

21-7395

No. \_\_\_\_\_

ORIGINAL

Supreme Court, U.S.  
FILED

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IN THE

SUPREME COURT OF THE UNITED STATES

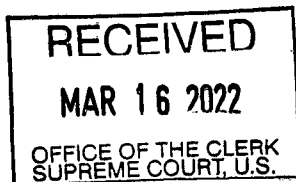
KONSTANTINOS ZOGRAFIDIS  
*PETITIONER*

VS.

UNITED STATES OF AMERICA  
*RESPONDENT*

ON PETITION FOR A WRIT OF CERTIORARI TO THE  
UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

PETITION FOR A WRIT OF CERTIORARI



Respectfully submitted

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke.

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*Petitioner Pro Se*

**QUESTION PRESENTED**

Did the Second Circuit Court of Appeals *en banc* err in failing to reverse the District Court's ruling denying my Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. section 2255?

## **LIST OF PARTIES**

All parties to this Petition appear in the caption of the case on the cover page.

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No. \_\_\_\_\_

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IN THE  
**SUPREME COURT OF THE UNITED STATES**  
OCTOBER TERM, 2018

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KONSTANTINOS ZOGRAFIDIS  
*Petitioner*

vs.

UNITED STATES OF AMERICA  
*Respondent*

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Petition for a Writ of Certiorari  
to the United States Court of Appeals  
for the Second Circuit

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Petitioner, Konstantinos Zografidis, respectfully prays that a Writ of Certiorari issue to review the Judgment and Opinion of the United States Court of Appeals for the Second Circuit dated January 26, 2022.

**Opinion Below**

The decision of the Court of Appeals is a Summary Order and is set forth on page 1 of the Petitioner's Appendix.

### **Jurisdiction**

The Court of Appeals opinion in this case was filed on January 26, 2022. This Court's jurisdiction is invoked under 28 U.S.C. section 2253(c).

The basis for subject matter jurisdiction in the District Court was 28 U.S.C. section 2255, remedies on motion attacking my federal conviction. The basis for the jurisdiction of the Court of Appeals was 28 U.S.C. section 2255(d), appeals from final judgments of the District Courts on an application for a writ of habeas corpus.

### **Constitutional, Statutory and Regulatory Provisions Involved**

My criminal conviction was the result of the ineffective assistance of counsel, malicious prosecutorial misconduct, perjured testimonies, false affidavits, a fourth amendment violation, unlawful arrest and seizure, and bias against me by the District Court all of which I raised during my post-conviction, and in my petition for a writ of habeas corpus under 28 U.S.C section 2255.

### **Statement of the Case**

I, Konstantinos Zografidis acting as, pro se, am pleased and honored, finally, to get the chance to stand in the presence of such distinguished and honorable individuals who hold the truth to our constitution. Before I begin my grievances and complaints, I hope that I find each and every one of you in great spirit and good health. I also want to inform this Honorable court today that I am in the right state of mind, and that I do support our Law Enforcement, respect our government and our American way of life and freedom, and hold the highest opinion of our courts. But, at the same time I hate and despise those corrupt individuals who hold office in our Law Enforcement, in the government, and officers of our courts who violate the same laws they



took an oath, under God, to abide by them and to serve and protect their citizens. Bunch of hypocrites, I say!! What I'm about to reveal today to this Honorable court, is only the truth, as I've seen with my own two eyes, and lived through it in person. I will back up all my truthful claims in this writ of certiorari with discovery's, physical evidence, witness testimony's, documents, analysis, and many Exhibits I've presented as an 'offer of proof'.

On September 14, 2018 I've filed a motion, pro se, seeking relief pursuant to 28 U.S.C. section 2255. Almost three years thereafter, on July 06, 2021, District Judge Jeffrey A. Meyers DENIED my post-conviction relief. Someone might ask the question as to; 'why did Judge Meyers take so long, almost three (3) years to deny me relief? Why did he take so long to answer to any, and all of my motions? And, why didn't he answer to any of my 'new found' evidence and discoveries I provided as evidence against the Law Enforcement, government, CW'S, and against my first two court appointed attorney's, who all were in violation of my constitutional rights? After all, he had no problem in finding me guilty in a conspiracy and sentencing me to prison!?!? Did my 'new found' evidence and discoveries in my Petition of 2255 actually proved and showed that Judge Meyers ERRED with an 'ill-faith' on ALL his rulings, findings and decisions? Of course, they did!!! Did he finally realized that everything I was claiming during my court hearings, and in my letters addressed to the district court Judges from the very beginning of my incarceration, prior, and after my unintellectual and coerced guilty, was the truth? I truly believe the district court Judges were always 'well aware' what I was claiming was the truth, and instead of putting a stop to the government's insane and fabricated conspiracy theory, they all decided to proceed with the criminal case, showing favoritism to the government's corrupt wishes and demands. **INJUSTICE!!!**

The true reason, and the fact, as to why Judge Meyers finally DENIED me relief is not because I didn't establish 'plausible grounds' for a grant of relief, is because I've filed a motion entered on June 29, 2021, asking Judge Meyers to recuse himself from my case because he showed incompetency, and I also accused him of sponsoring and covering-up constitutional violations committed by our Law Enforcement who were investigating me and arrested me, along with the U.S. Attorneys who prosecuted me under a 'made-up' and a 'false' conspiracy theory, and fabricated evidence. See Document #: 57, in **case #: 3:18-cv-1566(JAM)** in the district court of Connecticut. I also strongly believe the other reason why Judge Meyers and the 2<sup>nd</sup> circuit panel, en banc DENIED me relief, is because I've asked the civil panel to consider impeachment proceedings against Judge Meyers, because he was bailing out corrupt Law Enforcement and corrupt U. S. Attorney's. I made it very clear to them that I will be suing everybody who has violated my constitutional rights, who fabricated evidence against me, and who made false accusations against me that led to my arrest, indictment, and finally sentencing me to prison. I've also asked the federal judges that I wanted each and every government official, and all the police officers involved in my criminal case to be indicted and sentenced in a federal prison who have violated our constitutional laws. I've waited so long (almost 10 years), and finally realized the notion as to why the agents and the government got away with so many 'ill-minded' lies and constitutional violations, was the fact, that the district court of Connecticut (Magistrate Fitzsimmons, Judge Eginton & Judge Meyers) allowed the government to pursue with their fabricated case by 'looking the other way' and by suppressing my true factual testimony's, and conclusive evidence I've provided by showing that I was not a participant

in any type of a criminal drug related conspiracy with the head of indictment, Demetrios Papadakos. I was 'falsely' accused by the government (AUSA, Vanessa Richards & others) that Mr. Papadakos was supplying me with narcotics from the very beginning of my investigation, and the district court ERRED in finding me guilty in a conspiracy with Mr. Papadakos, due to my co-defenders David Solano's 'fraudulent' testimony, while under oath, without any proof to back-up his continuous lies. Not even one federal judge dared, or wanted to acknowledge the 'grand scale' of the government's corruption in my criminal case which dominated the district court of Connecticut, and now into the 2<sup>nd</sup> circuit panel, en banc. There was animosity between myself and the district court judges dated back from the year 2013, because they were not listening and responding to my true claims. My first letter that I wrote to the district court was addressed to Magistrate Fitzsimmons dated on July 17, 2013 (clerk of district court has a copy of such letter). That's where and when I've provided a lot of information about police misconduct, malicious prosecutorial misconduct, ineffective assistance of counsel(s), and 'CW-2' who was my former attorney representing me in a civil case two (2) years prior to my arrest, who 'defrauded' my business lease agreement, taking a loss of \$400,000 worth of my Café-lounge investment. I kept writing many letters to the district judges complaining about my second court appointed attorney, Frank O'Reilly, who declined to file 'wire-tap' suppression motions, minimization, etc., as I've instructed him many, many times to do so. Judge Meyers in his 'order denying motion for post-conviction relief' (document # 62), on page 6 claims that attorney O'Reilly challenged the wire-tap. That's a LIE!!! Judge Meyers was misleading the circuit panel, en banc, here. Show me the document # of the motion O'Reilly filed, Judge Meyers?!?! As a matter of fact, attorney O'Reilly '**never**' filed any motions challenging TFO, Cisero's affidavit

