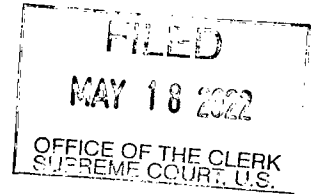


22-5011 ORIGINAL
No. _____



IN THE
SUPREME COURT OF THE UNITED STATES

RANDOLPH MAYS PRO SE — PETITIONER
(Your Name)

vs.

ILLINOIS SUPREME COURT et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

ILLINOIS FIRST JUDICIAL DISTRICT, APPELLATE COURT
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

RANDOLPH MAYS
(Your Name)
LAWRENCE CORRECTIONAL CENTER
10930 LAWRENCE ROAD
(Address)

SUMNER, ILLINOIS 62466
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

1. Whether the Appellate Court erred in their conflated consent to find that Defendant-Petitioner direct appeal was frivolous and without merit.

2. Whether the Illinois Supreme Court's Constitutional Avoidance solve the Question of Investigative alert being unconstitutional or not, is a matter that should be decided by the United States Supreme Court.

LIST OF PARTIES

ILLINOIS SUPREME COURT

ILLINOIS APPELLATE COURT FIRST DIST., FIRST DIVISION

ILLINOIS CIRCUIT COURT, COOK COUNTY CRIMINAL DIVISION

RELATED CASES

*People v. Bass, No. 1-16-0640, App. Ill (1st) 2nd Div.
Opinion filed July 25, 2019.*

*People v. Bass, No. 125434, S.Ct. IL Opinion filed
April 15, 2021.*

*People v. Hyland, No. 1-11-0966, IL App (1st), Nove-
mber 21, 2012 Decided.*

*People v. Jones, No. 142997, IL App (1st) 2nd Div.
Filed Dec. 08, 2015. Rehearing Denied Jan. 05, 2016*

*People v. Stark, No. 121169 IL App (1st) 3d Div. Filed
June 04, 2014*

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☐ is unpublished.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☐ is unpublished.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 FIRST DIST. APPELLATE COURT ILLINOIS court appears at Appendix B 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 01-26-2022.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied 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 APRIL 30, 2022 (date) on MAY 26, 2022 (date) in Application No. 21 A 665.

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

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ILL. LEXIS 105

APPENDIX B : People of the State of Illinois, appellee
v. Randolph Mays, appellant
Appellate Court First Dist. No. 1-19-1102

APPENDIX C : INVESTIGATIVE ALERT {Recorded} {EXPIRED}

APPENDIX D : Det. Sup. Appr. Com. HW471141

APPENDIX E : PROBABLE CAUSE TO DETAIN, COMPLAINT FOR A
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APPENDIX H : SUBPOENA FOR TRIAL RECORDING

CONSTITUTIONAL AND STATUTORY PROVISION INVOLVED

ILL. CONST. 1970, ART 1 § VI

"The people shall have the right to be secure in their persons, houses, papers and other possessions against unreasonable searches, seizures, invasions of privacy or interceptions of communications by eavesdropping devices or other means."

U.S. CONST. Amend. IV

"The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, shall not be violated, and no warrant shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

ILL. CONST. ART. 1 § 11

No person shall be deprived of life, liberty or property without due process of law nor be denied equal protection of the law.

U.S. CONST. Amend. XIV

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the States wherein they reside. No State shall make or...

enforce any law which abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law, nor deny any person within it's jurisdiction the equal protection of the laws.

TABLE OF AUTHORITIES CITED

People v. Bass, 2019 IL App (1st) 160640	5.
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Kamen v. Kemper Financial Services, Inc., 500 U.S. 90 99 (1991)	10.
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Peach v. McGovern, 2019 IL 123156, 64, 432, 111 Dec. 706, 129 N.E.3d 1249.	18.
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In re E.H. 224 Ill. 2d 172, 198, 308 Ill. Dec. 1, 863 N.E. 2d (2006) (1910)	19.
People v. Hampton, 225 Ill. 2d 238, 244, 310 Ill. Dec. 906, 867 N.E. 2d 957 (2007)	19.
People v. Bass, 2021 IL 125434	19.

