26, 2020 filed petition attempt] further G.W. denied every element of every offense & strongly refuted the mere conclusion (despite premises are on G.W.'s side) the implication of crime, harm, did not occur.

(I strategically played that trial not to convince Hais & hypocrites [matt:24:51, & James 4:4] but for justice [matt:23:23 & 2 thess. 2:10-12] (truth))

Besides no citable harm at the time or its falsification as resulted in the opposite (ie -1/-1 = 1) where its opposite was immediately followed by harm, thus no crime either accepting a positive (ie a good) as a negative (ie an evil) thus positive (equating thus denied (by) negative) is itself a negative thus evil. Thus negative ability = harm. And plainly prohibited from engaging in it is negative ability thus harm. Aversary to crime.

6 POINT VI - IMPERMISSABLE TESTIMONY ALLOWED
 G.1 APPELLET COURT FAILED TO ACKNOWLEDGE PRESENTED EXPENSED PERSON OF PROFESSIONAL OR CAREER, ~~THE~~ DETECTIVE OF TYPE OR PARTICULAR CASE OR DETECTIVE TESTIFYING IN WAY ~~WAS~~ ~~WORLD~~ ~~THUS~~ JURY REDUBLY WANTS TO BE TRUE INVOLVEMENT. TESTIMONY IS TENTAMOUNT TO EXPERT OR MAKE LITTLE TO NO DIFFERENCE TO LAY ~~AND~~ JUROR.

Detective Andrea Tozzi testified to what had been tentamont to the finally acknowledged as discredited "Child Sexual Assault Accommodation Syndrome" (CSAAS)

The appellet court wrongfully excuses such testimony on 3 premises.

(1) First Detective Tozzi was not administered by court as an expert. That premise is irrelevant. For (i) jury probably does not know or realize the difference in a legal procedure of administering an expert or not (ii) recalling who was and was not an expert becomes very difficult considering they are detectives as well especially (3) Andrea Tozzi is a detective thus closely associated as an expert, ~~even~~ more so of a government, especially of a merged, even more of law enforcement and was more criminal (law enforcement) and most of child sex or pern cases (4) Andrea Tozzi pro claimed to have experience is subject matter (5) cited tendencies or generalities as an expert (6) made opinion as if an expert (prohibited anyway too) (7) Testified to what culture wants to hear thus accepted as valid and credible by those of culture (i.e. the world ~~firmly~~ 4:4) (8) Against someone not politically viable (as far as political respects) ~~acting~~ like an expert leaves behind idea is an expert

(2) Second, ~~the~~ defendant had revealed Detective Tozzi had (influenced or most rationally) had influenced) both state victim-labeled tentatives both as children & adults of case of sex or part of children to make new, additional or worse accusations. Which Andrea Tozzi wanted to cover up ~~by~~ presenting an (additional thus disjointed (thus irrelevant (see math "set theory")) possibility which was the C.S.A.A.S. That premise is irrelevant. For (1) Andrea Tozzi presented C.S.A.A.S. merely as a possibility (2) Andrea Tozzi could not know if C.S.A.A.S. was the cause over suggested or case of culture or malicious lying or bad memories, etc (3) Truth is the "children" ~~did~~ ~~revel~~ had been supposed to reveal the new allegations under the suggestively manipulated circumstances (4) Andrea Tozzi changed her testimony that she elicited whether G.W. committed such that the children were the ones to reveal it after G.W. caught her. (important here because it buys suggestibility not C.S.A.A.S. or if maliciousness etc G.W. would not be told of it especially with interviews unrecorded) (5) The children (all as adults) had changed their testimony contradicting themselves especially in regards to those new & additional charges (See Aug. 26 2020 attempted filed petition) (6) Evidence backs up Andrea Tozzi manipulating than by citing JS. said object in the April 2014 report which JS. repeated in Petition's first allegation of it but said marker when questioned again what object which Andrea Tozzi likewise confused in grand jury minutes further JS. merely thought marker & question was presented to Z.M. whom denied it proving suggestions made (7) even at trial all 4 adult victims had been extremely suggestible in minutes or an hour apart (G.W. asked questions with premises or suggesting an alternative which all 4 attached to and melted to contrary to prosecution, etc) (8) Some unexplained reason for delay is zero reason for delay thus irrational thus unmerited to be a reason for delay (0 reason ≠ 1 reason) thus she did not rebut but presented it as a rebuttle. Causing others to believe it as a rebuttle, etc

G.W. could not have made such a promise absent evidence or contradictions & unjustified inconsistent statements.