dated on February 07, 2012, as I've instructed him on numerous of times to do so, where the government was seeking the grant from the district court to wire-tap my cell phone (TT1). He even refused to talk with me about TFO' Cisero's affidavit drafted on February 07 & 08, 2012 every time I brought up the subject. Ineffective assistance of counsel, I say!!! You will notice my frustration and great disappointment to the district court judges who were ignorant and negligent towards my needs and concerns (constitutional rights) upon reading the letters I wrote to them, prior to my coerced guilty plea, marked as Exhibits **M-1 to M-16** in my Petition of 2255. The 2<sup>nd</sup> circuit civil panel, and en banc (**case # 21-1681**) didn't like the fact that I was attacking a district judge, asking them to impeach Judge Meyers, and by challenging the integrity of the district court of Connecticut. The 2<sup>nd</sup> circuit panel claims that I, Konstantinos Zografidis "did not make a substantial showing of the denial of a constitutional right", 28 U.S.C. section 2253(c); see **Miller-El v. Cockrell, 537 U.S. 322, 327 (2003). Wrong! Wrong! Wrong!** As a matter of fact, when this Honorable Supreme court reads the entire Petition of my 2255, I have overwhelmed the courts with factual discoveries and legitimate information against the Law Enforcement, the government, and ineffectiveness assistance of counsel(s). You will clearly notice all the LIES produced by the government, and astounding evidence I brought forth against our Law Enforcement, and the U.S. Attorney's office as they've showed in their memorandums, affidavits and search warrants, and also the government's 'CI's' who provided false information, under oath, against me and how the government manipulated all those falsehoods to sentence 16 individuals to prison. **INJUSTICE!!!** You will also see the government's fabrication of evidence, tampering, cloning, falsely translation, and editing the wire-taps with 'CW-3' to

deceive and mis-lead the district court from their original purpose, time and date, and much, much more. You will see how my first two court appointed attorney's (Paul Thomas & Frank O'Reilly) who I accused in colluding with the government, either to seduce me to proffer, and to coerce me to plea to an unintellectual guilty plea, and by making false promises to me, especially about my immigration status, being a legal permanent resident. I've produced plenty of evidence and justified my actions on all matters, as you will clearly see in my Petition of 2255. Even the panel in my criminal case of the 2<sup>nd</sup> circuit (**case # 16-0325-cr(L)**), ERRED in denying me relief, because I wrote them plenty of letters while in prison, showing them how ALL of the 'wire taps' with 'CW-3' were fabricated from their original form, and illegally obtained. Also, during the "Oral Argument", which I was invited, I've showed the 2<sup>nd</sup> circuit criminal panel how and where Exhibit N-10/15TR was a fabricated document personally produced by AUSA, Vanessa Richards on December 25, 2015 during a Status conference hearing. That same document was a total falsehood, and Judge Meyers validated and authenticated it during the Status conference hearing. **INJUSTICE!!!** Judge Meyers, refused to correct himself after I've showed him in detail his 'ill-intended' erroneous judgement during my sentencing day on January 27, 2016, and as I've clearly stated all the factual discoveries pertaining to Exhibit N-10/15TR, in my Petition of 2255.

In the government's Exhibit 15TR, the government maliciously edited a **22** second '**phone-to-phone**' conversation, as Toll Records clearly show on January 26, 2012 @ 5:56 PM, into a **10** second intercepted and recorded conversation, as Exhibit N-10 clearly indicates. Those **12** seconds of omissions was "**my voice**" on the other line of that phone conversation that I was with 'CW-3' responding to his questions of which they've erased. Then after, the government deceitfully joined the remaining 10 seconds of that 'phone-to-phone' conversation together,

without any spaces in between, showing only 'CW-3' was continually speaking, in order to misguide the courts, fabricating it to look that it was one unanimous speech by 'CW-3' directed towards me. Once the government successfully accomplished that, they cleverly documented it into Exhibit 15TR, claiming 'under oath', that particular conversation was NOT a 'phone-to-phone' conversation, but a **'person-to-person'** conversation while both of us ('CW-3' & ME) were sitting next to each other, falsely claiming that particular 22 second conversation was intercepted and recorded through a fitted **'wire'** CW-3' was wearing. The government's 'ill-faithed' act by omitting **'my voice'** can only mean one thing, that they were certainly **'illegally eavesdropping'** into my phone, prior to the warrant issued on February 08, 2012, trying to hide and suppress the fact that they were unlawfully surveilling me by spying into my cell phone (TT1) from the very beginning of my investigation. If that wasn't bad enough, then after, the government took the words of that illegally obtained 22 second phone-to-phone conversation and pasted it on to another conversation from another time, most likely, and claiming it to be a one uniform of the same conversation, as you will notice that 22 second phone conversation pasted at the very top of Exhibit 15TR, where that long conversation begins. But, instead of ALL of our federal judges in the district of Connecticut and the 2<sup>nd</sup> circuit judges, en banc calling for a **'Franks hearing'** in order to find out who were those corrupt agents and the U.S. Attorney's that were responsible and behind this unlawful and criminal activity, they ALL sponsored, aided and abated such constitutional violations, simply by looking the other way and stubbornly refusing to acknowledge and to punish such criminal activities. **THOSE VIOLATORS MUST BE INDICTED AND SEND TO A FEDERAL PRISON!!!!** Not the government, nor Judge Meyers, or the 2<sup>nd</sup> circuit panel(s), en banc dared to answer back to me about this 'new found' of

discovery, because they all new, **I GOT'EM!!!** The 2<sup>nd</sup> circuit, en banc, declined to correct Judge Meyers and remand my case back to the district court in a 'Franks hearing'. See also document # 1363, in criminal case No. 12-cr-117(JAM), "MOTION FOR RELIEF FROM JUDGEMENT UNDER F.R. Civ. P. 60(b) (2) & (6) REQUESTING A FRANKS HEARING". In document # 1363, I supplemented **Exhibit B**, a sworn and notarized affidavit by 'CW-3' a.k.a. Demetrios Karipidis, attesting to the fact the he '**never**' wore a wire, or gave consent, nor did he have any knowledge that he was to be recorded. The government clearly **LIED** in their sworn affidavit regarding to those intercepted and recorded conversations between myself and Mr. Karipidis, seeking the rights to wire-tap my phone (TT1). A clear violation of our **Fourth Amendment** by the government. Judge Meyers, and the 2<sup>nd</sup> circuit(s), en banc declined to grant me an evidentiary hearing and a 'Franks' hearing. **INJUSTICE!!!**

Also, the 2<sup>nd</sup> circuit criminal Panel (case # 16-0325-cr(L)), declined to acknowledge a precented U.S. Supreme court ruling, **Lee v. United States** 137 S.Ct.1958(2017), and, **Padilla v. Kentucky, 559 U.S. 356, 369 (2010)**, and denied me relief to vacate my sentence, set aside, and remand my case back to the district court for further proceedings, as the arguments were well stated by attorney, William T. Koch, Jr. **INJUSTICE!!!** Please read "BRIEF AND APPENDIX FOR DEFENDANT-APPELLANT KONSTANTINOS ZOGRAFIDIS, AKA GUS, AKA PONCHO", filed by Attorney William T. Koch, Jr. for the 2<sup>nd</sup> circuit, in case # 16-0325-cr(L). My appellant attorney William T. Koch, Jr., then filed a "PETITION FOR A WRIT OF CERTIORARI", after the 2<sup>nd</sup> circuit criminal panel denied me relief. This Honorable court declined to hear the arguments on my criminal appeal.

Before I begin my defense, I would highly recommend for this Honorable court to read the

contents of my arguments to the 2<sup>nd</sup> circuit civil panel, en banc (case # 21-1681). See “Petitioner’s Response to Judge Meyers Denial of Post-Conviction Relief” dated on September 22, 2021. Also, see “Motion for Reconsideration-en banc”, dated November 30, 2021, and “Supplemental Motion for Reconsideration-en banc”. There is absolutely no justification, or legitimate reason, or any constitutionality for the 2<sup>nd</sup> circuit panel(s), en banc to deny me relief. You will notice in my prepared defense that our district court of Connecticut and ALL the 2<sup>nd</sup> circuit panel(s), en banc are definite BIAS, and they ALL justified constitutional violations and corruption in our Law Enforcement (Norwalk Police Department, the DEA’s office of Bridgeport, RO), and in the government (U.S. Attorney’s office of Bridgeport, CT), upon reading the ‘new found’ evidence I’ve provided in my Petition of 2255. **INJUSTICE!!!**

This Honorable court MUST read all the contents I’ve provided in my Petition of 2255 in order to fully understand, correct and repair the miscarriage of my conviction, and to discipline all violators. **NOBODY IS ABOVE THE LAWS OF OUR CONSTITUTION!!!**

Let’s begin now with all the contents I’ve provided in my Petition of 2255 that were DENIED by Judge Meyers, the 2<sup>nd</sup> circuit civil panel, and by the Panel, en banc.

**1): “Motion to appoint an attorney to help the defendant, Konstantinos Zografidis prepare a petition for writ of Habeas Corpus (2255)”**. I’ve signed this 4-page motion on July 31, 2018. Here, I gave plenty of reasons as to why I needed an attorney to help me with my Petition of 2255. Simply said, here I’m giving enough reasons as to why the district court should grant me a ‘Franks hearing’. Must read the contents of this motion in order to fully understand my claim here. The district court, and the 2<sup>nd</sup> circuit, en banc ERRED in denying me relief.



