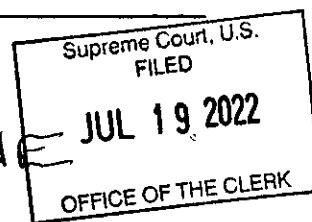


No. _____

22-5165

ORIGINAL

IN THE
SUPREME COURT OF THE
UNITED STATES



DANIEL BOOS,

PETITIONER,

VS.

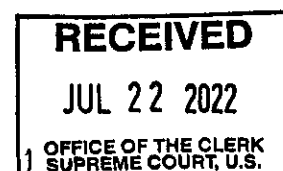
WARDEN,

RESPONDENT.

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

PETITION FOR WRIT OF
CERTIORARI

DANIEL BOOS
TELFAIR STATE PRISON
P.O. 549
HELENA, GA. 31037



QUESTIONS PRESENTED

1- WHY WAS THIS COURT NOT ESTABLISHED OR SET PRECEDENCE AS CONCERNS A UNIFORM CUMULATIVE ERROR DOCTRINE IN THAT THE U.S. FEDERAL CIRCUITS AND THE PETITIONER'S STATE, GEORGIA, ARE NOT ON ONE ACCORD?

2- IN THE CONTEXT OF CUMULATIVE ERRORS, BY NOT CONSIDERING THE TOTALITY OF CIRCUMSTANCES AS TO TRIAL COUNSEL'S MULTIPLE ERRORS PURSUANT TO STRICKLAND V. WASHINGTON, 466 U.S. 668 (1984), WHERE THE 11TH CIRCUIT STATES THAT IT DOES NOT RECOGNIZE TRIAL COUNSEL ERRORS ONLY, CITING ITS OWN DOCTRINE AND THIS COURT'S HOLDING ON SAME, IS THIS NOT VIOLATIVE OF THE PETITIONER'S SIXTH AND FOURTEENTH AMENDMENT RIGHTS UNDER THE U.S. CONSTITUTION AND THIS COURT'S EDICT IN STRICKLAND?

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

[X] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

SUPERIOR COURT OF RICHMOND COUNTY,
STATE OF GEORGIA -

SUPERIOR COURT OF TELFAIR COUNTY,
STATE OF GEORGIA

RELATED CASES

N/A

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APPENDIX E - PETITIONER'S MOTION FOR RECONSIDERATION AND MOTION TO VACATE TO ELEVENTH CIRCUIT

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

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

OPINIONS BELOW

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix 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☒ is unpublished.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 United States district 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.

☐ For cases from **state courts**:

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

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☐ is unpublished.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was 31 JAN. 2022.

☐ 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: 5-12-2022, and a copy of the order denying rehearing appears at Appendix C.

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

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

— SIXTH AMENDMENT TO THE
U.S. CONSTITUTION.

— DUE PROCESS CLAUSE OF THE
FOURTEENTH AMENDMENT TO
THE U.S. CONSTITUTION.

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STATEMENT OF CASE

THE RECORD WILL SHOW THAT ON 18 OCTOBER, 2012, THE PETITIONER WAS CONVICTED IN A TRIAL BY JURY IN THE SUPERIOR COURT OF RICHMOND COUNTY, STATE OF GEORGIA OF FOUR (4) COUNTS OF AGGRAVATED CHILD MOLESTATION AND THREE COUNTS OF CHILD MOLESTATION. HE WAS SENTENCED TO LIFE WITHOUT THE POSSIBILITY OF PAROLE.

ACCORDINGLY, A TIMELY NOTICE OF APPEAL OR MOTION FOR NEW TRIAL WAS FILED, AMENDED, ARGUED AND DENIED BY THE TRIAL COURT. SUBSEQUENTLY, AN APPEAL WAS SUBMITTED TO THE GEORGIA COURT OF APPEALS IN WHICH TWO ISSUES INVOLVING TRIAL COURT ERRORS WERE RAISED. THE DIRECT APPEAL WAS DENIED ON 16 AUGUST, 2017 IN AN UNPUBLISHED OPINION BY THE COURT. BOOS V. STATE, NO. A17A1013.

