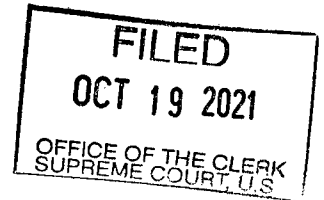


No. 21-6103

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



MOSES ESTRADA — PETITIONER
(Your Name)

VS.

STATE OF CALIFORNIA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Court Of Appeals - Fourth Appellate District, Division 2
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

MOSES ESTRADA
(Your Name) #BJ9108
3A04-213
P.O. BOX 3461
(Address)

Corcoran, CA 93212
(City, State, Zip Code)

n/a
(Phone Number)

QUESTION(S) PRESENTED

1. Does any accused enjoy his/her rights to be defended in trial court and/or appeal when appellant's former counsel does not advocate nor consider the input in developing strategic and/or strategic decisions?
2. Can an accused be convicted by their statements alone when an accusing victim does not corroborate the crime?
3. Should a "Wende Brief"-like approach be taken so that an accused can speedily address issues that counsel does not seek to brief or investigate, but does still other appealable issues?
4. Does the High court support or not support an accused under going a "two-step" interrogation and not being mirandized when no emergency exist?

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

People v. Ramirez Ruiz (2020) 56 Cal. App. 5TH 809, 833.

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IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☐ For cases from **federal courts**:

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

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☐ is unpublished.

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

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☐ is unpublished.

☒ For cases from **state courts**:

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

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☒ is unpublished.

The opinion of the _____ 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.

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 denied.
A copy of that decision appears at Appendix B.

☒ A timely petition for rehearing was thereafter denied on the following date: July 21, 2021, and a copy of the order denying rehearing appears at Appendix C.

☐ 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

U.S. Constitution, 5TH Amendment

U.S. Constitution, 6TH Amendment

U.S. Constitution, 14TH Amendment

STATEMENT OF THE CASE

A jury convicted appellant of seven counts of lewd or lascivious conduct against two victims under the age of 14. (Pen. Code, § 288, subd. (a)). The jury found true the allegation that appellant committed the offenses against multiple victims (Pen. Code, § 667.61 subds. (a), (e)(4), (j)(2)).

On appeal several issues were brought up including insufficient evidence to establish corpus delicti, trial court abuse of discretion on admitting certain jury instructions and cruel and unusual punishment.

Appellant also submitted a recall to remittitur to court of Appeals, Fourth Appellate District, Division two because not all the issues the appellant contested were submitted by appointed appellate counsel.

Appellant asks the High Court for relief.

REASONS FOR GRANTING THE PETITION

1. It is in the best interest of the criminal justice system that convictions may not stand when the corpus delicti has not been satisfied.
2. That accused receive proper representation at trial and appeal so that time and money will not be misplaced because counsel refuses to consider the accused.
3. That the law enforcement be improved by having officers not seek ways to avoid Miranda.
4. That the court could allow for defendants to have a way to present additional information in their defense and to their detriment if necessary.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Mon Ehl

Date: October 18 2021