## INJUSTICE!!!

**2): “Ineffective assistance of counsel(s)”**. I’ve signed this 21-page motion on September 07, 2018. Here, I’m screening everything in detail, and attacking the veracity, and all the falsehoods in TFO’ Cisero’s affidavit dated on February 07 & 08, 2012, where the government was seeking the warrant from the district judge to wire-tap my cell phone (TT1). I’ve produced **Exhibit A-1** to show our courts that ‘CW-3’ did not concede by volunteering with Law Enforcement on his own will, but in reality, he was arrested 2 days prior to his first alleged cooperation on October 27, 2011, and during his arrest he was approached by the same agents who were investigating me, and there and then he was threatened with deportation, and with 20 years of incarceration if he does not make any drug buys from me, as Mr. Karipidis honestly confessed to me over the phone. I’ve also produced **Exhibit’s B-1, B-2, C-1, C-2, D-1, D-2, E-1, F-1, F-2, G-1**, as an ‘offer of proof’ to show that TFO, Cireso purposely, with an ill-intent, and with disregard to the truth, perjured himself in his February 07 & 08, 2012 sworn affidavit (see Exhibits A-1, B-1, B-2, E-1, G-1), and as to how Det. Blake committed perjury while under oath during my suppression hearing on July 18, 2014 (see Exhibits C-1, C-2). Also, as to how my first court appointed attorney, Paul Thomas, used psychological ploys to lure me into making proffers (see Exhibit C-2). I’ve showed discovery where attorney Frank O’Reilly was incompetent to represent me adequately, as I’ve instructed him to investigate and to file **Title III** motions (see Exhibit D-2). Also, how my immigration status was not clear by the court that my guilty plea was a “**mandatory deportation**” (see Exhibit F-1), and how the government ‘misled’ me by

making false statements against my immigration status (see Exhibit F-2). Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit, en banc ERRED in denying me relief. **INJUSTICE!!!**

**3): “Motion to supplement discovery and analysis that shows prosecutorial misconduct, perjury by SA Rodney George and CI, David Solano during a ‘fatico’ hearing dated on January 25, 2016”.** I’ve signed this 2-page motion on September 26, 2018. Here, I’m attacking the perjuries committed by the government’s witnesses, and how Judge Meyers ERRED in his findings. I have produced **Exhibit’s H-1, H-2, H-3, H-4, H-5, H-6, H-7**, as an ‘offer of proof’ to prove my claims in this motion. Here, I broke down and analyzed everything that was said during my ‘Fatico hearing’ dated on January 25, 2016 (see Exhibit H-1). Also, I produced discovery as to where and how SA, Rodney George perjured himself during cross-examination, under oath, and how CI, David ‘Bobby’ Solano LIED to the agents in his proffers on multiple times, making him a discreditable witness (see Exhibit H-2, H-3). In Exhibit H-4, I’m attacking TFO, Cisero’s wire-tap affidavit, again, to be fraudulent. In Exhibit N-5, I’m claiming that the government ‘did not’ conduct ‘minimization’, and I even produced law to justify my claim. In Exhibit H-6, I’ve produced law as an ‘offer of proof’ why I deserve a ‘Franks hearing’, by challenging the veracity of TFO’ Cisero’s wire-tap affidavit(s), claiming that there were deliberate falsehoods. Here, in Exhibit H-7, again, I’m challenging the falsehoods in TFO, Cisero’s affidavit, where the government falsely claimed that I was involved with Mr. Papadakos in a drug conspiracy. I even produced law to justify my claim. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit, en banc ERRED in denying me relief. **INJUSTICE!!!**

**4): “Motion to supplement new case law that supports Petitioner’s claim of Ineffective Assistance of counsel (Attorney, Frank O’Reilly)”**. I have no record of the date when I’ve signed this motion. Here, I’m claiming ineffective assistance of counsel, by bringing forth law; **“United States v. Fabian-Baltazar”** citing, **“Rojas-Medina v. United States”**, also **“Garza v. Idaho, 139 S. Ct. 738 (2019)”**. In **Garza**, the Supreme court held that the attorney provides ineffective assistance of counsel by failing to file a ‘notice of appeal’ after a client request that the attorney do so, even if the client has signed an appeal waiver. **139 S. Ct. at 747**. Also, in **Garza** the court held that prejudiced is presumed when defendant is deprived of an appeal that he waived but nonetheless tried to assert. **139 S. Ct. at 749**. I’ve produced **Exhibit M-9**, and **Exhibit Q-1** as an ‘offer of proof’ directing my counsel then Frank O’Reilly to file an appeal of the two (2) suppression hearings that took place on June 18, 2014 which were denied by the district court, and I’ve showed records in my daily log book where I’ve indeed wrote that particular letter addressed to attorney O’Reilly. Attorney O’Reilly **FAILED** to consult me, or to file an appeal to the 2<sup>nd</sup> circuit criminal panel. Ineffective assistance of counsel, I say!!! Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit, en banc **ERRED** in denying me relief. **INJUSTICE!!!**

**5): “Motion to supplement additional discovery regards the ‘fatico’ hearing, a supplemental motion I dated on September 26, 2018”**. I’ve signed this 4-page motion on October 03, 2018. Here, I’m challenging CI, David Solanos false allegations he made against me with respects to my involvement with Mr. Papadakos, and the purchase of those alleged ‘boxes’ containing 1200 pills each box, as claimed by the government. Also, I’m challenging the information provided in my P.S.I. report, compared to what CI, David Solano confessed under

oath, and how the government enhanced me with unrealistic drug quantities. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit, en banc ERRED in denying me relief. **INJUSTICE!!!**

**6): “Motion to supplement discovery relevant to Exhibit N-10; the audio recording conversations of the alleged January 26, 2012 controlled purchase; and supplemental discovery relevant to governments ‘CW-2’ a.k.a. Joseph Dimyan”.** I’ve signed this 7-page motion on October 15, 2018. Here, again, I’m disputing the validity and the authenticity of the January 26, 2012 alleged drug buy with ‘CW-3’ a.k.a. Demetrios Karipidis. I’ve produced as an ‘offer of proof’ document # 1363, document # 1412 (forensic analysis conducted on all wire-tap intercepted recordings with ‘CW-3’), and upon reviewing all the recorded conversations, DEA reports and the government’s sworn affidavits, I Konstantinos Zografidis signed a sworn notarized affidavit, document # 1242-1, denying the entirety of those recorded conversations to be valid, authentic, and without any merit at all. I also produced **Exhibit I-1**, a discovery in question, as to why ‘CW-3’s’ windshield wipers were running for over 4 minutes on that particular day, where in fact there was no precipitation in Norwalk, CT on that day. Showing indication that particular event could have been from two or maybe three different occasions joined together by the agents with the ill-purpose to manufacture and fabricate an event that never took place, as the government falsely claimed in their sworn affidavit(s). Judge Meyers shows disbelief in this particular discovery, and casts a doubt of the possibility that it could be true and realistic, as he addresses his weak opinion in his ‘order denying motion for post-conviction relief’. Also in question, is the fact that the government produced two similar Exhibits (41TR & 15TR) to be of the same essence. See attached **Exhibit I-2**. Here, on **Exhibit I-3, I-4**,

**I-5**, I am attacking the credibility of the government's 'CW-2' a.k.a. attorney Joseph Dimyan, showing his corrupt lifestyle, and his criminal conduct. I also produced **Exhibit I-6**, with case law in support, 'motion to dismiss criminal case No. 3:12-cr-117(WWE)'. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit, en banc ERRED in denying me relief. **INJUSTICE!!!**

**7): "Motion to supplement discovery, analysis and information to: Exhibit 1A): 'Motion to appoint counsel hearing', dated July 30, 2012. 1B): Exhibit 1B: 'Motion to appoint counsel hearing', dated January 30, 2013. Exhibit 1C: 'Frey hearing', dated April 03, 2014. Exhibit 1D: 'Suppression hearing', dated June 18, 2014. Exhibit 1E: 'Pretrial conference and motion hearings', dated June 19, 2014. Exhibit 1F: 'Guilty plea hearing', dated June 24, 2014. Exhibit 1G: 'Hearing with Magistrate Fitzsimmons', dated November 12, 2014'".** I've signed this 4-page motion on October 31, 2018. Here, in a 'Motion to supplement discovery, analysis and information', I'm challenging the falsehoods presented during my 'fatico' hearing by AUSA, Vanessa Richards, SA George, and CI David Solano. I presented **Exhibits J-1 and J-2** as 'offers of proof' in order to justify my claim. Also, in **Exhibits 1A, 1B, 1C, 1D, 1E, 1F, 1G**, I've given the court my own knowledge and opinion, identified factual findings, corrected the court, the government, and their witnesses, and conducted my own analysis on each one of those court hearings that I was present. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit, en banc ERRED in denying me relief. **INJUSTICE!!!**

**8): 'Motion to supplement discovery, analysis and information in reference to: Exhibit 1H): 'Schedule conference', May 18, 2015. Exhibit 1I): 'Withdraw of guilty plea', dated**

