

AUG 05 2021

OFFICE OF THE CLERK

No. _____

21-5588

IN THE

SUPREME COURT OF THE UNITED STATES

Ivan Goodlow — PETITIONER
(Your Name)

vs.

Supreme Court, Washington et al — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Supreme Court Of California
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Ivan Goodlow
(Your Name)

Kern Valley State prison, P.O Box 5103, Building #3 cell #246
(Address)

Delano, CA 93216
(City, State, Zip Code)

(Phone Number)

ORIGINAL

QUESTION(S) PRESENTED

Did trial court + Judge determine if defendant have the right legally education, and comprehension to allow defendant to go pro-per? Did allowing defendant to go pro-per without completing 9th grade, and lack of comprehension, combined with psychiatric problems effect defendant at a fair trial? Did defendant lawyer, (Robert Horner) have enough time in 3 dlys to go to trial? Is 3 dlys legally enough sufficient time for any defendant to go to trial. Did all these factor "proven and mentioned violate any constitutional right by defendant?"

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:

Supreme Court of California, Contil - Sakauye. The second Appellate District division four case # BA422433) California Supreme Court. Supreme Court of the United States, Washington, D.C.

RELATED CASES

S262569 Supreme Court of California. LA court # B265948/LA/NO BA422433

California Supreme Court case no # B265948. LA sup court BA422433

LA county Superior Court BA42233) No B265948

California Supreme Court S236532. Supreme Court of the United States writ of certiorari was denied also

TABLE OF CONTENTS

OPINIONS BELOW.....	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	
STATEMENT OF THE CASE	Pgs. 3-4
REASONS FOR GRANTING THE WRIT	All reasons Pgs. 5-8
CONCLUSION.....	9

INDEX TO APPENDICES

- APPENDIX A Decision Denying defendant in Appellate Court July 22, 2016
- APPENDIX B Decision of the highest (state court) denying defendant, Supreme Court of California. Denying defendant (coram nobis) done June 16, 2021
- APPENDIX C Petition for a writ of certiorari was denied in Supreme Court of the United States on Oct 2, 2017
- APPENDIX D A (Habeas Corpus) in the Court of Appeal, second appellate District, Division four denied petition on May 25, 2018
- APPENDIX E Petition case number 5236532 was denied in California Supreme Court on Oct 1, 2016
- APPENDIX F

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

<u>Forette v. California U.S. Sup Ct 1975)</u>	<u>Pg. 8</u>
<u>Williams v Superior Court 53 Cal Rptr 2d 832 (1996)</u>	<u>Pg. 8</u>
<u>Cuyler v. Sullivan U.S. Sup Ct 1980</u>	<u>Pg. 8</u>
<u>Indicence v Edwards U.S. Sup Ct 2008)</u>	<u>Pg. 8</u>
<u>Gideon v. Wainwright 372 US 335, 344, 83507929 LEd</u>	<u>Pg. 8</u>
<u>Strickland v Washington, United States ex rel.</u>	<u>Pg. 8</u>
<u>Ferris v. Finkbeiner 551 F 2 185 (1977)</u>	<u>Pg. 8</u>

STATUTES AND RULES

To determine competence, the judge often weight factors such as the
defendant level of education (William v. Superior), (Forette v. California)
(Cuyler v. Sullivan) I was intitled to adequate representation

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 judgment below.

OPINIONS BELOW

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

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

The opinion of the United States district court appears at Appendix _____ to the petition and is

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

☒ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix B to the petition and is

☐ reported at The Supreme Court of California on June 16, 2024; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the Second Appellate District court appears at Appendix A to the petition and is

☐ reported at July 22, 2016 Division Four Appellate District; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☐ For cases from federal courts:

The date on which the United States Court of Appeals decided my case was _____.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☒ For cases from state courts:

The date on which the highest state court decided my case was June 16, 2021.
A copy of that decision appears at Appendix B.

☒ A timely petition for rehearing was thereafter denied on the following date: June 16, 2021, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Petitioner constitutional rights guaranteed by the 6th Amendment to receive effective assistance of counsel, and allowing petitioner to go pro-per without completing high school or no GED (Foretta V. California U.S. Sup Ct 1975)

By law defendant lawyer should have more time than 3 days to go to trial. And by law defendant should have never been allowed to go pro-per. Gwyler V. Sullivan U.S. Sup Ct 1990 (Indiana V. Edwards U.S. Sup Ct 2008)

Supreme Court of the
United States

In re. Ivan Goodlaw
Petitioner

Case No. S262569, LA court No B265948/LA
No. BA422433) A petition for writ of
certiorari

VS.

People of the United States
Supreme Court of California
et al.

