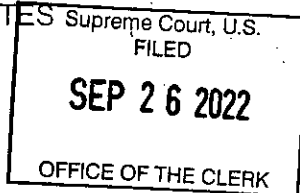


22-5814

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES



Christopher Allred

— PETITIONER

(Your Name)

vs.

State of Washington

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Washington State Supreme Court

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

PETITION FOR WRIT OF CERTIORARI

Christopher Allred

(Your Name)

Unit G, Cell GB-19 / Coyote Ridge Corrections Center

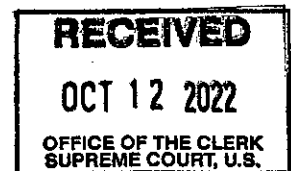
(Address)

P.O. Box 769 / Connell, WA 99326

(City, State, Zip Code)

n/a

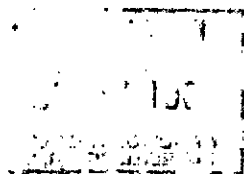
(Phone Number)



ORIGINAL

4 135-28

2008 3 1 552



Questions Presented

1. Hurtado "must" be upheld in full, as dictated by the U.S. Supreme Court in 1884, and so the question is: Is Hurtado v. California well-settled, established, controlling, and still considered good law today?
2. Per the U.S. Supreme Court's ruling in Hurtado: Does the filing of an information come "after" a judge, during a preliminary hearing, finds probable cause to move the case forward; in where a preliminary hearing contains elements such as the right to counsel, and the right to cross-examine State witnesses; and is also protected by due process of the 14th Amendment?
3. Is the 6th Amendment's right "to have compulsory process for obtaining witnesses in his favor" enforced upon the states and protected by the 14th Amendment?
4. Can silence be construed as an admission or agreement?

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:

Christopher Allred, DOC # 392466
Unit G, Cell GB-19
Coyote Ridge Correctional Center
P.O. Box 769
Connell, WA 99326

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Constitutional and Statutory Provisions Involved

U.S. Constitution

• Article III: (Section 1): "The judicial power of the United States, shall be vested in Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish..." (Section 2): "The judicial power shall extend to all cases, in law and equity, arising under this Constitution, and the laws of the United States, and treaties made, or which shall be made, under their authority..."

• Article VI: "This Constitution, and the laws of the United States shall be made in pursuance thereof... under the authority of the United States, shall be the supreme law of the land, and the judges in every state shall be bound thereby, anything in the Constitution or laws of any state to the contrary notwithstanding."

• 6th Amendment: "In all criminal prosecutions, the accused shall enjoy the right... which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation... to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense."

• 14th Amendment: "All parties born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall 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 to any person within its jurisdiction the equal protection of the laws."

Washington State Constitution

• Article I, Section 2: "The Constitution of the United States is the supreme law of the land."

Constitutional and Statutory Provisions Involved (Cont.)

- Article I, Section 3: "No person shall be deprived of life, liberty, or property, without due process of law."

- Article I, Section 25: "Offenses heretofore required to be prosecuted by indictment may be prosecuted by information, or by indictment, as shall be prescribed by law."

Arizona State Constitution

- Article 2, Section 30: "No person shall be prosecuted criminally in any court of record for felony or misdemeanor, otherwise than by information or indictment; no person shall be prosecuted for felony by information without having had a preliminary examination before a magistrate or having waived such preliminary examination."

California State Constitution

- Article I, Section 14: "Felonies shall be prosecuted as provided by law, either by indictment or, after examination and commitment by a magistrate, by information."

Idaho State Constitution

- Article I, Section 8: "No person shall be held to answer for any felony or criminal offense of any grade, unless on presentment or indictment of a grand jury or on information of the public prosecutor, after a commitment by a magistrate..."

New Mexico State Constitution

- Article 2, Section 14: "No person shall be held to answer for a capital, felonious or infamous crime unless on a presentment or indictment of a grand jury or information filed by a district attorney or attorney general or their deputies... No person shall be so held on information without having had a preliminary examination before an examining magistrate, or having waived such preliminary examination."