IT'S THEN INDICATED IN THE CASE SUB JUDICE THAT THE PETITIONER FILED A "PROSE" PETITION FOR WRIT OF HABEAS CORPUS IN THE SUPERIOR COURT OF TELFAIR COUNTY, STATE OF GEORGIA. THE RECORD WILL SHOW THAT THE PE -

PETITIONER RAISED SIX (6) ISSUES IN HIS PETITION WHICH WOULD INCLUDE FOR THE FIRST TIME, THE CUMULATIVE EFFECT OF MULTIPLE ERRORS BY TRIAL COUNSEL; THIS GROUND WAS RAISED WELL BEFORE THE DECISION IN STATE V. LANE, SIQA1424. A STATE HABEAS EVIDENTIARY HEARING WAS CONDUCTED ON 19 APRIL 2018 WHERE APPELLATE COUNSEL WAS SUBJECTED TO DIRECT AND CROSS EXAMINATIONS BY RESPONDENTS COUNSEL AND THE PETITIONER RESPECTIVELY. A FINAL ORDER DENYING THE PETITION WAS FILED ON 6 JUNE, 2019 AND A TIMELY NOTICE OF APPEAL WAS FILED AS TO SAME. THE PETITIONER THEN FILED A TIMELY CERTIFICATE OF PROBABLE CAUSE TO APPEAL TO THE GEORGIA SUPREME COURT WHICH WAS DENIED ON 10 FEB. 2020. BOOS V. WALL, NO. SIQA1442.

THE RECORD WILL THEN INDICATE THAT THE PETITIONER TIMELY FILED HIS 28 U.S.C. SEC. 2254 FEDERAL PETITION FOR WRIT OF HABEAS CORPUS, IN THE U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA, AUGUSTA DIVISION; BOOS V. WHITE, WARDEN, CIVIL ACTION NO.

CV 120-082, THE PETITIONER SHOWS THAT HE RAISED THE SAME SIX (6) ISSUES IN HIS FEDERAL PETITION THAT HE WAD E-
NUMERATED IN HIS STATE HABEAS PETITION; THIS ONCE AGAIN INCLUDED THE CUMULATIVE EFFECT OF MULTIPLE ERRORS BY TRIAL COUNSEL. ON 21 JULY, 2021, THE U.S. MAGISTRATE IN HIS REPORT AND RECOMMENDATION DENIED THE PETITIONER'S SIX (6) CLAIMS FOR HABEAS RELIEF, RECOMMENDING THAT THE FILE BE CLOSED ON THE HABEAS ACTION, ACCORDINGLY, THE PETITIONER TIMELY FILED HIS OBJECTIONS WITH THE U.S. DISTRICT COURT FOR DENOVO REVIEW WHERE THE COURT UPHELD AND ADOPTED THE U.S. MAGISTRATE'S REPORT AND RECOMMENDATION AS TO DENIAL OF THE PETITION.

THE RECORD WILL THEN REFLECT THAT THE PETITIONER FILED A TIMELY NOTICE OF APPEAL AND CERTIFICATE OF APPEALABILITY WITH THE ELEVENTH CIRCUIT COURT OF APPEALS PURSUANT TO 28 U.S.C. SEC. 2254 (C)(1). THE PETITIONER ONCE AGAIN RAISED THE CUMULATIVE

ERROR ISSUE ALONG WITH ONE (1) OTHER GROUND. SUBSEQUENTLY, ON 31 JANUARY, 2022, THE CIRCUIT COURT IN A SHORT ORDER, DENIED THE PETITIONER'S REQUEST FOR A CERTIFICATE OF APPEALABILITY, STATING THAT THE PETITIONER HAD NOT LISTED ANY CUMULATIVE ERRORS AS CONCERNS TRIAL COUNSEL; THE RECORD COMPLETELY BELIES THIS CONTENTION BY THE CIRCUIT COURT AS THE PETITIONER RAISED FIVE (5) TRIAL COUNSEL ERRORS UNDER THAT HEADING. AS A RESULT, THE PETITIONER FILED A TIMELY MOTION FOR RECONSIDERATION PURSUANT TO 11TH CIR. R. 22-1(G) AND 27-2; THE MOTION WAS DENIED AND FILED ON 12 MAY, 2022. THE PETITIONER NOW BRINGS THIS TIMELY SUBMITTED PETITION FOR WRIT OF CERTIORARI, PRESENTING TWO (2) QUESTION FOR THIS COURT TO CONSIDER.