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6.2 QUESTIONS TO FACTS OR HAPPENINGS, ETC DO NOT "OPEN THE DOOR" TO TENDENCY TO EXPERT TESTIMONY, UNMERITED THEORIES, POSSIBILITIES, ETC

Third, The "opening the door" is a rather imaginative concept & far stretched here. And does not apply for (1) an imaginative justification (ie not real justification) is not a syndrome. (2) such is more easily explained by (thus consistent with occurs rezer) by fear of aversion, protective of defendant, or not yet turned to hypocrisies (mere) (3) is not hard evidence to be opened to ~~the~~ (4) Defendant was inquiring to facts not possibilities. (5) And not relevant to testimony, tendency to expert testimony, etc

Third, such is reminded to not producing an unjust result in context of and by the appellate courts own conclusion of credibility and apparently mere repetitive sufficiency of evidence by concluding "overwhelming strength of the states case" Especially to master-betray and anal penetration.

That can not be further. From the death.

(1) The appellate court has no ~~possibility~~ ^{possibility} to determine credibility but in only a few very narrow limited number of circumstances (all not credible as a matter of law) (b) counter to weight of evidence, etc. (both explainable) one they must necessarily & logically be making a factually false statement in the other evidence is accounted for & resisted in some manner by presumably equal force.

"Overwhelming evidence" (1) is a measure of credibility impermissible in cases for courts to use except when rationally impossible or countered (in some ways) therefore it is inappropriate for appellate court to use (2) unlike Oor - (conv) credibility as "incredible as a matter of law" or ~~innocence~~ ^{innocence} credibility / (innocence > guilt) as "counter to weight of evidence" there is no contrast of value neither absolute nor relative. Overwhelming is akin to being spoiled. An undetermined extent of credibility as some credibility in which is not determined is somehow set as overwhelming. (3) There are only two means in which evidence could be determined as credible for overwhelming mere repetitions of sufficiency of evidence as by various sources or details or or sources, proof at trial only has sufficiency of evidence & cred. and credibility thus appellate court is conducting their own credibility (which is inconsistent with not determining credibility if it would release a defendant) (4) (b) there is only 1 witness to each count (beyond mere nodding element in images) (note the image can not justify its own reason for existence (as in philosophy no part of the universe justifies its own existence)) (4) could not exist because there is not sufficiency of evidence by mere bold assertions in testimony & no credibility by ~~mere~~ ^{mere} "incredible as a matter of law"

6.3 OVERWHELMING EVIDENCE DETERMINATION IS IMPERMISSIBLE & NO CREDIBILITY OF GUILT COULD BE DRAWN TO BASE IT IF ~~NOT~~ ^{NOT} PERMISSIBLE
"Overwhelming evidence" could only be prejudicially determined by own personal association thus theme.

~~Can~~ Continuing "isolated" remark such is aspect of theme & all evidence is "isolated"

POINT VII - WRONGLY ALLOWED TESTIMONY OF OTHER "BAD" IN APPELLATE COURT WRONGLY BY IRRELEVANCE & FALSELY ALLOWED FOR OTHER DIMENSION TESTIMONY OF OTHER DIMENSION OF EVIL PRESUPPOSED EVIL THAT DEFENDANT PROMISED TO DELETE PHOTOS TO PROVE DEFENDANT SAID SO TO PERSUADE CHILDREN TO SEND PHOTOS.

AJ. (for first time at trial) The premise that defendant promised children to delete photos to ~~appear~~ ^{show} the influence the defendant exercised over the children [page 38] is false, premised (1) Z.M. whom was with G.W. nearly as long as C.G. & J.S. and had been between both in age & ~~not~~ ^{not} much younger than AJ. & with G.W. much longer than AJ. did not make claim G.W. promised such

thus likely A.J., C.G. & J.S. would have solicited such demonstrating they were
~~the~~ independent & not as influenced contrary to states & ~~and~~ appellate courts
 position (3) Contradicts A.J., C.G. & J.S.'s claim of harm of not thinking
 there was going to be a problem or harm ~~or because~~ by not knowing
 people were averse to it (which obviously means harm is people are against it)
 Because wanting to & have no evidence destroyed along with not accidentally
 getting caught & other cover ups (see Aug 26 2020 filed petition attempt) etc
 implicates knowing what they claim they did not to prove harm (which is a contradiction
 thus are "incredible as a matter of law") (Note Z.M. was the only one to say ~~that~~
~~but~~ not say G.W. promised to delete photos & also the only one to say ~~not~~
 say he did not know others were against it (so who was lying (obviously the smart ones lied))
 (thus also harm claim must be false if G.W. was made to promise to
 delete photos)