STATEMENT OF THE CASE

On August 02, 2014, at approximately 10:00 a.m. or shortly thereafter, the defendant-petitioner was taken into custody pursuant to an investigative alert.

see { Mot. Suppr. Evid. / Illeg. Sear. Seiz. Trans. NII at 20-22 }

Police Officers did not have probable cause to detain defendant-petitioner following an unlawful stop; after running a name check, Officers learned of an investigative alert issued Sept. 29, 2013 that "EXPIRED". Exactly one year later, defendant-petitioner was unreasonably seized.

see { INVESTIGATIVE ALERT } { EXPIRED }

After going into defendant-petitioner's pockets, Police Officers obtain his identification during the search in which nothing illegal was found;

CPD Officer, without a warrant or probable cause, handcuffed defendant-petitioner at his partner's signal, then, while no miranda was given, escorted defendant-petitioner to the backseat of the police vehicle, where he was told that he was being detained so that they needed to check into the alert.

see: { Mot. Suppr. Evid. / Illeg. Sear. Seiz. Trans. NII at 23 - 24, NII at 1-4 }

Defendant-petitioner was driven around the

block from the 5300 block of South Justine Street to the 5300 block of South Laflin Street. CPD Officer Workman placed a call to Det. Gordon at the station.

see { Mot. Supp. Evid. / Illeg. Seiz. Trans. Nil at 9-22. also see: CPD SPECIAL ORDER S04-16 }

After their veiled conversation, Workman or { BIS sworn member } changed the investigative alert from "No Probable Cause to Arrest" to "Probable Cause to Arrest { EXPIRED }.

see { INVEST. ALERT CLEAR DATA WAREHOUSE }

Defendant-petitioner was taken against his will, where the unreasonable seizure continued. Det. Gordon questioned defendant-petitioner, vehemently, about a shooting; during the interrogation, no inculpatory statements had unfolded.

See Arrest Report and FOIA File No. 14-5145

Defendant-petitioner was arrested in 2013 by Det. Gordon but was acquitted. At [this] this... time, defendant-petitioner was advised of his miranda rights for the first time during the encounter.

Defendant-petitioner was taken to a physical line-up { before } the supra and was not { identified } by the victim or the alleged { witness } on August 02, 2014.

See Det. Suppl. Rept. HW71141, FOIA File No. 14-5145

On August 08, 2014, Judge Shauna L. Boliker found probable cause. On August, 12, 2014, defendant-petitioner was charged on a information. See INFORMATION INDICTMENT SHEET, APPENDIX A

On January 23, 2018, defendant-petitioner was convicted of attempt first degree murder and sentenced to a mandatory term of natural life on May 09, 2019.

Defendant-petitioner is currently incarcerated.

Notice of Appeal was filed on May 09, 2019 and the O.S.A.D. was appointed to represent defendant-petitioner was filed as well.

After {twenty one months} and {three extension of time} the O.S.A.D. (David T. Harris) presents a motion to withdraw pursuant to Anders v. California, 386 U.S. 738 (1967).

The judgment of the circuit court of Cook County was affirmed in the Ill. S.Ct. pursuant to Supreme Court Rule 23(c)(2), (4) (eff. Jan. 1, 2021).

On January 26, 2022 petition for leave to appeal to the Ill. S.Ct. was denied, it was filed October 21, 2021. See APPENDIX B

ARGUMENT

The Appellate Court erred in their conflated consent to find that Defendant-Petitioner's motion for a direct appeal was frivolous and without merit.

This case concerns the meaning of the U.S.S.Ct. Rule 14.1(a)(g)(i) and in particular (h) which, provides a very lucid and clear launching pad asserting: A direct and concise argument amplifying the reasons relied on for allowance of the writ.

{IN} The conflated review of Defendant-Petitioner's reasons for appeal, by O.S.A.D.²⁷ Appellate Court, is incorrect as a matter of law.

It is obvious that their search through the records was from a cursory view which belied their findings.

The cases cited by the Appellate Court do not apply in this matter. From the {record} thus amassed the material facts emerged essentially undisputed. Appellate Court's statement of those cases distorts that record and thus Defendant-Petitioner is compelled to set forth the facts in a comprehensive manner.