REASONS FOR GRANTING THE WRIT

WHERE CONFUSION EXISTS AS TO THE APPLICATION OF CRIMINAL LAW AND THERE IS NO SET PRECEDENCE OR EVEN RUDIMENTARY GUIDELINES FOR ONE TO FOLLOW, THIS COURT, IN THEORY IS IN PLACE TO CORRECT THE MALFUNCTION; IN THIS INSTANCE, THE PETITIONER INTRODUCES THE CUMULATIVE ERROR CONUNDRUM; A PHENOMENON THAT TOOK THE GEORGIA SUPREME COURT FORTY (40) YEARS TO EVEN TRY TO UNRAVEL THE RIDDLE.

AS WITH ANY MECHANICAL OPERATION THAT WAS FOR ALL INTENT AND PURPOSES, RUN AMOK, THE GENESIS OF THE OFFENDING PIECE OF CRIMINAL LAW IS AN APPROPRIATE MANNER IN WHICH TO PROCEED. IN STATE V. LANE, 319A1424, THE GEORGIA SUPREME COURT REVERSED FORTY (40) YEARS OF CASE LAW AS CONCERNS THE CUMULATIVE EFFECT OF MULTIPLE ERRORS BY TRIAL COUNSEL DATING BACK TO WAAS V. STATE, 146 GA. APP.

729 (1978), HOWEVER, REVERSAL OF THE CASE LAW IS IN NAME ONLY AS THE LITERATURE ON CUMULATIVE ERROR WAS AND STILL IS SKETCHY AND FLIGHTY, AKIN TO A PHANTOM. FOR EXAMPLE, PRE-LANE CASE LAW SUCH AS BRIDGES V. STATE, 268 GA. 700 (1997); SCHOFFIELD V. HOLSEY, 281 GA. 809 (2007) OR OJEMUNUWA V. STATE, 285 GA. APP. 617 (2007), ATTEMPTED TO EXPLAIN CUMULATIVE ERROR BY TRIAL COUNSEL IN THE FOLLOWING MANNER:

"GEORGIA DOES NOT RECOGNIZE THE CUMULATIVE ERROR RULE. AN INEFFECTIVE CLAIM CANNOT BE SUSTAINED ONLY ON THE BASIS OF ANY NUMBER OF HARMLESS ERRORS ATTRIBUTABLE TO COUNSEL. UNLESS ACTUAL PREJUDICE ARISING FROM COUNSEL'S ERRORS CAN BE DEMONSTRATED, A CLAIM BASED ON INEFFECTIVE ASSISTANCE CANNOT PREVAIL. NONE-THELESS, THE CUMULATIVE EFFECT OF COUNSEL'S ERRORS MAY BE CONSIDERED AS PART OF SUCH A CLAIM." (EMPHASIS ADDED BY PETITIONER).

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WHILE THE ABOVE-CITED EXCERPT IS ILLUSTRATIVE OF RHE-TORIC OF THE HIGHEST ORDER, BASED ON THE PETITIONER'S LIMITED KNOWLEDGE AND THUS, INTERPRETATION OF CUMULATIVE ERRORS COMPILED BY DEFENSE COUNSEL, ON 13 SEPTEMBER, 2017, THE PETITIONER FILED A PETITION FOR WRIT OF HABEAS CORPUS IN STATE COURT AND SUBSEQUENTLY AMENDED SAME TO INCLUDE AS FOLLOWS;

"(6) APPELLATE COUNSEL RENDERED INEFFECTIVE ASSISTANCE FOR HER FAILURE TO RAISE ON DIRECT APPEAL THE CUMULATIVE EFFECT OF MULTIPLE ERRORS BY TRIAL COUNSEL, I.E., FAILURE TO PRESENT STRONGER WITNESSES THAT WERE AVAILABLE AS OPPOSED TO THE WEAKER ONES THAT WERE USED BY COUNSEL AT TRIAL; FAILURE TO INTERVIEW AND SUBPOENA FOR TRIAL SCHOOL PERSONNEL WHO HAD PRODUCED THE FILES ON THE INDIVIDUAL IN QUESTION AND DEALT WITH HIM ON A DAILY BASIS;

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FAILURE TO HAVE THE DEFENSE'S EXPERT WITNESS, A DR. FREY, PREPARED TO TESTIFY AS HE IS A CHILD PSYCHOLOGIST AS COUNSEL DID NOT REQUEST TO HAVE THE DOCTOR EXAMINE THE ALLEGED VICTIM; FAILURE TO ADVISE THE PETITIONER THAT HE SHOULD TESTIFY IN HIS OWN DEFENSE AS IT WAS OBVIOUS AT THE TIME HE SHOULD AND FAILURE TO REQUEST PRIOR TO TRIAL THAT THE OPENING AND CLOSING ARGUMENTS BE TRANSCRIBED."