(3) G.W. having to promise to delete photos demonstrate less control.
 (Note again: Not credible for children could not both want evidence hidden
 from avarice & not know the avarice "society" is averse to it to cause harm)
 (4) the defendant's general influence more importantly for law such
 argument by appellate court is irrelevant.

(1) Defendants control of ~~the~~ J.S. or influence of J.S., C.G. & A.J. in
 regards to sending is relevant on their testimony as much direct claims
 of elements of statute are therefore serve no greater testimonial value
 proving the elements than the claims of G.W. committing the elements
 Therefore serve no evidentiary value. Further there was not much if
 any depth to other facts surrounding around the elements. However there was
 a purposeful segway & examination of this aspect proving an ulterior
 motive & (thus prejudice) & otherwise maintains value very low of belief

(2) Is not an element of the offense and not a part of a narrative
 of a perpetrator disordered sequence of images, time, place etc.
 (in other words it was a complete segway from the issue at hand.)
 (3) Was a general abstract claim not having any particular
 time, (verbal) place, circumstance, means, etc not even the words G.W.
 used to promise such

(4) In occasion it is G.W. who makes the promise 23T:20-6 to 14, 22T:14-19-25
 et than the child had inquired [J.S. 21T:22-22 to 23-3] (opposite of 21T:28-8 to 50-1)
 22T:53-13 to 24 or G.W. did not [21T:61-23 to 62-12]

(5) J.S. as a child claims he did not know [whether G.W. deletes the photos
 or not] [21T:61-23 to 62-12] that after G.W. really was the biggest liar at my trial

(6) Z.M. claimed seeing pictures from other people [24T:20-14 to 17] thus likely
 A.J., C.G. or J.S. would have seen it too thus known G.W. saved images or Z.M. lied too.

(7) The prosecution was making an issue of the supposed instrument of influence
 rather [Z.M. 24T:20-14 to 17, A.J. 23T:20-6 to 14, C.G. 22T:14-19 to 25 & 53-13 to 24] not elements

(8) Such testimonial evidence or evidence of such is so highly prejudicial by
 being a separate dimension of activity a kin to joint or uncorroborated charges or ~~other~~
 manifest denial of justice" By parallel high ranking or categories with intersecting
 activity paralling (disjointed) concerns on trial for (assuming persons are not disjointed)

This is even setting "clear" compatibility of producing an unjust
 result" standard R. 2:10-2 where a jury sees an indistinguishable offense.

Even worse as far as tolerance for sex it is much lower due to self-consciousness.
 Further such is not evidence or mere bold assertions.
 And the court did not affirm said trial prosecutors questions as
 to prove influence but because it was asked already

POINT VIII - ATTACKING DEFENDANTS CREDIBILITY MISCONDUCT
 APPEL COURT APPARENTLY IMPERMISSIBLY ALLOWED PLAIN ERROR
 TO STAND, OF PROSECUTOR MISCONDUCT ATTACKING DEFENDANTS CHARACTER &
 CREDIBILITY, BY USING FALSE PREMISES & IRRELEVANT ARGUMENTS.

Appel Court opinion Page 39 defendants the undisputed plain error
 of prosecutor statement by exempting such for 3 false or irrelevant arguments.

(1) First, that the prosecutors comment was "isolated"

However this is false. (a) The prosecutor inherently was related & conjoining
 up other parts of trial, 3 of the four victims comments & the paragraph
 containing its allegations of lying or attacks on character are never isolated.

(b) The prosecutor specifically asked the D.M., A.J. & C.G. questions to draw the
 conclusion here (J.S. moved ahead and said such prior to questioning)

(c) Conjoining or preparing to attack G.W. credibility. (c) the evidence
 cited above was meant or does suggest such attack thus conjoined in regard.