**July 14, 2015. Exhibit 1J): ‘Status conference’ dated December 22, 2015’. Exhibit 1K): ‘Sentencing day’, January 27, 2016’.** I’ve signed this 6-page motion on November 09, 2018. Here, again, on **Exhibit 1H, 1I, 1J, 1K, 1L**, I’m providing information and conducting my own analysis, and producing true factual findings of the remaining court hearings I took part of. I’ve also supplemented **Exhibits L1, L2, L3, L4, L5, L6, L7, L8, L9, L10, L11, L12, L13**. Here, I am strengthening my defense with additional ‘new found’ discoveries, against the government. In **Exhibit L9**, I even produced case law to support my claim and discovery in; ‘**United States v. Bernard J. McIntyre**’. Quoting: “Transcripts were inaccurate, audio inaudible, untrustworthy the recordings as a whole, challenging the accuracy of the recordings and of the transcripts”. Even so, the court found those recordings to be accurate, it also quoted: “We recognize that the factors set out in **McKeever**...may assist a trial judge in ruling upon foundation questions, but we will not upset the judge’s admission of a recording ‘**unless**’ the foundation was clearly insufficient to insure the accuracy of the recording”, **Jones, 730 F. 2d at 597**. I’ve produced in this Petition of 2255 overwhelming discovery showing the ‘wire-tap’ recordings with “CW-3” were not only insufficient, but also unconstitutional. The panel, en banc ERRED by not applying this case law in support of my claims. In **Exhibit L11** I’ve produced case law in support of my ‘ineffective assistance of counsel’ claim on behalf of attorney Frank O’Reilly for not adhering to **Title III** requirements, in order to challenge evidence obtained through the use of electronic surveillance. Based on **18 U.S.C. section 2518 (10)(a)**, I, Konstantinos Zografidis had total standing to challenge the veracity of all the wire taps. I even brought forth 2<sup>nd</sup> circuit case laws, and the same panel, en banc, discriminated me by refusing to apply their own rulings. In **Exhibit L12**, I wrote a letter to the district court pronouncing factual claims. I was prejudiced by the

district court, and the 2<sup>nd</sup> circuit panel, en banc, for suppressing my true and honest testimonies. The Supreme court MUST review all the contents of my discoveries in order to fully understand the 'grand scale' of corruption that took place in the U.S. district court of Connecticut. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit panel, en banc ERRED in denying me relief. **INJUSTICE!!!**

**9): "Motion to grant the petitioner a '2255', vacate judgement in conviction, vacate guilty plea and remand for further proceedings based on case law: "Cleopatra Rodriguez v. U.S. of America, April 16, 2018-2<sup>nd</sup> circuit-Case No. 16-3739-cv".** I've signed this 4-page motion on November 18, 2018. Also, in the Cleopatra Rodriguez case it was cited case law: **"Foont v. U.S., 93 F.3d 76,79 (2<sup>nd</sup> Cir.1996)"**. In this motion I provided enough discovery in my Petition of 2255, and demonstrated all 3 factors, as in **Foont**, to be sufficient for relief. And yes, to this day I do suffer the consequences of being deported due to my attorney's 'ill advise' of not getting deported. I was prejudiced by the district court and the 2<sup>nd</sup> circuit panel, en banc. Based on the contents I've provided in this case law, the lower courts definitely ERRED by denying me relief. How could all these Judges, en banc, go against their own rulings!?!?!? Definitely, a BIAS circuit panel. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit, en banc ERRED in denying me relief. **INJUSTICE!!!**

**10): "Petitioner's motion to request a 60-day time to file it's response to the 'government's opposition to petitioner's motions to vacate, set aside or correct his conviction and sentence pursuant to 28 U.S.C. section 2255'" & "Motion to grant the petitioner an evidentiary hearing".** I've signed this 3-page motion on December 21, 2018.

Here, I'm attacking the government because they 'did not' answer to the forensic analyst's findings with respects to the intercepted recordings with 'CW-3', where the forensic expert concluded that there was no truth to any of them, full of discrepancies and deficiencies, and many more. I'm also giving legitimate reasons as to why I deserve an 'evidentiary hearing', and as to how my guilty plea was coerced upon me and unintellectual. Must read the contents of this motion in order to fully understand my claim here. The district court and 2<sup>nd</sup> circuit panel, en banc ERRED in denying me relief. **INJUSTICE!!!**

**11): "Motion to show cause as to why this court should grant the petitioner an 'evidentiary hearing' with respects to Document No. 821; 'The government's opposition to, the defendant Zografidis's motions to suppress'".** I've signed this 5-page motion on December 31, 2018. Here, I'm producing enough evidence and discovery to show that the government LIED about everything they said and done during my arrest date on May 09, 2012. I've investigated all the calls on that day, and compared them to the government's reports. None of them make any sense at all. As I've showed, there were three (3) different explanations, time wise, as to why I was arrested. The government PERJURED themselves while under oath. They gave false information about everything that took place on May 09, 2012. The district court, and the panel, en banc ERRED in denying me an evidentiary hearing, based on this 'new found' discovery. I also produced case laws to back up my legitimate discoveries on 'ineffective assistance of counsel'. **"Mathews v. U.S., Case No. 10-0611-pr (2<sup>nd</sup> circuit)" & "U.S. v. Shedrick Case No. 04-2329 (3<sup>rd</sup> circuit)".** Must read the contents of this motion in order to



fully understand my claim here. The district court, and the 2<sup>nd</sup> circuit panel, en banc ERRED in denying me relief. **INJUSTICE!!!**

**12): “Motion to supplement additional discovery with respects to: A): Ineffective assistance of counsel(s). B): Police misconduct and prosecutorial misconduct”.** I’ve signed this 6-page motion on December 09, 2018. Here, I’ve supplemented **Exhibits M-1 to M-21**, used an ‘offer of proof’ to prove both of my claims in these motions of ‘Ineffectiveness assistance of counsel(s)’, and constitutional violations by our Law Enforcement and the government. I’ve supported all these claims I brought forth in these two motions, with case laws upon reading my 6-page motions. **“U.S. v. Ana Victoria Uria-Marrufo, Case No. 13-50085, 5<sup>th</sup> circuit”.** **“Yick man MUI v. U.S. case No. 07-4963-pr, 2<sup>nd</sup> circuit”.** **“Massaro v. U.S., 538 U.S. 500 (2003)”.** **“McCoy v. Louisiana, 584 U.S. \_ (2018)”.** See Exhibit P-1 in my petition of 2255. A letter from attorney O’Reilly making it very clear that I wished to go to trial. Attorney O’Reilly said in his letter; **“...you rejected the offer and instructed me that you wished to proceed to trial”.** **“Los Rovell Dahda v. U.S., 584 U.S. \_ (2018)”.** In Dahda, quoting; **U.S. v. Giordano, supra, at 527**, defendant must show, **“(1) the communication was unlawfully intercepted; “(2) the order of...approval under which it was intercepted in insufficient on it’s face; or “(3) the interception was not made with the order of authorization or approval”. 18 U.S.C. section 2518 (10) (a) (ii).** Also, **18 U.S.C. 2518 (3).** Here, I believe I’ve satisfied (1), (2), and (3), upon reviewing and studying ALL of the discovery I’ve produced with respects to the wire-taps with “CW-3”. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit panel, en banc ERRED in denying me relief. **INJUSTICE!!!**

**13): “Petitioner’s response to ‘government’s opposition to petitioner’s motions to vacate, set aside or correct his conviction and sentence pursuant to 28 U.S.C. section 2255”.** I have signed this 14-page motion on January 08, 2019. Here, I’m attacking the government’s falsehoods in my response to the ‘government’s opposition to petitioner’s motion, and to correct my conviction’. I’ve produced now ‘new found’ discovery that contradicts the government’s ‘ill-intended’ alleged and meritless claims against me while under oath. I’m also claiming ‘ineffective assistance of counsel’ by presenting case laws; **“Gonzalez v. U.S., Case No. 10-3630-pr, 2<sup>nd</sup> circuit”**. **“Jae Lee v. U.S. Case No. 16-327, U.S. Supreme court”**, citing, **“Hill v. Lockhart, 474 U.S. 52, 59”**. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit panel, en banc ERRED in denying me relief. **INJUSTICE!!!**

**14): “Motion to supplement new case law that supports petitioners claim of ineffective assistance of counsel (Attorney, Frank O’Reilly)”**. I’ve signed this 5-page motion on April 19, 2019. Here, I presented additional discovery and case law that supports my claim of ‘ineffective assistance of counsel’ for mis-advising me about my immigration status. See **“Dat v. U.S., Case no. 17-3652, court of appeals for the 8<sup>th</sup> circuit”**. Quoting: “The district court thus abused its discretion by denying relief without an evidentiary hearing. This court remands for an evidentiary hearing on **Dat’s** ineffective assistance of counsel claim”. Citing, **“Jae Lee v. U.S. 137 S. ct.1958,1964 (2017),** quoting, **“Strickland v. Washington, 466, U.S. 668, 688 (1984)”**. Also, cited **“Padilla, 559 U.S. at 369”**. Also cited, **“Doe v. U.S., 915, F.3d 905, 912 (2<sup>nd</sup> Cir. 2019)”**. Also cited, **“Sessions v. Dimaya, 138 S. ct. 1204, 1213 (2018)”**. Quoting, **“U.S. v. Akinsade, 686, F. 3d 248,254 (4<sup>th</sup> Cir. 2012)”**. Also, in; **“U.S. v. Studley, 47 F.3d 569, 575**