Pivoting back to the opening colloquy during the pendency of the motion to suppress / illegal search and seizure hearing on 7-16-2015 see Motion to Suppress / Illegal Search and Seizure - re Trans. N6. at 14-22 APPENDIX {A} F

The relevant facts elicited at the hearing are as follows. MS. STEINER:-- is that an investigative alert was issue approximately one year prior to the arrest of Mr. Mays. He was arrested during that year and released. The Officers did not have probable cause to approach him that day, much less arrest him.

THE COURT: you can approach somebody. So it's the investigative alert. Go ahead put on a witness.

Defendant-Petition, in defense against loss states: The Investigative Alert being called-out was declared unconstitutional by {this very tribunal}. See: People v. Bass, 2019 IL App (1st) 160640

The OPINION { filed July 25 } JUSTICE HYMAN delivered the { judgment } of the { court } with { opinion }.

PLEASE TAKE NOTICE of J. HYMAN'S Delivery of the SUPRA: "Cordell Bass was arrested solely on the authority of what the Chicago Police Department calls an "investigative alert." Department { regulations } allow Officers to arrest people on the...

... basis of an alert where there is probable cause to {believe} the suspect has committed a crime. {But}, the regulations allow for police {super-
visors} to internally make that {probable cause} determination.

Officers are not {required} to take their case for {probable cause} to a {judge}, as they would for an {arrest warrant}. {WIP ARE ASKED TO DETERMINE WHETHER THIS PRACTICE IS CONSTITUTIONAL. WE HOLD THAT {IT} {IS} {NOT}}."

This language, used, directly by the same Appellate Court Officer, can not turn around and claim, from a factual perspective, that Defendant-Petitioner, incorrectly identified, raised and argued the issues that were meritless, where, Defendant-Petitioner, followed the language of both constitutions {BEFORE} the Appellate Court Officer unfolded his opinion.

See Motion to Quash Arrest And Suppress Evidence.
See Also no. 2 and 3. points, quote:

2. The arrest was a seizure as contemplated by the Fourth Amendment to the United States Constitution and Article 1, Section 6 of the Constitution of the State of Illinois.
3. The Fourth Amendment of the United States Constitution guarantees the right of persons

to be secure from unreasonable search and seizures of their persons, houses, papers and effects...

The beforementioned assertions, in record, were cabletowed out of review.

see APPENDIX F

The guiltiness of the Appellant Court and O.S.A.D. is the motor, driving the decision to file the Anders v. California, 386 U.S. 738 (1967).

There is further {actual "guilty" knowledge} where both work to change the order of the motions filed, so that, they would be better equipt on how to manipulate the threads when sowing in their decisions.

The O.S.A.D. Counsel present the motion to suppress photo i.d. First, when it was actually litigated a {year} {after}.

Second, O.S.A.D. Counsel presents the motion to quash and suppress evidence and, to justify the reason the prosecutor keep directing the attention away from the physical line-up {August 02, 2014} in which the state has sealed pursuant to 725 ILCS 5/107A-2(i) and that the defendant-petitioner was never identified by the victim or the alleged witness.

see APPENDIX D. PHYSICAL LINE-UP WITH-HELD

The photo array was initially constructed

by the uncle of the victim "who did not" witness the incident.

See APPENDIX D

See Arrest Report

PLEASE TAKE NOTICE OF THE COLLOQUY

Mot. Suppr. Evid. / Illeg. Search and Seiz.

July 16, 2015

THE COURT: You are not looking to suppress the ID at the police station?

MS. STEINER: There wasn't -- there was not --

MS. McMAHON: There was not a lineup identification that was conducted in this case. The identifications in this case -- the

photo identifications were done prior to the defendant's arrest. I don't know that this is a proper motion before your Honor.

THE COURT: You are questioning the investigative alert that was issued prior to his arrest?