(d) Is of a different dimension of bad or evil (assuming evidence is not negative)
 that is weighed against defendant. Being a different evil or repetitive vilification

as a virtual joinder but with similar effect as main charge. (e) such
 applies as underhanded, manipulative, ^{treacherous} cowardly, etc stigmas of child sex or porn

cases (f) attacks the foundations of any defendant defense especially
 when had testified as this defendant did & more when prose as this defendant
 did ~~was~~ ^{was} done in context of many other comments of
 prosecutor misconduct. (see next)

Even if as "isolated" the unimportance of such is false

(a) All comments are isolated in regards to something (a) isolation
 does not undermine its effect. (c) It is particularly damaging in a child
 porn or sex case where jury probably gives extreme difference to them,
 less tolerance exists, due to hypocrisy & self-conscience (d) None the-
 less would effect out come when case is testimony v testimony &
 defendant is only witness. (e) an isolated comment would have a dramatic
 effect standing out from ordinary nature or theme, etc

(2) Second, prosecutors comments are presented as "off handed"

However that is false. (a) Appel Court nor prosecutor provides any
 evidence such is off handed (b) That prosecutor William Summers is a
 professional prosecutor with years of experience retiring shortly after trial
 (c) was led by an entire paragraph (and all the reasons not isolated)

(3) Third, that there and most importantly to refute, that there is proposed
 "overwhelming evidence" & "defendants admissions"

That is However, that is plainly false as repeatedly stated in
 this petition & in statement of facts of Aug 26 2020 filed petition attempt)
 there is neither sufficiency of evidence nor credibility even if they did
 give claims of sufficiency of evidence for there is no credibility for
 they contradicted themselves in the same trial.

And as addressed in Aug 26 2020 filed petition attempt the defendant
 did not admit to any charged count & had denied an essential
 element to each count. Ignoring such is deceptive & a lie.

Again appel court can not make credibility determination as overwhelming
 evidence to deny defendant favor but refuse to do so for defendants favor

Evidence ~~is~~ as weight of it does not ^{outweigh} other rights
 as "overwhelming" your rights because of evidence. It invalidates rights entirely.

Fourth the limiting prosecutor misconduct merely on the supposed
 argument attack on G.W. credibility is an obvious ploy to continue to
 provide public with an illusion of G.W.'s incredibility beyond trial &
 false see part point VII in this. Showing integrity of appel court
 is non-existent

POINT IX, I — DOUBLE COUNTING HARM
 APPEAL COURT IMPERMISSIBLY ALLOWED TRIAL COURT
 TO DOUBLE COUNT AGGRAVATING FACTOR OF SENTENCING
 OF GRAVITY AND SERIOUSNESS BASED ON PREMISE OF HARM

Appellate court opinion PAGES 39 & 40 the impermissibly allows
 for double counting. Which is done in two ways.

(1) First, it side swears the issue entirely ignoring it.

(Already argued in prior submissions by defense counsel) And
 ignoring factor aggravating factor's application. Boldly proclaiming
 or suggesting by citing case in which says it a pragmatic assessment

(2) Second, changes the issue to being about harm (suggested to be
 in a way other than trial court imposed for based on age).

However that is a premise I want to challenge as completely
 false. And the state-victim labeled entities testimony proves it. They
 just a conclusion & resulting arguments which are incongruent with
 the premises they testify to be more particular facts (ie what is real))

~~Each~~ premise of harm is entirely false. (Each cites police
 conduct causing harm, accepting others premise it is wrong or
 harm - ful to conclude it is wrong & harmful (ie the circular reasoning
 and a vicious circle) or the premise of law must some how
 be legitimate a vicious circle again & circle reasoning.)

(I addressed this first in the ~~pet~~ Aug 26 2020 & filed petition
 attempt to U.S. Supreme Court (please see that).

(b) ~~the~~ (i) NO child experienced harm at the time (as testified to
 but lied about by courts & prosecutors) (That is what the victims
 said not just this [crazy] pedophile advocate (ii) each immediately
 experienced harm when adversary got involved. (Again what the
 "victims" said as adults (I already knew it though since like
 11yo) (iii) The problem, ie my problem is for some insupportable reason
 they believe disjuncted & illogical things a majority of people tell them
 (as if they have no value as human beings or no intellectual compass, etc)
 Then they & those other people take how the children feel & use it
 as proof for the next generation to do the same thing (ie circular
 reasoning & vicious circle)

(c) Even in New York v Ferber (1983) way back then the expert used
 cited a child's fear of disclosure (which existed in context of
 an adversarial system creating reason to be afraid.