(2<sup>nd</sup> Cir. 1995)”. Here, the 2<sup>nd</sup> circuit quoted, “**the fact that the defendant is aware of the scope of the overall operation, is not enough to hold him accountable for the activities of the hole operation**”. The government was ‘full-aware’ that I was not involved with my co-defender’s (Demetrios Papadakos) operations at any time during my investigation, and they still indicted me and sentenced in the same level of drugs as him. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit panel, en banc ERRED in denying me relief. **INJUSTICE!!!**

**15): “Motion to supplement new case law that supports Petitioner’s claim of ineffective assistance of counsel (Attorney, Frank O’Reilly)”**. I’ve signed this 3-page motion on May 20, 2019. Here, I’ve produced, “**Rojas-Medina v. U.S. Case No. 18-1150, 1<sup>st</sup> Circuit**” in support of my claim of ‘ineffective assistance of counsel’. The 1<sup>st</sup> circuit also cited, “**Roe v. Flores-Ortega, 528 U.S. 470 (2000)**”. The 1<sup>st</sup> circuit again cited, “**Garza v. Idaho, 139 S. Ct. 738 (2019)**”. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit panel, en banc ERRED in denying me relief. **INJUSTICE!!!**

**16): “Motion to supplement additional discovery in order to show Ineffectiveness Assistance of counsel on behalf of Attorney, Frank O’Reilly”**. I’ve signed this 2-page motion on July 22, 2019. Here, in this motion I’ve produced **Exhibit P-1**, drafted by Attorney Frank O’Reilly on April 23, 2014 (one month prior to our first scheduled trial date). Attorney O’Reilly made it very clear in his letter, that I, Konstantinos Zografidis wanted to “**Go to trial**”. O’Reilly failed me as any other competent attorney would have acted under, ‘**Strickland v. Washington**’. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit panel, en banc ERRED in denying me relief. **INJUSTICE!!!**

**17): “Motion to supplement additional discovery (Wyatt Detention Facility telephone conversations) in support of Petitioner’s sworn affidavit (Exhibit B-1) with regards to ‘CW-3’ a.k.a. Demetrios Karipidis confession that; ‘he did not wear a wire’, as falsely claimed under oath by TFO, Domonic Cisero in his February 07, 2012 sworn affidavit”.**

I’ve signed this 6-page motion on June 10, 2019. I’ve supplemented Exhibit’s **O-1, O-2, O-3**, in order to validate my claims. I produced Toll Records and phone recordings from the Wyatt Detention facility between myself and ‘CW-3’ who was deported to Greece prior to our scheduled trial date. Upon listening to our phone conversations, Mr. Karipidis claimed that he **‘never’** wore a wire, as TFO Cisero falsely claims in his February 07, 2012 sworn affidavit. I’ve also produced an email (docket # 1231-2) from Mr. Karipidis send to my co-defender Ioannis Papachristou where Mr. Karipidis claims, again, that he ‘never’ wore a wire during any time while under the police’s supervision. That raises the question: “How, and from where did those corrupt agents then intercepted and recorded those unlawful, illegal and unconstitutionally obtained conversations”??? Further down on my motion, again, I’m producing new discovery as to how SA, George and CI, David Solano, both perjured themselves while under oath during cross examination during the ‘Fatico’ hearing. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit panel, en banc ERRED in denying me relief. **INJUSTICE!!!**

**18): “Motion to supplement discovery to show cause, government’s “CW-2” a.k.a. Joseph Dimyan is a discredited witness”.** I’ve signed this 4-page motion on August 13, 2019. Here, on this motion I’ve produced **Exhibit’s R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8**, with the purpose to show the district who “CW-2” a.k.a. attorney Joseph Dimyan was, and his criminal

conduct, defrauding my business lease agreement with his partner Joseph Gega, my landlord of my business residency at that time. There is enough evidence in this motion to show cause as to how the government interacted with the State Agency's (Statewide Grievance Committee) influencing them to rule against me, in order to protect their witness from the fraud they committed. I was deprived by the government and by my attorney, Frank O'Reilly to make a legitimate claim against "CW-2" in the district court, and the Statewide Grievance Committee. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> Circuit panel, en banc ERRED in denying me relief. **INJUSTICE!!!**

**19): "Motion to supplement new discovery in regards to the 'search warrant' of 39 Seaview Avenue in Norwalk, CT., and Petitioner's arrest date on May 09, 2012".** I've signed this 4-page motion on September 07, 2019. Here, in **Exhibit S-1**, a Thump Drive video. I wanted to show the real existence (interior & exterior) of my parent's home on 39 Seaview Avenue, and all the other houses on the same street, and to show how 'off base' Judge Meyers decision was when he justified the government's illegal and unconstitutional intrusion into my parent's home. Also, as to how the government with an 'ill-faith' falsified information in their search warrant about the true existence of my parent's home. Also, I took a drive and showed Judge Meyers in a video the exact and truthful occurrences of what happened on the day of my arrest. Here, I've also produced case law to show 'ineffective assistance of counsel', "**U.S. v. Herring, Case No. 18-4023, 10<sup>th</sup> Circuit (2019)**", and "**Garza v. Idaho, 139 S. Ct. 739, 745-746 (2019)**", Quoting: "...when a defendant explicitly asks his attorney to file an appeal, the attorney must file the notice of appeal, prior to withdrawing from case". See **Exhibits M-9 & Q-1**. Evidence, that I've directed attorney Frank O'Reilly to appeal the 2 suppressions I was denied by

Judge Meyers on June 19, 2014. Attorney O'Reilly 'never' filed any motions to suppress 'TT1', minimizations, or file motions of appeals, etc. The 2<sup>nd</sup> circuit panel, en banc refused to acknowledge, honor, and apply **Garza v. Idaho** in my case, a U.S. Supreme court ruling. In **Exhibit S-4** is evidence where attorney O'Reilly visited me at the NHCCC and he showed me the proffers who were to testify against me during trial (co-defender, David Solano & co-defender, Demetrios Karipidis). That visitation day was on May 05, 2014. The irony behind this visit, and the information O'Reilly provided me, is the fact that Demetrios Karipidis was already deported on March 06, 2014 back to Greece 2 months prior to O'Reilly's visit. Someone should ask O'Reilly, as to how was he planning to go to trial without Mr. Karipidis being here in the U. S. A. to testify at trial!?!? Did O'Reilly have intentions to subpoena Mr. Karipidis back from Greece?!?! Attorney O'Reilly should have investigated Demetrios Karipidis, because he was the governments 'CW-3', and he was to testify against me at trial. Attorney O'Reilly should have known, or did he, that Mr. Karipidis was deported. I doubted it very much that attorney O'Reilly ever had any intentions to take my case to trial, as he promised me from the very beginning. He LIED to me!!! Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit panel, en banc ERRED in denying me relief. **INJUSTICE!!!**

**20): "Motion to supplement new found evidence, discrediting TFO, Dominick Cisero" & "Motion to grant the petitioner a 'Franks hearing'".** I've signed this 5-page motion on October 02, 2019. Here, I've produced additional discovery and evidence to show as to how and where TFO, Cisero purportedly LIED about the four (4) alleged drug transaction between myself and "CW-3". I've also produced **Exhibit T-1**, a Thump Drive video shoot, to show that the given information on the October 27, 2011 alleged drug buy was totally fabricated. Because of all the

four (4) alleged drug transactions with “CW-3” hold no truth, I declare them to be a **fraud**. There for, I moved on an “Oral motion”, suing all the agents involved in those fabricated/manufactured drug scenes. I’m also suing AUSA, Vanessa Richards, AUSA Michael Runowicz, and USA, Deidre M. Daly for having ‘full knowledge’, and maliciously ‘covered-up’ the police/agent’s misconduct (constitutional violations-felonies). I’ve also requested a “**Special counsel**” to investigate this ‘grand scale’ of corruption in our Law Enforcement, and into the U.S. Attorney’s office. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit panel, en banc ERRED in denying me relief. **INJUSTICE!!!**