THE RESEARCH OF THE ISSUE AT BAR AS NOTED AT THE STATE LEVEL WAS WITHOUT GUIDANCE AND THEN AT THE FEDERAL TIER, THE CASELAW PRESENTED A VIRTUAL SMORGASBORD OF CUMULATIVE ERROR OPTIONS AND SCENARIOS. THE PETITIONER WOULD SHOW THAT WHILE ALL OF THE FEDERAL CIRCUITS RECOGNIZE CUMULATIVE ERROR AND PROVIDE SOME FORM OF A DOCTRINE TO PIGEONHOLE THE ISSUE, IN SOME INSTANCES THE VARIANCES ARE NOTEWORTHY AND FORM THE BASIS FOR ^{THE} PETITION IN THE

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CASE SUB JUDICE ALONG WITH HANE,
SUPRA, TN GOODMAN V. BERTRAND,
467 F.3RD 1022 (7TH CIR. 2006), THE
CIRCUIT COURT CONSIDERED AND RE-
VERSED THE DISTRICT COURT'S ORDER
DENYING THE PETITION, FINDING
THAT THE CUMULATIVE EFFECT OF TRIAL
COUNSEL'S MULTIPLE ERRORS UNDER-
MINED THE COURT'S CONFIDENCE IN THE
OUTCOME OF THE PROCEEDING; THE
SEVENTH CIRCUIT ONLY VIEWED THE
TRIAL COUNSEL ERRORS AND THE AG-
GREGATE PREJUDICIAL EFFECT THAT
THESE ERRORS HAD ON THE TRIAL - NOT
COUNSEL AND TRIAL COURT ERRORS
COMBINED. HOWEVER, THE ELEVENTH
CIRCUIT UNITED STATES COURT OF AP-
PEALS IN MORRIS V. SEC'Y DEPT. OF COR.,
677 F.3RD 1117 (11TH CIR. 2012); U.S. V.
BAKER, 432 F.3RD 1189 (11TH CIR. 2005) AND
IN THE MAGISTRATE'S REPORT AND RECO-
MMENDATION CITING COHEN V. INCH,
NO. 18-20845-CV-2020 (S.D. FLA., JULY
13, 2020), HELD THAT THE CUMULATIVE
ERRORS HAD TO BE A COMBINATION
OF TRIAL COURT AND COUNSEL ERRORS
COMBINED AND THAT THE DOCTRINE

DID NOT ENTERTAIN THE CUMULATIVE EFFECT OF MULTIPLE ERRORS BY DEFENSE COUNSEL. IN ADDITION, IT WAS FURTHER NOTED IN MORRIS, SUPRA¹ THAT IN WILLIAMS V. ANDERSON, 460 F.3D 769 (6TH CIR., 2006) AND LORRAINE V. COYLE, 291 F.3D 416 (6TH CIR., 2002), THAT THIS COURT HAS NOT HELD OR SPOKEN ON CUMULATIVE ERROR CLAIMS, ERGO, THE ISSUE OR GROUND IS NOT COGNIZABLE IN A HABEAS PROCEEDING. HOWEVER, IN THE SAME BREATH, MORRIS, CITING PARLE V. RUNNELS, 505 F.3D 922 (9TH CIR., 2007), STATED, "THAT THE SUPREME COURT HAS CLEARLY ESTABLISHED THAT THE COMBINED EFFECT OF MULTIPLE TRIAL ERRORS MAY GIVE RISE TO A DUE PROCESS VIOLATION IF IT RENDERS A TRIAL FUNDAMENTALLY UNFAIR, EVEN WHERE EACH ERROR CONSIDERED INDIVIDUALLY WOULD NOT REQUIRE REVERSAL." THE COURT IN PARLE, SUPRA, CITE THIS COURT'S DECISIONS IN THE CASES

THE U.S. MAGISTRATE, DISTRICT COURT AND APPARENTLY THE 11TH CIRCUIT ALL RELY ON MORRIS AND COYLE, SUPRAS, AS CONCERN THE ISSUE AT BAR AND CITE NO