It does not justify the adversarial system but condemns it.
 Case after case it is happening. Am.

(d) And not until there is a safe slit (as are requirement of
 identified negative ability (ie harm) element it will get worse from decade
 to decade (I think their all going to hell as hypocrites & liars (but what ever
 you think it is logically therefore morally wrong)

(e) Exp. (((porn = existence) & (sex = happening = existence (as I think therefore
 I am))) / (child = existence)) = (existence = good) / context / ((porn = -1 existence)
 and (sex = -1 existence)) ~~and (sex = -1 existence))~~ ~~and (sex = -1 existence))~~ ~~and (sex = -1 existence))~~
 (child = existence) / (child = existence) = (imagination = not real = (0 or -1) existence))
 / (belief = existence) / (child = existence) = (-1 existence) = (-1 good) = evil =
 - ability / joy = existence / sex = existence, etc = harm.

I have algorithms that would make you contradict your self in
 a few steps or agree with me. I have 100's of wildly different. Try it
 logic trees anything you get the worlds position is wrong & the
 immoral. ie = hypocrisy = (as a voice said to me "the incongruent are unworthy" - God)
 (I didn't know what that word meant then now I do)

HARM IS NOT A PERMISSIBLE AGGRAVATING FACTOR IN A CHILD SEX OR PORN CASE AS DE FACTO ELEMENT

"RIGHTNESS OF MORALITY" THE OFTEN DEFENDED BY NEGATIVE TO OR NOT HARM IS OFTEN WHEN NOT RATIONALLY CONCLUDED IS CAUSE OF ITS OWN HARM BY VICIOUS CIRCLE

(P) Inherently your, the world's "morality" are vicious circles (ie violating irrationality (the reason you can not connect reasoning & morality)). You accept the premise something is evil when it is not. you use its own premise as proof making it by making more positives negative. Saying a positive is negative is equivalent to positive divided by negative resulting in negative. That negative is negative ability [Bible NASB Colossians 2:20-23] ie fleshly indolence adversity is not not doing thus doing [justice=mercy matt 23:23] etc. etc. (ie hypocrite to fit in with world))

(Q) assuming ~~harm~~ premise it is harm such a factor is the sole bases of the statutes. Being a combination of all elements where committing the statutory defined acts (and not being dismissed) supposedly means harm. And without harm ~~you can not be~~ your indictment must be dismissed as unconstitutional in child porn or sex cases.

The harm of a violation of a compelling state interest is thereby an element (for conviction purposes (not actually applied) & not yet applicable to probable cause)

Proof ~~crime=harm~~ conviction/crime=harm & harm=conviction/crime

They are inseparable. Thereby counting harm as aggravating is to both say persons are convicted without causing harm & that statute is not pursuant to a compelling state interest.

Thus the first Amendment (along with due process) entirely prohibits ~~its~~ ~~as a harm~~ its (harm's) accessment in such cases.

(H) harm is another statutory aggravating factor in NJSRAC:44-1

(i) appellate courts claim "defendant did more than the minimum" required to prove the established elements of the offense" citing State v. A.T.C., 454 N.J. Super 235 254-55 (App. Div. 2018) is false.

(i) The children themselves said but for the crimes charged the defendant was a good friend [JS 21F:54-21 to 55-5 C.G. 22T:53-8 to 13, 26-4 to 10, 24-11 to 23... Z.M. 24T:37-9 to 11 & 25T:16-19 to 22] (the testimonies are riddled with other examples but this is ample) (ii) The photos the defendant supposedly sent despite promises where used as evidence per appellate courts own hypocritical arguments (iii) Again the harm is a necessary & defined element (iv) the harm is imaginary (P.S. literally after he ~~did not think~~ "[He] thought there would be nothing wrong with it" 23T:16-21 to 22] demand it was external & premise of wrongfulness. (All repeatedly do such C.G. 22T:23-20 to 23 & 22-23 to 4, 38-13 to 15, 54-13 53-12 to 13, 25-12 to 21, Z.M. 24T:38-15 to 23 J.S. 21T:43-2 to 25 (accusing premise to draw it) likewise 21F:37-7 to 22 (others suggestions) 21T:35-11 to 15 (what others say about) etc.) (vi) No such negative ability that had existed previously could be cited by appellate court in time, place, circumstance, means, etc. (vi) No possession of such negative ability occurring at time of the commission of statutory defined act carried out testified to (not even any subsequent time) in a narrative (nor any other) fashion (viii) (issue for law) is irrelevant for neither court nor prosecutor asked but for the crimes was the defendant good to go. And where these other wrongs separate from the crimes. (ix) (issue for law) Age can not be an aggravating factor in child sex porn or obscenity cases. (x) premise of ~~judicial~~ pragmatic "judge properly found aggravating factor... based on a 'pragmatic assessment'" is false for (i) no citation of claim ~~as evidence made~~ in context of testimony & its relationship to the element not cited (ii) ~~the~~ accepting conclusion of harm of initially mere adversity & literally