**21): “Motion to supplement ‘new found’ evidence that contradicts the veracity of TFO, Cisero’s February 07, 2012 sworn affidavit, seeking the grant to wire-tap ‘TT1’ in criminal case No. 3:12-cr-117(WWE)” & “Motion to suppress the application of wire and electronic communications occurring over ‘TT1’, and all other wire-tap applications thereafter”.** I’ve signed these 12-page motions on November 15, 2019. Here, I’m supplementing more ‘new found’ evidence to prove that I had “**NO**” participation in any drug related dealings with the head of the indictment, Demetrios Papadakos. In my motion I’ve provided testimonies by SA, Rodney George and CI, David Solano. Combining both of their testimonies together, they’ve claimed that ‘**I was not**’ buying drugs from Mr. Papadakos six months prior to my arrest. But, in **Exhibit U-2**, I’ve produced Toll Records that shows CI David Solano erred in his timing when he falsely claimed that he was distributing drugs to me, without D. Papadakos participation, for the past **six (6) months prior our arrest**. In reality, we were acquainted back in August 14, 2011 (**9-months prior to my arrest**), as Toll Records clearly show our first phone call conversation. That means that I had “**NO**” involvement in D. Papadakos alleged affairs from the very start of this Federal

investigation and indictment. The government's affidavit on February 07, 2012 was misleading, and a total FRAUD. In **Exhibit U-3**, I've provided crucial information by examining the Toll Records. I found that ALL of the incoming calls to 'TT1' were "**Routed**" calls to a (203)-904-9\*\*\* numbers. The only numbers that changed were the last three digits (\*). Also, there was a number (**11**) in front of my cell number on ALL incoming calls that were "**Routed**". A very suspicious activity that showed up on TT1. A very strong possibility those "Routed" calls were first intercepted from federal agents in their secretive listening post, then directed back to my cell phone. There are also a lot of questions regarding many of the calls placed by "CW-3" to TT1. Somehow, they don't match the government's affidavit's and the DEA'S Police Investigation Reports. There was also a lot of hidden calls with "CW-3" that the government needs to explain their essence, and why they were not reported. There was also suspicious numbers and letters that are not phone numbers that show on Toll Records. Here, I'm also questioning the "text" message with "CW-2" on January 25, 2012. Toll Records show there were two "phone-to-phone" conversations between us, and NOT a text. TFO, Cisero claims in his February 07, 2012 affidavit seeking the grant to wire-tap TT1, that it was a 'text'. I've also brought forth additional discovery to show how the agents and the government both gave different information about the true status of my parent's home, while under oath. Here, I'm also suing CW-1, CW-2 (Joseph Dimyan) for giving false information about me to have me indicted. I'm also suing Attorney Paul Thomas for leading me into entrapment, and coercing me to proffer. I'm suing Attorney Frank O'Reilly for 'double-crossing me' and coercing me to plea guilty. I'm also suing AUSA, Sarah P. Karwan who signed and supported TFO, Cisero's fraudulent affidavit. I'm also suing USA, John H. Durham, AUSA, Peter B. Markle, AUSA, William Nardini, who ALL signed and



supported the corrupt and unconstitutional methods the government used to investigate me, indict me, and finally to convict me under fabricated evidence and false information. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit, en banc ERRED in denying me relief. **INJUSTICE!!!**

**22): “Motion to supplement ‘new found’ discovery that shows probable cause the alleged January 26, 2012 drug buy/meeting, as claimed by TFO, Cisero in his sworn affidavit dated on February 07, 2012 in criminal case No. 3:12-cr-117(JAM), is defective, and a FRAUD”.** I’ve signed this 5-page motion on December 11, 2019. Here, I’m analyzing the audio recording, in detail, of the government’s Exhibit N-9 and N-10 of the alleged January 26, 2012 drug buy/meeting. I, then took all the information from the DEA-6 Police Report and compared the facts. Upon making my final observations and analysis, I came to notice, that particular event holds “**NO**” truth in any part, because the time sequence of the audio recordings DO NOT match the time set by the agents in their reports, and Toll Records show otherwise, also. A total fabricated ‘wire-tap’ recorded event produced by our corrupt agents, and the U.S. Attorney’s office. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit, en banc ERRED in denying me relief. **INJUSTICE!!!**

**23): “Motion to withdraw from Docket# 35, dated on December 06, 2019, and honor the new ‘revised’ motion, Docket# 36, dated on December 16, 2019”.** I’ve signed this 3-page motion on December 16, 2019. Here, I gave legit reasons to withdraw from Docket# 35, upon reading my motion. I also went on to show additional discovery to Judge Meyers, where that particular intercepted recorded conversation on January 26, 2012, between myself and “CW-3” (Exhibit 15TR) could NOT have been while under the police’s supervision, and ‘CW-3’ was not

acting as a government informant, as TFO, Cisero falsely claimed in his February 07, 2012 sworn affidavit. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit panel, en banc ERRED in denying me relief. **INJUSTICE!!!**

**24): “Motion to leave on record a grievance letter filed by the Petitioner in the above captioned case”.** I’ve signed this 2-page motion on December 24, 2019. Here, I wanted to produce one of the many letters I wrote outside the district court, because I wrote so many letters to the district judges and they totally ignored me. I then started to write to many Federal institutions in Washington DC, as to how I was wrongly accused and sentenced to prison. See **Exhibit V-1**. I also made a few more observations on Exhibit 15TR, so the judges could see that I had no idea of what I was saying to “CW-3” on that conversation. There were also ‘ill-faith’ statement omissions by the government in that conversation. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit, en banc ERRED in denying me relief. **INJUSTICE!!!**

**25): “Motion to file on record a Federal Bivens claim against; A): U.S. Attorneys office (government); B): Task Force of Bridgeport RO (DEA); C): Norwalk Police Department (City of Norwalk CT)”.** I’ve signed this 2-page motion on December 30, 2019. Here, I’m reminding the district court of their ‘ill-faith’ rulings and decisions in my criminal indictment, and the consequences of their negligence and ignorance towards my constitutional rights. I’ve produced **Exhibit W-1**, as an ‘offer of proof’ of what my original intentions were, if the district court and the government DID NOT comply with my needs and demands. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit panel, en banc ERRED in denying me relief. **INJUSTICE!!!**

**26): “Motion to show discovery, requesting from this Honorable court to order the government to provide the petitioner, and this court with Toll Records dated from February 01, 2012 up, until February 08, 2012”.** I’ve signed this 2-page motion on January 15, 2020. Here, I’m giving legitimate reasons as to why I’m seeking Toll Records from February 01, 2012 up until February 08, 2012. Those Toll Records were missing from my discovery, perhaps with an ‘ill-purpose’ from the government to hide the fact, and the strong probability that Exhibit N-10 was indeed a ‘phone-to-phone’ conversation, rather than a ‘meeting’, intercepted and recorder from a ‘wire’, as the government disclosed it to be so in their affidavit(s). Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit panel, en banc ERRED in denying me relief.

**27): “Motion to revive and to reinstate into existence the November 25, 2013 court hearing in criminal case No: 3:12-cr-117(WWE). & “Motion to request assistance from this Honorable court to explain in ‘plain English’ the court rulings of Doc.# 41, and Doc.# 42, in the above captioned case”.** I’ve signed this 3-page motion on January 26, 2020. Here, I’m asking the district court to ‘revisit’ and to ‘reinstitute’ the November 25, 2013 hearing, again, because everything said during that day was destroyed by the government, purportedly I believe, in order to hide crucial material that was said during that day by my co-defender’s attorneys. Also, in this particular hearing my 2<sup>nd</sup> court appointed attorney, Frank O’Reilly, showed his incompetency for the first time under, **Strickland v. Washington**, because he just stood there all along without litigating any of the facts and LIES which I told him about that I saw in my discovery against the government. I told him to present those facts to the court during that hearing, and defend me against all those LIES I saw in TFO, Cisero’s affidavit, and the

misinformation the government's "CW'S" produced. All of the other four attorneys who were representing my co-defenders were challenging the governments evidence by speaking on their client's behalf, except my attorney, Frank O'Reilly. Here, I finally saw and recognized that attorney, O'Reilly had no interest in representing me, accordingly. That's why you see all the letters I've dated after that hearing (Exhibits M-1 to M-16), addressed to the district judges, complaining about attorney O'Reilly's failure to file any motions on behalf of my Title III requirements. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit panel, en banc ERRED in denying me relief. **INJUSTICE!!!**

**28): Motion to supplement new found evidence in support to suppress TT1 and to dismiss criminal indictment 3:12-cr-117 WWE) under police misconduct and malicious prosecutorial misconduct (corruption)".** I've signed this 4-page motion on August 05, 2020. Here, I'm providing additional discovery that I was NOT involved in any type of a criminal conduct with the head of the indictment, Demetrios Papadakos, during from the beginning of my investigation, as falsely claimed by the government, in TFO' Cisero's sworn affidavit dated on February 07 & 08, 2012, seeking the warrant to 'wire-tap' my cell phone (TT1). Also, I've provided additional discovery that shows I, Konstantinos Zografidis resided in the 'basement' of my parent's home, and the government had NO constitutional rights to enter in my parent's 1<sup>st</sup> floor apartment, searching their apartment, and staying inside their home from 1:30 PM up until 9:30 PM on May 09, 2012. Must read the contents of this motion to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit panel ERRED in denying me relief. **INJUSTICE!!!**

**29): "Motion to supplement a definition and to show clarity where the Petitioner in the above captioned case used the words 'discovery' and 'evidence' in his supplemental**

**motions**". I've dated this 2-page motion on August 10, 2020. Here, again, I'm bringing forth discovery that I was not a participant in any of Mr. Papadacos alleged criminal affairs, and challenged the court and the government to show where and to whom did Mr. Papadacos sold drugs to?!?! Also, I've showed another piece of evidence of attorney, O'Reilly's 'ineffective assistance of counsel'. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit panel ERRED in denying me relief.