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OF DONNELLY V. DECHERSTOFOR, 416 U.S. 637 (1974) AND CHAMBERS V. MISSISSIPPI, 410 U.S. 284 (1983). OF COURSE, THE 11TH CIRCUIT WENT ON TO OPINE IN MORRIS, THAT BECAUSE THERE WAS NO "CLEARLY ESTABLISHED LAW" BY THIS COURT AS TO CUMULATIVE ERRORS AND THE NET PREJUDICIAL EFFECT OF SAME ON THE PROCEEDINGS, THAT TO VIEW SUCH A CLAIM THROUGH THE STANDARD OF REVIEW LENS OF THE ANTI TERRORISM - EFFECTIVE DEATH PENALTY ACT, 28 U.S.C. SEC. 2254 (C), WAS FOR ALL INTENT AND PURPOSES, MOOT AND LET THE COURT OFF OF THE PROVERBIAL HOOK. AT THIS JUNCTURE, IT WOULD APPEAR THAT THE CUMULATIVE ERROR DOCTRINES, THE CASE LAW ATTACHED AND THE OPINIONS OR IDEOLOGY AS CITED HEREIN IS BEST DESCRIBED AS A SLOT MACHINE OF SORTS, I.E., 1 TRIAL COURT PLUS 2 TRIAL COUNSEL ERRORS, 2 TRIAL

PRECEDENT CASES FROM THIS COURT IN SUPPORT AS CONCERNS THE CUMULATIVE EFFECT OF MULTIPLE TRIAL ERRORS.

COURT ERRORS PLUS 1 TRIAL COUNSEL ERRORS, 3 TRIAL COUNSEL ERRORS, ECT., A NEVER-ENDING CYCLE DUE TO A LACK OF BRIGHT-LINE GUIDANCE BY THIS COURT ON THE SUBJECT-MATTER.

THIS WALK THROUGH THE CUMULATIVE ERROR LABYRINTH COMES RIGHT BACK TO LANE, SUPRA, AS THE GEORGIA SUPREME COURT WAS AND IS LACKING IN A GUIDING LIGHT BY THIS COURT WHERE IT STATED IN LANE USING STRICKLAND V. WASHINGTON, 466 U.S. 668 (1984), AS A CRUTCH THAT, "TO DATE, WE HAVE CONSIDERED THE CUMULATIVE EFFECT OF CERTAIN TYPES OF ERRORS, IN PARTICULAR COUNSEL'S ERRORS THAT AMOUNT TO DEFICIENT PERFORMANCE - BECAUSE INEFFECTIVE ASSISTANCE OF COUNSEL IS A FEDERAL CONSTITUTIONAL CLAIM, AND THE UNITED STATES SUPREME COURT WAS TOLD US THAT WE MUST." THIS DICTATE FLIES DIRECTLY IN THE FACE OF THE PREVIOUSLY CITED RULINGS IN THE PETITIONER'S FEDERAL HABEAS WHERE THE COM-

BINED EFFORTS OF THE U.S. MAGISTRATE, DISTRICT JUDGE AND CIRCUIT JUDGE ALL DETERMINED THAT THIS COURT DOES NOT RECOGNIZE AN ISSUE AS TO THE CUMULATIVE EFFECT OF MULTIPLE ERRORS BY TRIAL COUNSEL ONLY, CITING ONLY MORRIS AND COHEN, SUPRA, NO PRECEDENCE FROM THIS COURT. IN LANE, THE ENDGAME CAME DOWN TO TWO SIMPLE CONCEPTS WHERE THE GEORGIA SUPREME COURT STATED THE FOLLOWING:

"... WE HOLD THAT THE PROPER APPROACH INSTEAD IS TO CONSIDER COLLECTIVELY THE PREJUDICIAL EFFECT, IF ANY, OF TRIAL COURT ERRORS, ALONG WITH THE PREJUDICE CAUSED BY ANY DEFICIENT PERFORMANCE OF COUNSEL."

THE LANE COURT, AFTER CITING STRICKLAND AS ITS REASONING FOR CONSIDERING THE CUMULATIVE EFFECT OF MULTIPLE ERRORS BY TRIAL COUNSEL, JETTISONED STRICKLAND.