THE OVERSIGHT AND ITS CONSEQUENCES IS AT LEAST OF ANY HARM AND INHABENT TO ALL WRONGS just negative support which is inevitable consequence of any wrong and the first consequence. Further its ~~def~~ derivatives & causes little & are immutual without substance. Rather loss of an ability in which is wanted must be cited. There is no harm being averse to what you want to be averse to.

(D) AVERSELY AS WANTED AND INTENDED BY THE LAW CAN NOT THEREFORE BE ~~DEEMED~~ ~~TO BE A HARM ON THE BY LAW~~ ON AVERSE TO THE AVERSE ~~OR~~ ~~OR BECAUSE OF AVERSE~~ OR ON ANOTHER BECAUSE OF AVERSELY.

The defendant is alleged to have caused harm which is indicated by the children's aversely and such aversely results. But the ~~state~~ statute along with law enforcement wants children to be averse to such. Thus inconsistently and as a contradiction claim that aversely is against the harm. Thus negative ability, negative good (evil), negative right (wrong), negative morality (immorality, hypocrisies, evil, etc) etc. However society ~~and~~ & culture seeking such a result is inconsistently claims such is good by being supportive, productive, passive too, etc.

VICTIMS BLAMING DEFENDANT FOR HARM ~~AS~~ ~~THEIR~~ AVERSELY WHICH THEY PROCLAIM THEY WANT IS UNFAIR

AJ, Z.M., C.G. & J.S. Blames G.W. for harm because of their aversely yet as such wants it or proclaim by implication or suggestion such aversely is good. This is unfair & irrational. *

It can not be evil (negative good) for G.W. to cause but good for others to cause or hold. (As Good ≠ evil) / negative support. Such ideals are disjointed from each other

Further their (negative support / (porn or sex) / child / self) = evil. means support / (porn or sex) / child / self = good. For the negatives on both sides of equation cancel out. Thus their position is itself G.W. is right but hold (inconsistent conclusions, contrary to premises and implication)

And negative support / (porn or sex) / child = (harm = negative ability) or (abuse = negative right, proper, etc) means ~~porn or sex~~ support / (porn or sex) / child = ability, right, proper, etc

Or presuming (porn or sex) / child = negative good means (porn or sex) / child = evil or child = evil. ELSE (porn or sex) / child = (good / good = good or negative good / negative good = good) = good ≠ negative good. IF rape = negative or 0 consent IF rape = negative good THEN consent = good THEN negative consent / porn or sex / child = good [For neg -1 / -1 = 1 (It goes further but point is made.)

POINT IX. II — IMPROPERLY NOT COUNTING MITIGATION APPELET COURT IMPERMESSABLY ALLOWED TRIAL COURT TO NEGLECT MITIGATING FACTOR BY CHANGING REQUIREMENT NO EVIDENCE IN A PARTICULAR OCCASION, AND NO IMPAIRMENT IN MOTIONS COURT SIMULTANEOUSLY SUGGESTED AS "INDISPUTABLE" PREVIOUS AND IGNORING CITED EVIDENCE IN BRIEF TO THEM

(1) Appalet Court falsely concluded defense pretended no evidence of ~~mental~~ grounds to excuse or justify his conduct as a "troubled youth". However in Appalet Defense Appalet filing brief pages 52 to 54 (the attach ~~by~~ by Appalet consol on defendant's pro se defense was both false (where defendant actually sought "insufficiency of evidence" by not asking specifics etc) & "incredible" as a matter of law (by presenting ~~the~~ different approaches to questions (as asking about consent), to demonstrate a past assertion was false &

