

22-5257

No.

FILED

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OFFICE OF THE CLERK  
SUPERIOR COURT, U.S.A.

IN THE **ORIGINAL**  
SUPREME COURT OF THE UNITED STATES

SUPREME COURT OF THE UNITED STATES

Daryl Stephen — PETITIONER  
(Your Name)

vs.

The people of the State of New York — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

New York Supreme Court Appellate Division First Department

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

**PETITION FOR WRIT OF CERTIORARI**

Daryl Stephen

(Your Name)

1316 sterling pl apt 1R

(Address)

Brooklyn New York 11213

(City, State, Zip Code)

917-547-2145

(Phone Number)

**QUESTION(S) PRESENTED**

Legal malpractice by petitioner attorney

Contravention of the law

## **LIST OF PARTIES**

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

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

## **RELATED CASES**

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[ ] is unpublished.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[ ] is unpublished.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

supreme court of the state of new york  
[ ] reported at appellate division first judicial department; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

The opinion of the \_\_\_\_\_ court appears at Appendix \_\_\_\_\_ to the petition and is

[ ] reported at \_\_\_\_\_; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

**JURISDICTION**

For cases from **federal courts**:

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

No petition for rehearing was timely filed in my case.

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

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

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

For cases from **state courts**:

The date on which the highest state court decided my case was 3/27/22 <sup>DS</sup> 3/27/22. 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).

### **STATEMENT OF THE CASE**

I never had knowledge of waving my constitutional right to appeal. I asked my defense attorney in court when the judge mentioned the word "appeal", what was she talking about, and told my council i don't want anything to hinder my appeal or process there of. My attorney told me "not to worry all the judges say that". I was further reinforced by what my attorney said about not worrying the day of sentencing. When my attorney and i completed sentencing, my attorney had a women present that took my information for the appeal process. A few months later i received a call from my legal aid appeals attorney who've i've contacted once a month about my appeals process. in March of 2022 i was informed by my appeals attorney that my appeals was denied due to me waving my right to appeal. I feel completely discriminated against, and bamboozled throughout my entire criminal process and appeals. From having to post bond out of jail 3 separate times within 60 days, and the appeals smoke and mirrors from both the courts and my own council.

## **REASONS FOR GRANTING THE PETITION**

My attorney in 2016 did not convey to me the judges decree about waving my right to appeal in a language i can comprehend. waving my right to appeal is a direct contravention of my constitutional right to appeal.

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Daryl Stephen

Daryl Stephen



7/20/2022  
Date: \_\_\_\_\_