ALL OF THE BEFOREMENTIONED IS, BELIED
BY THE RECORD

Defendant-Petitioner, in compliance with the U.S. S.Ct. R 14.1(g)(i) gave a concise statement of the facts there were set out in the case as

material for consideration of the questions presented. {In} (i) of the same rule, it is purported; If review of a state-court judgment is sought, specification of the stage in the proceedings, both in the court of first instance and in the appellate courts, where the federal questions sought to be reviewed were raised; the method or manner of raising them and the way in which they were passed on by those courts; and the pertinent quotation of specific references to the places in the record where the matter appears (e. g., court opinion, ruling on exception thereto, assignment of error), so as to show that the federal questions was properly raised and that this Court has jurisdiction to review the judgment on a writ of certiorari.

In continued defense against loss, Defendant-Petitioner articulated the specific nuances of the legal theory in the face of enormous opposition, and the battle of contentions during the pendency of the *supra* {motion hearing}.

The argument spring from the same

Source: the provisions of the Illinois Constitution prohibiting unreasonable searches and seizures.

Again, the Appellate Court's argument in para. 4 and 5, in defense of O.S.A.D. argument {is incorrect as a matter of law}.

Their Chief ambition is to draw the onlooker into its haunt and keep the focus on what has been visibly presented.

Defendant-Petitioner states that the unrepresented issues preserved on record will now be presented. "When an issue or claim is properly {presented} before the Court, the Court is not limited to the particular legal theories advanced by the parties, but rather retains the independent power to identify and apply the proper construction of governing law."

see *Kamen v. Kemper Financial Services, Inc.*,
500 U.S. 90, 99 (1991).

Defendant-Petitioner advances his assertion back to the Motion to Suppress / Illeg. Search and Seiz. Trans. No. at 14-22, asserting that
Shortly after 2:30 a.m. in June of July of ...

... 2014, Oaklawn Police stopped Mr. Dion (Deon) shot low for a traffic violation, in which the Defendant-Petitioner was a backseat passenger. The stop occurred in the Oaklawn community.

The Defendant-Petitioner was an employee at the Windy City Carnival. The Officers ran a name check on all of the occupants name in their LEADS/CLEAR computer system. The Officers returned, gave the occupants their I.D.'s back, all besides Defendant-Petitioner, and pursuant to the Officers order, stepped out of the vehicle and was immediately handcuffed and escorted to the back of the Oaklawn Police squad car wherein he was told that they needed to check into the alert. *

The Officers placed a call to the station to see what measures needed to be taken. After the veiled conversation ended, Defendant-Petitioner was told to step out the car. The Officers informed Defendant-Petitioner that he was free to go and that they wanted no parts of an "investigative alert from Chicago. The Officers respectfully apologized for the inconvenience.

Replay the motion to suppress Evid. / Ille...

... gal Sear. Seiz. Trans. N23. At 8-10 APPENDIX F

Judge Boyle stated:

THE COURT: There was nothing in the fourth amendment of-- any violation of the fourth amendment preventing them to approach.

THE COURT: You can approach somebody. So it's the investigative alert. Go ahead, put on the witness.

N6. at 20-22

Defendant-Petitioner shoe-horns {this exam-
-ple} in-to-the-conscience of this Court; WHY,
the investigative alerts are not arrest warr-
-ants and the Oaklawn Police, followed the
instructions provided by Rodriguez v. United
States, 575 U.S. 348 (2015)

Defendant-Petitioner further assents that
investigations into a vehicle's passengers
during a routine traffic stop, violated the Fou-
-rth Amendment.

Defendant-Petitioner was {passenger} in a
stopped vehicle, the P.D. MS. STEINER was making
the judge aware of the fact that Defendant-
Petitioner was stopped {prior} in 2014, in an-
-other city {The Village of Oaklawn} IL.

During the pendency of this cause Officer
Ostafin was questioned by Defense Attorney..

... MS. STEINER: Would {agencies} other than Chicago Police Department stop somebody based on an investigative alert?

MS. McMAHON: Objection.

THE COURT: Sustained

Defense Attorney Steiner argued, the investigative alert are {not} arrest warrants and that agencies other than CPD do not recognize them as an effective law enforcement tools.

See Motion to Suppress Evid / Illegal Search Seiz.
Transcript.

MS. STEINER: This officer did not see Mr. Mays break any laws of the state of Illinois. He looked on his computer and saw some information there, internal Chicago Police Department information from a year prior.