**INJUSTICE!!!**

**30): "Motion to supplement the record"**. I've signed this 5-page motion on September 13, 2020. Here, I'm reminding Judge Meyers, and questioning the fact of certain omissions, things that were said inside the court room hearings, and who was responsible for erasing such 'Brady' material, and if that act was constitutional, or not?? I've also brought forth discovery, again, that shows attorney O'Reilly's incompetency. I've also given consent to take a polygraph test on the facts and 'Brady' material I've claimed on page four (4), [A): B): C): D): E): F): G): H):] of my motion to be the TRUTH. Must read the contents of this motion to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit panel, en banc ERRED in denying me relief.

**INJUSTICE!!!**

**31): "Motion for the court to authorize the Petitioner to hire a private investigator to be paid under the Criminal Justice Act"**. I've signed this 4-page motion on October 09, 2020. Here, I've produced **Exhibit X-1**, showing my friend Adel Elborgi's health condition. In Adel's confession to me, he claimed that we were held at least '10 minutes' at our arresting place before the police drove me off. Here, I'm challenging Det. Blake's false testimonies while he was under oath on June 18, 2014. DET. Blake LIED to the court, claiming they drove me off 'right away'!!!

I'm also challenging the urgency and the time span it took the police to apprehend me (40-minutes), after they claimed they overheard a phone conversation between myself and Mr. Catino, worried that I would destroy evidence. See also, "**U.S. v. Ramirez, 9<sup>th</sup> Circuit, Docket: 18-10429**". Quoting, **Michigan v. Summers, 452 U.S. 692 (1981)**; "...the agents had no authority to seize the defendant, or search his car when they arrived to execute the warrant, because neither was at the residence", "...the agents use of deceit to seize and search the defendant violated the **4<sup>th</sup> Amendment**". This case law protects me from deceit by our police to seize and search the defendant, and his residency. Again, I've provided more evidence of tampering and editing court documents by omitting things said while in court during my court hearings. Must read the contents of this motion in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit panel ERRED in denying me relief. **INJUSTICE!!!**

**32): "Motion for this Honorable court to mandate for the government to show the original data (Raw Data) for the Title III wire tap applications over TT1 associated with criminal case No. 3:12-cr-117(WWE), in order to compare with discovery already produced to this court to see if the government overreached the scope of Title III requirements".** I've signed this 4-page motion on March 22, 2021. Here, briefly again, I'm calling TFO' Cisero a FRAUD, because he misled the district court with false accusation against me and Mr. Papadakos in his February 07, 2012 sworn affidavit. I've also produced **Exhibits Y-1, Y-1A, Y-1B, Y-1C** in order to provide evidence as to why the district court need to mandate the "ORIGINAL" wire-tap records. Myself, and my self-hired investigator provided enough legitimate information to undermine the governments data they've produced to wire-tap TT1. Must read the contents of this motion in order to fully understand my claim here. The district

court and the 2<sup>nd</sup> panel, en banc ERRED in denying me relief. **INJUSTICE!!!**

**33): “Motion to supplement additional ‘offer of proof’ with regards to Doc.# 52”.**

I’ve signed this 2-page motion on April 05, 2021. I’ve produced **Exhibits Y-1D, Y-1E, Y-1F**, in order to prove my claim. Again, I’m asking the district court to mandate the ‘original’ data of the wire-taps, and the ‘original’ Call Detail Records, as the experts I’ve hired requested, in order to compare and find their true essence. I’ve also mentioned to the court that the government produced edited, altered and ‘not the original’ data, and this court made their decisions, rulings, and convictions based upon fabricated evidence and FALSE data provided by corrupt agents, and corrupt U.S. Attorney’s. Must read in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit, en banc ERRED in denying me relief. **INJUSTICE!!!**

**34): “Motion to supplement an additional discovery, used as ‘offer of proof’ with respects to the 4 alleged drug buys as TFO, Cisero falsely claimed in his February 07 & 08, 2012 sworn affidavit”.** I’ve no record of the date when I’ve signed this motion. Here, again, I’m analyzing and reviewing the government’s Toll Records, and comparing them with TFO’ Cisero’s affidavit, and with his DEA-6 Police Investigative Reports. There are so many discrepancies and deficiencies, and questionable information TFO’ Cisero provided, and/or didn’t provide, in order to complete the full scope of his report. Many things he claimed in his reports DO NOT match the government’s data on Toll Records, and the timing of those alleged occurrences, as in ‘real time’. Must read in order to fully understand my claim here. The district court and the 2<sup>nd</sup> circuit, en banc ERRED in denying me relief. **INJUSTICE!!!**

**35): “Motion for this court to issue subpoena to Sprint for Demetrios Karipidis cell**

**phone records on January 26, 2012 @ 17:56 PM**". I've dated this 3-page motion on May 16, 2021. I've supplemented **Exhibit, Z-2** as an 'offer of proof' to justify my claim. Here, again, I'm trying to get to the bottom of that particular 22 second 'phone-to-phone' conversation on January 26, 2012 between myself and "CW-3". Since the Toll Records of my discovery were not the 'original', and the district court refused to mandate the government to bring forth the 'original data' of the Toll Records on TT1, I then asked the district court to then subpoena SPRINT and have them produce Toll Records of Mr. Karipidis cell phone records, in order to compare them with my Toll Records and to see if there are any differences, any deficiencies, or discrepancies. Of course, Judge Meyers had to deny me, again, as he always denied me on everything that I've claimed to the district court. Must read both motion in order to fully understand my claim. The district court and the 2<sup>nd</sup> circuit, en banc ERRED in denying me relief. **INJUSTICE!!!**

**36)" Motion to grant my petition on grounds where "Phase 1, Examination and Evaluation Report" clearly show deficiency's, and discrepancies in the 'Sample Call Log Data' on Device# 1 (Adel Elborgi's cell phone, compared with Device# 2 (TT1). Also, data on 'Toll Records' of TT1 the government provided in their spreadsheets, 'does not' match the data of the 'Sample Call Data Artifacts' of Device# 2 (TT1), as shown in 'Phase 1, Examination and Evaluation Report'".** I've dated this 8-page motion on May 17, 2021. I've supplemented **Exhibits Z-1A, Z-1B, Z-1C, Z-1D**, as 'offer of proof' to justify my claim. Here on "**Phase 1**" are the extraction evaluation and examination results of **Device# 1**, and **Device# 2** that were conducted from "DIGITAL FORENSICS CORP". I took a personal interest and began to conduct a closer examination by myself, and upon comparing the two Devices, I've provided



'new found' discoveries with additional information where Device #1 & Device # 2 contradict each other. I also observed that there were thousands of calls missing on Device# 2 (TT1), based on comparison to the Toll Records data the government provided. Another discrepancy is the fact that the "duration of time" on all the calls on Device# 2 (TT1), **"DOES NOT"** register the 'duration of time' at all, as compared to the 'duration of time' on Device# 1 (Adel Elborgi's cell phone), where it clearly shows the time span, in seconds, on all of his calls. How could that be? Because, I strongly believe that the data retrieved for TT1, was not from SPRINT (my cell phone carrier), but from an illegal listening post from those corrupt police/agents who were unlawfully eavesdropping into my cell phone, and that's why they tried to erase all the data on TT1, so we could not trace anything back to them. Sorry, but I got you!!! They got sloppy, and didn't clear everything, but leaving enough evidence behind to convict all those criminals to a federal prison. Another piece of discovery I brought forth to prove my claim of **'ineffective assistance of counsel'**, and as to why the guilty plea that I've signed was **'unintellectual'**, is well described on page-5 (see **Exhibit Z-1C**) of this motion. The point here I wanted to raise to the district court, and to the 2<sup>nd</sup> circuit panel is: "Why am I still filing civil claims against the U.S. Attorney's, police/agents, CW'S and others for up to 3-months 'AFTER' I pleaded guilty, where in fact the stipulations in my guilty plea waives every right for me to sue anyone who was affiliated with the government"?!?! Does that sound like an intellectual guilty plea to you??? If, I would have known those stipulations inside that guilty plea, I would have stopped pursuing my civil claims, right?! There for, my actions here definitely show that I **"DID NOT"** know the facts and stipulations that I've signed in that guilty plea, even if I said that, "I did", during my guilty plea hearing. I just wanted to get the hell out of those bias, and government influenced court rooms. I

was hoping I would see a 'day in light' with the 2<sup>nd</sup> circuit, but they were just as bias as the district court judges!!! Also, I've provided another piece of information, where "CW-3" gave me additional information, in depth, about his involvement with the police, that contradicts the January 26, 2012 alleged drug buy/meeting. I've also produced discovery from a 'forensic expert', Motti Gabler, who recommended the government produce the 'ORIGINAL' files and recordings to be analyzed. Must read this motion in order to understand my claim. The district court and the 2<sup>nd</sup> circuit ERRED in denying me relief. **INJUSTICE!!!**