Constitutional and Statutory Provisions Involved (Cont.)

Oklahoma State Constitution

- Article 2, Section 17: "No person shall be prosecuted criminally in courts of record for felony or misdemeanor otherwise than by presentment or indictment or by information. No person shall be prosecuted for a felony by information without having had a preliminary examination before an examining magistrate, or having waived such preliminary examination. Prosecutions may be instituted in courts not of record upon a duly verified complaint."

Oregon State Constitution

- Article 7, Section 5 (3)-(5): "Except as provided in subsections (4) and (5) of this section, a person shall be charged in a circuit court with commission of any crime punishable as a felony only on indictment by a grand jury.
(4) The district attorney may charge a person on an information filed in circuit court of a crime punishable as a felony if the person appears before the judge of the circuit court and knowingly waives indictment.
(5) The district attorney may charge a person on an information filed in circuit court if, after a preliminary hearing before a magistrate, the person has been held to answer upon a showing of probable cause that a crime punishable as a felony has been committed and that the person has committed it, or if the person knowingly waives preliminary hearing."

Utah State Constitution

- Article I, Section 13: "Offenses heretofore required to be prosecuted by indictment shall be prosecuted by information after examination and commitment by a magistrate, unless the examination be waived by the accused with the consent of the state, or by indictment, with or without such examination or commitment."

Constitutional and Statutory Provisions Involved (cont.)

U.S. Constitution

- 5th Amendment: "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury..."

Laws of Washington

- CrRLJ 3.2.1 (g)(1): "If the court finds probable cause [during the preliminary hearing], the court shall bind the defendant over to superior court. If the court binds the accused over, or if the parties waive the preliminary hearing, an information shall be filed without unnecessary delay. Jurisdiction vests in the superior court at the time the information is filed."
- CrRLJ 3.2.1 (g)(4): "A preliminary hearing shall be conducted as follows:
(i) the defendant may as a matter of right be present at such hearing;
(ii) the court shall inform the defendant of the charge unless the defendant waives such reading;
(iii) witnesses shall be examined under oath and may be cross-examined;
(iv) the defendant may testify and call witnesses in the defendant's behalf."
- RCW 10.73.090 (1): "No petition or motion for collateral attack on a judgment and sentence in a criminal case may be filed more than one year after the judgment becomes final if the judgment and sentence is valid on its face and was rendered by a court of competent jurisdiction."

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

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

OPINIONS BELOW

☐ For cases from federal courts:

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

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

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

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

☒ For cases from state courts:

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

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

The opinion of the Court of Appeals / Washington Supreme Court court appears at Appendix C/F 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 August 10, 2022.
A copy of that decision appears at Appendix G.

☒ A timely petition for rehearing was thereafter denied on the following date: August 22, 2022, and a copy of the order denying rehearing appears at Appendix H.

☐ 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).

Christopher Allred, DOC #392466
Unit G, Cell GB-19
Coyote Ridge Correctional Center
P.O. Box 769
Connell, WA 99326