This investigative alert was issued in September 2013. The officer encountered Mr. Mays in August of 2014. There was no arrest warrant despite his statement that he spoke to detectives and learned that Mr. Mays was identified by two individuals.

That was somebody he spoke to over the phone.

Again, I would stress that this is an inter...

...nal Chicago Police Department tool that is not [embraced by the Courts]. It is not an arrest warrant. They clearly had a year to get a warrant if they believed there was [probable cause] in this matter.

They stopped Mr. Mays, who was cooperative at the time, initially the Officer said just for leaving a location he believed was involved in a narcotics transaction, but he did not state that on direct.

Mr. Mays was not found with anything illegal on him at the time he was stopped by this Officer.

He complied and yet he was taken into custody, based on some kind of internal police function or tool or entry into a computer almost a year prior.

See Motion to Suppr. Evid. / Illegal Sear. Seiz. Trans. N21 at 9-24, N22 at 1-15. Appendix A

Defendant-Petitioner did not go on some [ubiquitous] [space exploration] in search of [an imaginary issue to purport]. Instead, he humbly identified, correctly, that the Chicago police practice of systematically avoiding obtaining judicially scrutinized warrants prior to arresting criminals.

...nal suspects violated the Illinois Const-
-itution just as Defendant-Petitioner ass-
-erted on the {2nd point} for review on the
face of the motion, filed February 19, 2015
heard on July 16, 2015, prior to Bass
see Appendix A, Motion to Suppr. Evid. / Illeg.
sear. seiz.

2. The arrest was a seizure as contempla-
-ted by the Fourth Amendment to the Uni-
-ited States Constitution and Article I
Section 6 of the Constitution of the St-
-ate of Illinois.

Here, in this cause, the Appellate Court and O.S.
A.D. Counsel in contrast, did not reach out
and identify an issue from whole cloth.

Instead, they did not possess any {testicul-
-ar fortitude} to champion the beforement-
-ioned Constitutionality of an arrest bas-
-ed on an investigative alert - albeit, ba-
-sed in {legal reasoning} and {lawful comp-
-etition}.

The purported issue became too big or too...
daunting for them to do anything about and
seemed to be an insult, that Defendant-Peti-
-tioner had the {temerity} to advance it to
them on {First Impression} basis.

Finally, Defendant-Petitioner, assuming...

...arguing, that Defendant-Petitioner, did properly place this issue before the {trial court}, in {Error}, denied Defendant-Petitioner motion on July 16, 2015, when the CPD violated his constitutional right to be free from unreasonable seizures.

The arresting Officers conceded that they had no reason to arrest Defendant-Petitioner other than an investigative alert {that} another officer entered into a computer database, that {expired} the year prior.

During the entire year (Sept. 29, 2013 - Aug. 02, 2014), the police {never} sought an arrest warrant, {nor} justified the decision not to seek one.

In concluding the first argument, the Chicago Police Department's investigative alert database is a parallel warrant system {with no judiciary}. The police have declared themselves sole arbiters of {probable cause} subjecting countless citizens to the trauma and humiliation of arrest with {NO} prior judicial input.

While it is true that Courts have traditionally sanction warrantless arrest on an individual basis, primarily based on {exigency}, no court has granted the power

to arrest based on {Hearsay} (IR#1322779) on a systemic basis.

A. Defendant-Petitioner asserts that {investigations} of matters outside the scope of the stop violated the Fourth Amendment because it measurably prolonged the stop.

see People v. Bass, 2021 IL 125434

see Terry v. Ohio, 392 U.S. 1 (1968)

B. The tolerable duration of police inquiries within the stop's context is determined by the seizure's mission.

see Terry v. Ohio, 392 U.S. 1 (1968)

The Trial Court, the Appellate Court (1st Dist) and the Illinois Supreme Court erred when denying Defendant-Petitioner's Constitutional Challenge of Investigative alert. Clearly violated the U.S. Constitution's 4th, 14th amend. and Ill. Const. Art. I §§ 2 and 6. He request this Supreme Court to reverse and remand, vacate sentence and conviction, discharge Defendant-Petitioner or grant Certiorari.