**37)" "Motion for judge Meyers to recuse himself from this case due to conflict of interest".** This 2-page motion was filed on June 29, 2021. Here, I was not getting anywhere and very frustrated with Judge Meyers, because everything that I've said and done for the past nine years wasn't going anywhere, and then I came to an awakening, that it was HE who allowed all this filth the government created and they got away with. It was HE who discriminated me all the time. It was HE who made it possible for the government to violate our constitutional rights without punishment. It was HE who suppressed the truth every time I spoke and wrote to him. It was HE who failed my parent's constitutional rights to be safe in their home from the brutal and violent police officer's invasion. It was HE who took a coerced and unintellectual guilty plea from me when he saw me that day, knowing that I wasn't in the right state of mind. It was HE who failed to see the true essence of Exhibit 15TR during the status conference meeting. It was HE who believed in the LIES from CI David Solano, SA George, and a corrupt U.S. Attorney, Vanessa Richards, and enhanced me with unimaginable drug amounts. It was HE who sentenced me to prison under a 'false' conspiracy theory the government created, and under fabricated evidence and constitutional violations, written all over their face, of each and every Law

Enforcement who investigated me and arrested me, and the U.S. Attorneys who indicted me. But Judge Meyers being bias and weak in character refused to step up like a real man, and stop this insanity. Must read this motion in order to fully understand my claim. The district court and the 2<sup>nd</sup> circuit, en banc ERRED in denying me relief. **INJUSTICE!!!**

**38): “Motion to supplement a sworn notarized Affidavit from Digital Forensic Corp., a final evaluation of Phase 2, on Device# 2 (TT1).** This 3-page motion was signed on July 07, 2021. I supplemented **Exhibit Z-3**, a 13-page sworn affidavit by Digital Forensic Corp., as an ‘offer of proof’ to prove my claim. Upon further analysis I conducted on the extractions, I’ve uncovered more deficiencies and discrepancies. Here, the government tried to destroy all the data inside my cell phone, “TT1”. Must read this motion in order to fully understand my claim. The district court and the 2<sup>nd</sup> circuit panel, en banc ERRED in denying me relief. **INJUSTICE!!!**

### **SUMMARY:**

In my Petition of 2255 that was reviewed by the 2<sup>nd</sup> circuit panel, en banc, I’ve gathered enough evidence, discovery and information for the past 10 years that clarifies four (4) major things. **A):** I’ve produced enough discovery, backed up with circuit laws, and precedented U.S Supreme court rulings, to clearly establish ‘ineffective assistance of counsel(s)’. **B):** I’ve produced so much ‘new found’ discovery against the government to show constitutional violations, police misconduct, malicious prosecutorial misconduct, government agents and CI’S who perjure themselves in their search warrants, affidavits, or during cross-examination while under oath, tampering with wire-taps, editing of wire-taps, cloning of wire-taps, falsely

translating of transcripts from its original form, fabricating of evidence, fabricating of drug sales, destroying of court minutes, producing fraudulent data to the courts, destroying of cell phone data, threat to defendants, fraudulent and defective wire-tap application(s), unlawful arrest and seizure, corruptively implementing thousands of non-existent phone calls into TT1 & TT2, corruption into the U.S. Attorney's office, and etc. **C):** I've provided enough discovery and evidence that shows the district judges ERRED on all of their judgement(s) directed towards me, and they FAILED to be fair and show equal justice. There is absolutely no excuse on their behalf by denying me any type of relief. I personally hold them ALL responsible, including the panel en banc, for aiding and abetting the governments constitutional violations (felonies they've all committed). There should be some type of law that prohibits such discriminative and bias judgements inside our federal courts. Those judges are certainly "not above the law". Their job is to follow the constitution, show fairness on both parties, equally divided, and most of all abide by the laws of our Congress, and by our precedented U.S. Supreme court judgement rulings. I was prejudiced by each and every judge, in both my criminal and civil cases. It's so obvious what they did here, and that is to hide and suppress their own failures as judges, and the embarrassment it would bring forth to the public once the 'full-scale' of corruption is exposed and unfolded on all of the Law Enforcement and the U.S. Attorney's involved in my indictment and conviction. **D):** I've provided astonishing 'new found' discovery to show that the government in TFO' Cisero's sworn affidavit dated on February 07 & 08, 2012 was defective on its face, full of deception, misleading and false information with disregards to the truth. There for, "TT1" MUST be suppressed, and all other 'wire-tap' applications there after MUST be suppressed, also. **My criminal indictment should be dismissed with prejudice!!!!!!!!!!!!!!**

### CONCLUSION:

The Petitioner, Konstantinos Zografidis respectfully requests that a Writ of Certiorari issue to review the Judgement(s) and opinions of the U.S. Court of Appeals for the 2<sup>nd</sup> Circuit, en banc, in denying me relief, and also review the Petitioners defense arguments brought forth in his criminal case by his then 3<sup>rd</sup> court appointed attorney, William T. Koch, Jr., to the 2<sup>nd</sup> circuit. I humbly, also request the review of all my arguments, and Exhibits I've provided, and the case laws I brought forth in my Petition of 2255, and also the arguments I brought forth to the 2<sup>nd</sup> circuit civil panel, en banc, in order to justify my multiple legitimate and truthful claims. I'm also requesting the REMAND of my case back to the lower courts under a new trial Judge who's not bias, discriminative, but also loyal to our constitutional laws as written, and also a fearless, steadfast, and competent attorney(s) to represent my constitutional rights, with the MANDATE to review ALL of my legitimate claims that I've provided so far against the police/agents, U.S. Attorney's office, court appointed attorneys, the government's CW'S, and many others.

Dear Honorable Justices of the U.S. Supreme court. For the sake of our constitution, and the freedom and liberties, "**We the People**", are promised in our great nation, I'm begging you to please, please read the contents in this writ of certiorari. You MUST put a stop to this 'grand-scale' of corruption in the government (U.S. Attorney's office of Bridgeport, CT) in my criminal case that overpowered and influenced our lower courts. You MUST intervene in order to correct and adjust the way our lower courts handle cases with discrimination and 'one-sided' rulings, by defending police misconduct, supporting malicious prosecutorial misconduct, and authorizing FRAUDULENT 'wire-tap' applications. I'm humbly seeking from the Justices of the U.S. Supreme court to STOP those authoritarian individuals that hold high places in our Judicial

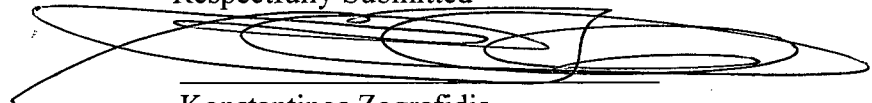
Branch, and who place themselves 'above the law', thinking they can step all over of such powerless and oppressed people as ME, in order to satisfy their own selfish, personal, and corrupt agenda, by disregarding the truth, and showing defiance to our constitutional laws.

Thank you.

### **Reasons for Granting the Petition**

(a): The U.S. District court of CT, and the 2<sup>nd</sup> circuit panel, en banc were corruptively bias towards me, and I was prejudiced by them all the time. (b): Fourth Amendment constitutional violations by Law Enforcement and by the government. (c): Ineffective assistance of counsel(s). (d): A defective and fraudulent affidavit by TFO, Cisero on February 07 & 08, 2012, seeking the grant from the district court to wire-tap, 'TT1'. (e): Unlawful arrest, search and seizure. (f): Illegitimate and delinquent search warrant, and illegal entry into my basement apartment, and into my parent's home on May 09, 2012. (g): Police misconduct, and malicious prosecutorial misconduct. (h): My guilty plea was unintellectual and was coerced upon while under duress. (i): The government officials and CI'S perjured themselves about "Brady material" in their affidavits and during cross-examination while under oath. (j): The government corruptively enhanced me with hypothetical huge amounts of narcotics, knowing I was not accountable for. **INJUSTICE!!!**

Respectfully Submitted



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*Petitioner Pro Se*

**PROOF OF SERVICE**

I, Konstantinos Zografidis, certify that pursuant to Supreme Court Rules 29.3 and 29.4 that I have served the preceding Petition for a Writ of *Certiorari* on each party to this proceeding by depositing an envelope containing this motion in the United States mail properly addressed and with first-class postage prepaid on March //, 2022.

The names and addresses of those served are as follows:

The Solicitor General of the United States  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington DC 20530-0001

Office of the United States Attorney  
ATT: Sandra Glover, AUSA  
157 Church St., 25<sup>th</sup> floor  
New Haven, CT 06510

Office of the United States Attorney  
AUSA, Vanessa Richards  
1000 Lafayette Blvd., 10<sup>th</sup> floor  
Bridgeport, CT 06604

I declare under penalty of perjury that the foregoing is true and correct.

By \_\_\_\_\_

Konstantinos Zografidis

*Gita Patel Bechar*



GITA PATEL BECHAR  
NOTARY PUBLIC  
STATE OF CONNECTICUT  
MY COMM. EXP. 04-30-2023