CONSENT IS TOO BROAD A CONCEPT TO PROHIBIT IN ALL SENSES AND DOING SO INFERS GUILT EVEN WHEN INNOCENT. Contradicted (demonstrated in acquittal filed motions & Aug 26 2020 filed petition attempt with US Supreme court. Further consent was mostly in context of own volition, ~~not~~ which is a part of the "set" of "consent" as in set theory (own volition, & sequences to completion or representation of defendant ~~as~~ consent) of course the "C" means ~~an~~ "element of ~~the~~ set of". Consent itself is too broad to prohibit. Prohibit consent implicates a defendant is guilty without any act by himself. Thus entirely motivated by prejudice. As where jury charges for N.J.S.A. 2C:14-26 & 14-3 G.W. was found guilty without any element of G.W.'s involvement. (What Appellate counsel originally wanted to argue following suit to G.W.'s motion of acquittal.)

Further the jury charges themselves implicate guilt irrespective of affirmatively denying consent. Therefore emphasizing or specifying consent as not a defense infers a defendant is guilty by consent PROOF (-consent $\neq$ innocence) = (Consent = guilt) / -allowment/defense/consent = direction/innocence/charge/statute. And (statute = 0 relevance/consent) = ~~(act/force = volition)/child~~ = And (Consent $\neq$ innocence) $\neq$ (Consent = guilt). THEN consent or -consent = 0 relevance & 0 relevance = guilt, THEN defendant = guilty / ~~irrespective~~ 0 respect / act / defendant. (And a variety of other ways. And presumes a child can consent but law does not care what is good for child. who could have consented by their own premise.

~~Further define~~ DEFENDING CHILD AS CAN NOT FACTUALLY CONSENT AND ~~as~~ ZERO OR SOME AGE MEANS IF COULD CONSENT THEN THEY ARE NOT A CHILD OR ZERO OR SOME AGE AS ZERO OR NEGATIVE CONSENT MEANS ONE FACT INVALIDATES OTHER. IF (defendant/child = sense / 0 or -1 factually / consent & 0/x/years/age) = 0/x/age = 0 definition/child & 0 or -1 factually / -consent = 0 ^{or} definition/child meaning there is no such thing as rape of an adult & a person who consents under such an age is thereby not a child. (ie inconsistent interpretation) IF ~~0/x/age~~ 0/x years/age = 0 consent & 0 child or 0 consent or 0 child THEN (adult = 0 or -1 child) = (adult = 0 rape (meaning adults can not be raped)) & (a person who consents is not a child)) Essentially the arguments of state invalidate themselves. They are merely disjuncting thinking absent precedential thought & without contrast or context.

As to point at hand there is ~~representation of consent as seen~~ evidence ~~as~~ cited in the appellate counsels brief.

(2) Second, the fact such injury had not ~~manifested in manifested~~ manifested or was not recognized at particular occasion or was able to be mitigated at particular episodes does not mean that such is negatively proved in other occasions as the Appellate court suggests by merely reviewing competency exams & motions filed. Thus argument by Appellate court is irrelevant.

(3) Third, the evidence of such mitigating factor creating such impairment is the defendants supposed irrational behavior as the resulting charges & conviction. The defendant was even said to suffer from ~~personality~~ personality disorder that is unspecified (not actual disorder where its what world does to you.) G.W. only held a job for 4

months & was in special education. Never mind the supposed pedophilic [supposed] disorder (which is not a disorder by not confusing - 0 or negatives as positives, etc) which ~~much~~ people charged with such have,

Fourth the appellate court citing motions to ~~deny~~ deny mental impairment is at odds with their earlier findings.

Fifth, the appellate court ~~say~~ says "the record... never offered evidence that [the defendant] was ~~from~~ traumatized by a troubled ~~growth~~ childhood." However the record again is at odds with such. The implication defendant sought both sexuality & friendship with children ~~do~~ heavily suggest a longing for childhood or associations with such. (in the view of contemporary culture)