Due Process Violation 6th Amendment
14th Amendment 38th also

To: Supreme Court of the United States, of the above
entitled court. Please Be Noticed comes a petition for
Writ of certiorari.

By this petition, Petitioner will show clearly his constitutional
rights were violated, and is a violation of the Due Process -
Equal Protection clause and other substantial rights were
clearly violated through a mistake of injustice by the

RECEIVED

MAY 11 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

1 courts, through and by the California and United States
2 Constitutions, his conviction was not fair due to his
3 education, and not completing high school, which give
4 him lack of comprehension. Good cause will be shown why
5 Petitioner is entitled to a (appeal, another chance), based
6 in part from prejudice, (ineffective assistance of counsel,
7 and fundamental miscarriage of justice.
8
9
10
11

12 CAUSE AND PREJUDICE

13 Petitioner will assert that the objective facts and errors raised
14 in the instant petition will reach the burden of proof to
15 satisfy showing cause and prejudice, and errors of a
16 constitutional magnitude.
17
18
19

20 Prejudice is presumed when a petitioner supports his claims
21 of conflict of interest, showing that their was ineffective
22 assistance of counsel at the beginning of trial easily.
23
24
25
26
27
28

STATEMENT OF THE CASE

Petitioner was put in jail for a 2nd degree robbery, by (fear only). The victim of the pizza place was (never touched, nor physically harmed, nor Petitioner never used a gun, however the police report indicated Petitioner snatched \$70 dollars out of a cash register. On May 30, 2014 defendant public defender was not ready for pre-trial, he was lacking the police report, the video still. On April 28, 2014, Petitioner went pro-per. On May 30, 2014 Petitioner gave up his right to represent himself. Petitioner (does not have a G.E.D or high school diploma, nor has Petitioner completed the 9th grade, however petitioner puts for, (The highest educational level I have reached is: 10th grade). On Feb 5, 2015 Petitioner Ivan Goodlaw fills out the (Foretwa Waiver Form), and puts on the question of legal education received, (Basics), and showing (no completion of high school). Petitioner's lawyer Mr. Ferraro's office objects to being on standby. So on Feb 5, 2015, a 987 lawyer was appointed. On Feb 6, 2015

1 Petitioner gives up his pro-per status again in Sept 11 9
2 while Hon. William Sterling is the Judge. Petitioner receives
3 Robert Horner after giving up his pro-per status. The Judge
4 had begin receding the introductory information, however
5 Petitioner's lawyer states, "I don't really need any time for that.
6 So Petitioner's lawyer, Robert Horner begin trial within 3 dlys.
7 3 dlys only, and Petitioner's lawyer Robert Horner begun trial.
8 On Feb 9, 2015 trial started. Petitioner lawyer took a case, and
9 in 3 dlys, he went to trial. Petitioner on one, Foretta Weive Forms
10 puts(enough) on the question of grade level. From having
11 Mr. Ferranto for a short period time as his lawyer, to
12 going (pro-per) twice without having a G.E.D or high school
13 diploma, to receiving Robert Horner as Petitioner present
14 lawyer, leaves Petitioner with 3 dlys left to start trial.
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATEMENT OF ERRORS

The fact is that Petitioner's constitutional rights were violated, an easily shows injustice with the Judge and court knowingly aware Petitioner's (education level), which transparently gives a person an understanding of Petitioner comprehension level. Petitioner should had not at any level went (pro-per). Petitioner constitutional rights were violated before trial and the beginning of trial, due to the stagnation of trial and court proceedings in general. From Petitioner's present lawyer starting trial in 3 days without having sufficient adequate representation, to Petitioner being allowed twice to go pro-per without having a proper level of education, any completion of completing high school nor G.E.D. And clearly Petitioner had written on Forensic Waiver Forms, I and signed he had no completion of schooling, meaning completion of education. So these errors were harmful and prejudicial, resulting in onerous, cruel and unusual punishment, including (due process violations).

1 It was also a constitutional error for the Judge to allow
2 Petitioner's Jury of Peers to decide, if Petitioner committed
3 a robbery or theft? without the Jury having the full
4 knowledge or knowing the full elements in every aspect in
5 comparison of robbery and theft. A error of ineffectie
6 counsel from Petitioner to his lawyer Robert Horner.
7
8
9
10

11 CLAIMS FOR RELIEF

12
13 Petitioner, Ivan F. Goodlaw was denied his constitutional
14 rights guaranteed by the 6th Amendment to receive
15 effective assistance of counsel
16
17

18 (a) Robert Horner started trial in 30 days after picking up
19 Petitioner case, without knowing Petitioner's case in full.
20 Petitioner's lawyer never had sufficient enough time to
21 even start trial by law, only in 30 days, not enough time.
22 Robert Horner picked up Petitioner's case, Feb 6, 2015, then
23 started trial Feb 9, 2015.
24
25
26
27
28

2.) Trial court violated Petitioner's due process rights

(a) allowing Petitioner to go (Pro-Per) with out a G.E.D or highschool diploma and having psychiatric issues, and Petitioner's comprehension level being very low.