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ALONG WITH THE SIXTH AND FOURTEENTH AMENDMENTS OF THE U.S. CONSTITUTION, I.E., THERE WAS TO BE A TRIAL COURT ERROR IN THE MIX AS WELL, OTHERWISE THE TRIAL COUNSEL CLAIMS WILL NOT BE CONSIDERED, ALTHOUGH, THE GEORGIA SUPREME COURT LEFT THE DOOR OPEN TO EXTEND THE RULE.

WHILE THE POTPOURRI OF CUMULATIVE ERROR DOCTRINES AND HARMLESS-ERROR ANALYTICAL MACHINERY WAS LARGELY BEEN LEFT TO FEND FOR ITSELF DUE TO INATTENTION BY THIS COURT, THE TTH CIRCUIT FOR THE UNITED STATES COURT OF APPEALS IN GOODMAN, SUPRA, CONSIDERED ONLY TRIAL COUNSEL ERRORS AND STATED THE FOLLOWING IN AN EXCELLENT OBSERVATION RELYING ON STRICKLAND, SUPRA:

"... HOWEVER, THE CUMULATIVE EFFECT OF TRIAL COUNSEL'S ^{ERRORS} SUFFICIENTLY UNDERMINES OUR CONFIDENCE IN THE OUTCOME OF THE PROCEEDING, RATHER THAN

EVALUATING EACH ERROR IN ISOLA-
TION, AS DID THE WISCONSIN COURT
OF APPEALS, THE PATTERN OF COUN-
SEL'S DEFICIENCIES MUST BE CON-
SIDERED IN THEIR TOTALITY. WASHINGTON, 219 F.3D AT 634-35 (EVALUATED
INDIVIDUALLY, THESE ERRORS... MAY
NOT HAVE BEEN PREJUDICIAL TO WASH-
INGTON, BUT WE MUST ASSESS THE TO-
TALITY OF THE OMITTED EVIDENCE UN-
DER STRICKLAND RATHER THAN THE IN-
DIVIDUAL ERRORS'.) IN WEIGHING
EACH ERROR INDIVIDUALLY, THE WIS-
CONSIN COURT OF APPEALS OVERLOOKED
A PATTERN OF INEFFECTIVE ASSIS-
TANCE AND UNREASONABLY ^{APPLIED} STRICKLAND.

IN GOODMAN, A PATTERN
OF MINOR TRIAL COUNSEL ERRORS E-
MERGED; NOT TRIAL COURT AND COUN-
SEL, ONLY COUNSEL MISWAPS PURSU-
ANT TO STRICKLAND. THIS IS A MIRROR
IMAGE OF THE CASE AT BAR, AS EACH
REVIEWING COURT ON THE CUMULA-
TIVE ERROR ISSUE SIMPLY APPLIED
A DIAGNOSTIC CHECK TO EACH GROUND
AND DID NOT CONSIDER THE TOTALITY

OF THE ERRORS BY DEFENSE COUNSEL FOR HAD THE HABEAS COURT AT EITHER LEVEL DONE SO, THE PATTERN OF TRIAL COUNSEL'S DEFICIENCIES TAKES SHAPE IN SMALL DOES, CLEARLY UNDERMINING CONFIDENCE IN THE OUTCOME OF THE PROCEEDING. AS PREVIOUSLY NOTED, THE PETITIONER RAISED THE CUMULATIVE ERROR ISSUE AS IT RELATES TO TRIAL COUNSEL UP THE HABEAS LADDER AND IN HIS CERTIFICATE OF APPEALABILITY TO THE U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT BASED ON STRICKLAND, SUPRA,² AS A RESULT OF THE DISARRAY OF THE CUMULATIVE ERROR DOCTRINES, THE PETITIONER WOULD ASK THAT THE COURT GRANT THE WRIT TO REVIEW AS THIS IS AN ISSUE THAT WAS FESTERED AND SHOULD BE ADDRESSED.

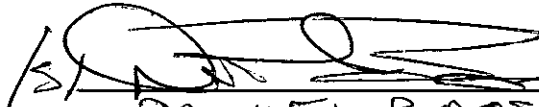
² THE PETITIONER WAS ATTACHED HERETO, APPENDIX D, A COPY OF THE CERTIFICATE OF APPEALABILITY,

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CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,


DANIEL BOOS / PETITIONER PRO SE

Date: JULY 19, 2022