POINT IX. III — EXCESSIVE FINES & FEES

APPELLET COURT IMPERMISSIBLY ALLOWED TRIAL COURT TO IMPOSE COMBINED FINES & FEES (1) BEYOND A RELEVANT AMOUNT OF DEFENDANTS PAST INCOME (2) NOT COUNTING PORN SUPERVISION FOR LIFE OR MEGANS LAW AS PERIOD OF INCARCERATION (3) NOT CALCULATING DEPORTURE IN ESPECIALLY ANY LUCRATIVE JOBS OR BUSINESS DEALS IN THE FUTURE (4) NOT CALCULATING BURDEN ~~PLA~~ OF FINES OR FEES PLACES ON ANY PRESENT ~~PROPERTIES~~ OR ASSETS OR LONG TERM INVESTMENT POTENTIAL (as opposed to just wasting money) (5) NOT CALCULATING CURRENT ~~EFFORTS~~ ~~IN RELEVANT TO PAST~~ TO ~~EFFORTS~~ PERSONS MUST UNDERGO ~~TO PROVE~~ [pg 41 & 42] (6) ~~IGNORES~~ ANY ASSET COSTS

First the appellate court ignores the limited ability of ~~defendant~~ defendant to ~~possess a job~~ ~~possess~~ ~~generat~~ have been able to pay to infer future payments. Where \$16,500 either ~~the~~ compensated with other fees or fines is not just a large fraction of defendant's ~~recent work~~ recent work history but many multiples.

Where defendant had not worked for 28 months before & when did so held the job for ~~less~~ less than 4 months ~~four months~~ earning a meager ~~about~~ amount ~~than~~ ~~that~~ ~~asset~~ ~~2400%~~ 2400% as to 300% defendant's last two years of earnings

And a relatively large fine even for those of substantial employment where more money becomes expeditiously more difficult to get.

Second, the appellate court cited "undisputed income during the period of incarceration" should look beyond the defendant's current ~~assets~~ & anticipated income during the period of incarceration.

However the defendant would be on supervised ~~parole~~ parole for life and under megans law (as currently stands) a de facto incarceration. Thus there is never a period ~~long~~ beyond.

Further the defendant may not be able to hold past means of making money or was in business model where class is very important thus ignores defendant's inability to hold such jobs or conduct any such business in the future (I was laterally fired from a super store.)

Third, court did not calculate the extra difficulties in time, effort & resource consumption to run a genital employment with a sex or porn case utilizing present conditions or circumstances. And the inability to have future lucrative jobs

Fourth, the judge did not calculate the burden or effort such fines or fees ~~to~~ would have on defendant's ability for or

protect any future assets

Fifth, not using current culture & difficulties person charged with child sex or porn cases to infer future by no examination of expenditures by not citing any factual ones

~~protect any future assets~~ Sixth, ignoring costs of any such future assets to gain or equine.

The judges mere citation of work history without citing how much the defendant had made approximately and the exemption of assets maintenance, etc & citing a remainder of potential assets which matched past assets. Not citing if the experience or field defendant is trained in or had experience in would hire him again or make other kind of business willingly. Etc.

Therefore the past examination by the judge was a mere show & without substance.

POINT X - FAILING TO CONSIDER SENTENCING ERROR ON REST.
~~THE~~ APPEAL COURT FAILS TO CONSIDER THE TRIAL COURT'S SENTENCING ERROR MAY HAD ON IMPACTING RELATIVE ~~CONSIDERATION~~ CONSIDERATIONS ON OTHER ASPECTS OF SENTENCE OR INFERS UNCITED ERROR IN OTHER ASPECTS OF JUDGEMENT. [Pg 43]

The appeal court acknowledges error by trial court in sentencing issue however exempts it on account JOC not reflecting such.

That inconsistency infers other errors in judgement to draw analysis cited in sentencing (the subjective portions)

~~Point X~~ Second, the error during sentencing ~~has~~ implicates a misjudgement in other regards of sentencing. Which is highly discretionary. And very subjective as to weight and uncited calculations.

Therefore a remand for sentencing is necessary to reverse its effect on rest of judgement.

POINT XI NOT DETERMINING OTHER ISSUES
 APPEAL COURT FAILED TO ADDRESS MERITED OTHER CLAIMS AND ARGUMENTS [Pg 43]

Due to court not providing an opinion no disagreement could be argued.

I therefore maintain & preserve all other issues as merited.

Defense assumes all case law previously cited in regards for each argument. And preserves all rights & maintains all rights

Other aspects of the above can be further decided and particularized if ~~ret~~ certiorari is accepted.

CONCLUSION

The petition for a writ of certiorari should be granted to prove the truth of and provide an example of the claims provided here in for others to use, to beat hypocrisy, lies & the mistaken.

Respectfully Submitted,

Gary Woldesky 