2. Whether the Illinois Supreme Court's constitutional avoidance solved the Question of Investigative Alert being unconstitutional or not is a matter that should be decided by the United States Supreme Court.

Illinois Supreme Court, in their decision to decide a Constitutional Question of the Supra. States: In Bass,

Having disposed of the Case on these narrow grounds, we end our analysis here.

Courts of review will not decide moot or abstract questions, will not review cases merely to establish precedent, and will not render advisory opinions.

see: *Peach v. McGovern*, 2019 IL 123156, 64, 432

Ill. Dec. 706, 129 N.E. 3d 1249, Nor do Courts in Illinois consider issues where the results will not be affected regardless of how those issues are decided. *Id.*;

see: *In re Alfred H.* 233 Ill. 2d 345, 351, 331 Ill. Dec. 1, 910 N.E. 2d 74 (2009)

Likewise, this court's long-standing rule is that cases should be decided on nonc-

-onstitutional grounds whenever possible,
reaching constitutional issues only as a
{last} resort.

see: *In re E.H.* 224 Ill. 2d 172, 198, 308 Ill. Dec.
1 863 N.E. 2d 231 (2006) (citing cases back
to 1910).

Consequently, courts must avoid reaching
constitutional issues unless necessary to
decide a case.

see: *People v. Hampton*, 225 Ill. 2d 238, 244,
310 Ill. Dec. 906, 867 N.E. 2d 957 (2007)

Also stating:

We do not express any opinion on limited
lock-step analysis, its application to warr-
-ants or investigatory alerts, or the
constitutionality of investigative alerts.

Those portions of the Appellate opinion d-
-ealing with these issues are vacated.

Appellate court judgment affirmed in part
vacated in part.

Circuit Court judgment reversed
Cause remanded.

Bass 2021 IL 125434

Justices Theis, Michael J. Burke, Overstreet,
and Carter concurred in the judgment and

opinion.

Chief Justice Anne M. Burke concurred
in part and dissenting in part, with op-
-inion.

Justice Neville concurred in part and
dissented in part, with opinion.

Defendant - Petitioner question of
is Investigative Alert Unconstitution-
-al of Both the U.S. Const and U.C.
-onst. HAS NOT BEEN ANSWERED.

REASONS FOR GRANTING PETITION

This Court is in an extraordinary position to settle disputes because of the glorious power of the Sun. It shines on the states.

The states rotate on its axis when the Supreme personality of a Superior force gives it light, life and liberty.

The primary concern of the Supreme Court is never to spot and correct tumors on the body of the State but to decide cases presenting issues of great importance beyond the facts and the parties involved.

In Rule 10 of the U.S.S.C. {Instructions} or Considerations governing review on Certiorari, for accepting a case for review include the existence of a conflict between the decisions of review is sought and a decision of another appellate court on the same issue.

Here, in the case that was presented for review {Investigative alert} at issue.

The majority did not state what rule the appellate court violated that required vacating a portion of that Court's opinion.

We are left, therefore, to infer that the reasons given by the majority for not addressing whether defendant-petitioner's arrest

violated the Illinois Constitution of Illinois and the U.S. Constitution must also be the same reasons that required vacating the portion of the Appellate Court's opinion that addressed the issue.

In other words, according to the majority, the appellate court opinion must be vacated in part because it rendered an improper advisory opinion and improperly reached a constitutional issue when there was a nonconstitutional basis for supporting its judgment. The problem, however, is that neither of these things is true.

Defendant-Petitioner request that the balance can be reached by this Court to settle the dispute. Is investigative alert unconstitutional as a practice?

This S. Ct. Decision is the only reason a Writ of Certiorari could be granted or Denied for review.

Respectfully submitted

Randolph May Jr.

Defendant-Petitioner request that the balance can be reached by this Court to settle the dispute. "Is investigative unconstitutional as a practice instead of arrest warrants?"

This U.S. Supreme Court decision is the only reason a writ of certiorari could be granted or denied.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Randolph Maya

Date: 05-18-2022

Brandon E. Yockey 05-18-2022
Notary Public Date