(b) allowing Petitioner's lawyer Robert Horner to start trial in 3 dlys. after just receiving ~~Petitioner's~~ Petitioner's case and not having at all no knowledge in full of Petitioner's case.

3.) Petitioner was denied his 14th Amendment rights to due process and legal protection of the laws.

(a) Petitioner should have never been allowed to go pro-per.

(b) Petitioner's lawyer Robert Horner should have never went to trial in 3 dlys. by law.

Petitioner has (new evidence cognizable enough to raise a federal question, as if petitioner was denied clearly established federal rights of the 6th 8th and 14th Amendments to the U.S Constitution

(A) Yes, because of no G.E.D or highschool diploma, and allowing Petitioner to go Pro-Per

(B) lawyer started trial in 3 dlys after taking petitioner case.

POINTS AND AUTHORITIES

Petitioner lack of education, no G.E.D or high school diploma, no comprehension up to part, (violates due process of law and is cruel and unusual punishment 8th and 14th Amendments to the United States Constitution, California Penal code 1192.5 Petitioner relies on clearly established laws. (Foretta V. California U.S Sup Ct. 1975) to determine competence, the judge often weighs factors such as the defendant, (level of education. (Williams V. Superior Court 63 Cal Rptr. 2d 832 (1996))

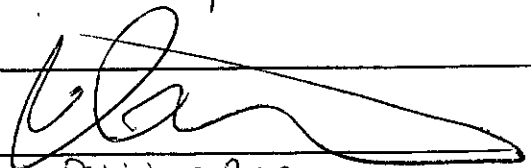
Petitioner's lawyer Robert Horner started trial in 3 days. after taking Petitioner case without having any knowledge or paperwork. Not sufficient time by law to start trial, 3 days (Cuyler V. Sullivan U.S Sup Ct 1980). I was entitled to adequate representation. My 6th Amendment was violated easily being also that Petitioner never completed high school's has psychiatric problems. (Indiana V Edwards U.S Sup Ct 2008) Gideon V. Wainwright 372 US 335, 344, 835 Ct 792 96 Ed 2d 799 (1963) Strickland V. Washington Ineffective assistance counsel from Petitioner to lawyer's. Court Proceedings and trial were not fair. (United States ex rel. Ferris V. Finkbeiner 551 F2 185 (1977))

PRAYER FOR RELIEF

1 For the Court to grant petitioner a (appeal) back in
2 court at a fair court trial. To really have empathy
3 towards Petitioner's lack of comprehension and educational
4 level. Wherefore, good cause having been shown,
5 and clear and convincing evidence submitted, compels
6 this court to grant Justice at a fair relief, being
7 that Petitioner (never completed 9th or 10th grade and went
8 pro-ter without a clear comprehension. Also Petitioner lawyer
9 Robert Horner, not having sufficient time, in 3 days and ~~more~~ twice
10 Please grant Appeal for Petitioner
11
12
13
14
15

16 Date May 2, 2021

Respectfully submitted



Petitioner Pro Se

REASONS FOR GRANTING THE PETITION

Clearly Petitioner Constitutional Rights
6th, 14 were Violated

From not having GED or completing 9th grade
is a reason Petitioner should have not went
proper, being allowed. Also 3 cls is not
enough time for any defendant to go to
trial.

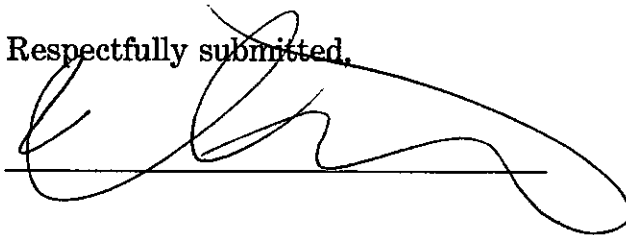
Please Grant a appeal
For Petitioner

Also petitioner snatched \$80 dollars out of a cash register
not touching nor pulling a gun on victim, which was wrong,
but not for to give petitioner 35 ys to life. Theirs people
on (court T.V) for Murch was more severe crime and they
show no remorse at all, and some of them didnt get time like petitioner
Please Grant appeal Thank You

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in black ink, consisting of a series of loops and flourishes, is written over a horizontal line.

Date: 7-10-2021