Statement of the Case

- 1
- 2 • Washington State violated binding U.S. Supreme Court precedents, thus violating due process.
- 3
- 4 • In 1884, five years before Washington became a State, the U.S. Supreme Court
- 5 correctly and wisely decided the case of Hurtado v. California.
- 6
- 7 • I am claiming my due process right of a preliminary hearing as dictated by the
- 8 Hurtado Court, especially since the State chose which avenue for me to follow
- 9 when they filed an information against me, were violated.
- 10
- 11 • The holdings of Hurtado have not been questioned. Hurtado has not been
- 12 overruled by the U.S. Supreme Court. Hurtado is good law, well-settled,
- 13 well-established, is binding, is clear, is old, and is the law of the land.
- 14
- 15 • The State filed an information against me, but violated my due process rights
- 16 (found in Hurtado) by bypassing the initial step of the preliminary hearing, thus
- 17 making the information invalid.
- 18
- 19 • The trial court's jurisdiction is established when an information is filed, but
- 20 since the information in my case was invalid, the trial court never had
- 21 jurisdiction over me or my case.
- 22
- 23 • The writing in the information was also prejudicial or discriminating since it
- 24 pronounced me "guilty of the crimes committed." ("is guilty").
- 25
- 26 • I was never arrested, and have no criminal history.
- 27
- 28 • One of the elements used in filing the information was a recorded forensic
- 29 interview. However, the video never recorded. Law enforcement thought it was
- 30 recording, but it failed to record. Yet, somehow, a blank videotape - a black
- 31 screen - was used as probable cause in filing the information against me.
- 32
- 33

1 • I declared documented medical evidence (critical and material) to law enforcement.
2 I have a long medical history, relevant to the case, going back years before
3 allegations or charges were brought against me. I provided the names of doctors,
4 the facilities, and the approx. dates I seen them. This documented evidence is
5 favorable to me, and counters allegations.

6
7 • Law enforcement purposefully and willfully chose to not file, or to not share, or
8 chose to hide the medical evidence from everyone else.

9
10 • I was not given the opportunity for an expert medical witness to explain
11 facts not easily understood or known by the average person, which is a violation
12 of my 6th and 14th Amendment rights.

13
14 • I was not given the opportunity to be heard.

15
16 • And since all of my claims were of elements known prior to the information
17 being filed, means that they would have been known prior to the preliminary
18 hearing, and would have come out during the preliminary hearing. In where
19 probable cause wouldn't have been established, and no charges would have been
20 filed.

21
22 • I pled "not guilty." I went to trial. I am innocent. I claimed my
23 innocence. I will continue to claim my innocence. I am "not guilty."

24
25 • In my Writ of Habeas Corpus in Clark County Superior Court, the State of
26 Washington (Respondent) remained completely silent. (I filed Reconsideration).

27
28 • In the Washington Court of Appeals, Division II, the State of Washington (Respondent)
29 remained completely silent. (I filed PRP, Summary Judgment, Reconsideration).

30
31 • In the Washington State Supreme Court, the State of Washington (Respondent)
32 remained completely silent. (I filed Default Judgment, Reconsideration).

1 • The State has "not" objected, countered, contradicted, or disagreed with any
2 of my claims.

3
4 • The State's silence is agreement. I have raised the same or similar grounds
5 in the State courts, the ones I bring to this Court, thus the State knows my stance.

6
7 • Since "Day 1" of my support for Hurtado, and how I pointed out that the
8 State has violated U.S. Supreme Court precedent, the State has said absolutely
9 nothing. No response of any kind. I respectfully ask the Court to consider
10 that in determining my Writ of Certiorari.

11
12
13 Respectfully submitted,
14 Chad

15 Christopher Allred

16 Petitioner, Pro Se

17
18
19
20
21 [Christopher Allred, DOC # 392466]

22 Unit G, Cell GB-19

23 Coyote Ridge Correctional Center

24 P.O. Box 769

25 [Connell, WA 99326]

History of the Case

I was accused, charged, tried, and convicted of things I couldn't or wouldn't do. Morally, ethically, legally, or factually - no matter how one looks at it - I am innocent. I was "found" to be guilty, which is hugely different than actually being guilty. I am "not" guilty of the accusations or convictions against me.

These are unquestionable facts of the case:

- The morning of AA's eviction from home, she "ran away" to get her mother's support to allow her to stay in the home. She called her mom (Kari), but Kari didn't come. AA placed a second call to her mom, where AA made up allegations to get her mom's support. The allegations came out the same morning she was being evicted (Appendix Q4-5, Q11).

- The story kept changing: one or two years ago (Appendix N), once a week (Appendix Q6), almost every day (Appendix Q12). My question (using logic) is, if this was true, and it was happening "almost every day," why would I evict her? Wouldn't it make more sense having her in the home?

- Deputy Ternus, in his police report, stated that there was "a lack of evidence" to arrest me (Appendix N).

- I told Ternus about my medical conditions and how they raise reasonable doubt. Ternus had no email him details so he could investigate (Appendix L).

- Ternus didn't investigate, nor did he pass on nor did he share the email evidence with anyone else (Appendix P) (even though, somehow, the prosecutor had it at trial, and before the information was filed).

- A video recorded forensic interview was done with AA, "however, the equipment failed and no actual recording was made" (Appendix O).

1 • In determining "probable cause" in filing the information against me, "Judge Gonzalez
2 made a finding of probable cause... with a forensic interview of AA..."
3 (Appendix H4). My question is, how did the Judge determine probable cause
4 from a video when "no actual recording was made" (Appendix O) and no other
5 recordings or interviews were done?
6

7 • And why wasn't Kim Christly (the forensic interviewer who worked with Detective
8 Hernandez, and was the only person in the interview room besides AA (Hernandez was
9 outside the room, watching through a window) (Appendix O)) called to testify, or
10 asked to verify or validate what was said during the forensic interview, or to
11 explain what would have been recorded if the video recording equipment worked?
12 I mean, if the video was good enough, without Christly validating it, to determine
13 probable cause in filing an information, it should have been even better with her
14 validating it during a preliminary hearing or trial. Except there was no video to
15 show, and so the failure of the recording, the existence of Kim Christly's
16 involvement, and that the video was somehow used to file charges against me, was
17 "swept under the rug" by the prosecution (the State). And, in my mind, it is
18 irrelevant to what was or wasn't presented at trial, since there shouldn't have been
19 a trial or charges, because these violations happened prior to the filing of the information.
20

21 • Then comes the wording of the information itself, "...inform the Court that the
22 above-named defendant is guilty of the crime(s) committed..." (Appendix J1).
23 "IS GUILTY." There is "no" presumption of innocence in those words. What happened
24 to "innocent until proven guilty?" The State, in the information's wording, found
25 me guilty. Based on what? Based on: a police report that said there was a
26 lack of evidence, the fact that I wasn't arrested, the declared and documented
27 evidence in my favor, the hidden evidence by law enforcement, and the blank video
28 tape of an interview that failed to record. How does that equal "is guilty?"
29

30 My case is a clear example on why citizens of Washington State need the
31 preliminary hearing, which is protected by due process, as dictated by the Hurtado
32 Court. Otherwise, where is the interest of justice? All of the elements that the
33

1 information was and wasn't based on were known prior to the information being filed.
2 which means that they would have been known, or come out, during the preliminary
3 hearing, in where probable cause wouldn't have been determined, which means
4 no charges, no trial, and no conviction.

5
6 The accusations were bad, but the filing of charges (the information) was even
7 worse, because people (myself included before going through this) believe that
8 charges are only filed when they have proof or evidence to support the charges.
9 The information led to people (family and friends) leaving me, loss of clients,
10 loss of business, closure of my company, loss of freedoms, restrictions on my
11 movements, and missing my Grandpa's funeral and other family get-togethers.
12 This was before going through trial and losing everything else.

13
14 A preliminary hearing, as found in the Hurtado rule, would have saved me from
15 all this loss, prejudice, hurt, and the hatred towards me. The judge during the
16 preliminary hearing would have found me or not enough probable cause to
17 move the case forward. Reasonable doubt would have been considered. My life,
18 my reputation, my freedoms, my business, my property, and my world would
19 have been protected.

20
21 Do you know who did stand beside me during all of that? My wife and son. And
22 through this, their lives were ruined in the cross-fire. And that's the worst hurt
23 that the State caused, because they're the most innocent. They lost their home (as one
24 of the many examples) - the home my son grew up in. A preliminary hearing, as dictated
25 by the Hurtado Court, would have protected their rights too, because my family is
26 more than just me, and the State hurt my family because they could. Because the
27 laws of Washington allow it. There is a reason that probable cause determined through
28 a preliminary hearing is necessary before an information may be filed. It protects
29 the accused from false accusations and malicious prosecutions, but it also protects their
30 families. Families - my family - left in the wake of the State's pursuit of "justice."
31 I humbly ask the Court to please consider this when reviewing my case.

1 "The United States Supreme Court has noted, '[Courts] do not, or should not,
2 rally forth each day looking for wrongs to right. We wait for cases to come to us,
3 and when they do we normally decide only questions presented by the parties.'" (Blake, pg. KK 7). It is interpreted, that the U.S. Supreme Court knows of
4 Washington's failure to follow binding precedent, but the Court's hands were
5 tied until someone brought it to their attention. So here I am, bringing it to the
6 Court's attention. I am claiming my rights found in Hurtado.
7
8

9 I am not a legal scholar, and so I have no concept on the importance or
10 the reach my Writ may or may not have on other people or parties. I do
11 know that the processes that the State of Washington uses in felony cases,
12 as in mine, are wrong on so many levels. And I believe it is important to show
13 that the State is in conflict with every level of court across this Nation
14 who uphold and follow U.S. Supreme Court precedent; precedent which has been
15 upheld time and time again for the last 138 years.
16

17 The underlying foundation of my Writ before this Court (even though it
18 also contains other elements) is the upholding and the continued use of
19 Hurtado v. California, and about the State of Washington violating U.S. Supreme
20 Court precedent, which is controlling, well-established, settled, and binding; and
21 how my rights were violated and my life ruined because of the State's
22 willful and purposeful disregard for U.S. Supreme Court precedent.
23

24 Reasons for Granting the Petition

25
26 1) Hurtado "must" be upheld in full, as dictated by the U.S. Supreme Court in 1884,
27 and so the question is: Is Hurtado v. California well-settled, established, controlling,
28 and still considered good law today?
29

30 The answer is "Yes."
31

32 1A) The Attorney General for the State of Washington agrees with the use of and
33

the upholding of Hurtado.

Indictments by grand jury is not part of the due process guarantees of the Fourteenth Amendment that apply to state criminal defendants. Hurtado v. California... 'This rule has been applied to Washington's state practice of prosecution by information'... Hurtado has been the law of the land for over a century... the claim would still not be cognizable on habeas review based on Hurtado and its progeny (Appendix R1, R2).

For 138 years, every level of court, across the states, including the State of Washington, the courts of Washington, and the leaders of Washington (i.e. the AG); agree with and have claimed to have upheld Hurtado as law. But now that I am asking for the same law to apply to me, as stated by the Hurtado Court, there

is now a problem with the law. According to the 28 states listed in Ramos who use Hurtado, Washington is listed as one of the states, therefore, per Hurtado,

I should have received a preliminary hearing when I didn't receive a grand jury. Why is this such a hard argument, when the U.S. Supreme Court made it crystal clear? The long-established principles found in Hurtado have not changed.

The controlling legal rules of Hurtado have not changed.

U.S. Supreme Court decisions can only be overturned by the U.S. Supreme

Court. Hurtado has never been overturned. And it is binding on all federal

and state courts. The State of Washington obviously uses it, and its progeny, to deny cases, and so they cannot plead ignorance of the law of not knowing about this 138 year old case, that has been upheld hundreds or thousands of times, and is the backbone and authority of other court decisions.

(SEE: "Supporting Case Law" pg DD1 - DD11, JJ1 - JJ9 to support these reasons).

18) Clearly, Article I, Section 25 of the State's Constitution is founded upon the Hurtado ruling. There is no mention of an infraction anywhere in "Washington's First Constitution" of 1878 (see: Appendix S). And there were no other constitution written between 1878 and the present 1889 version. The Hurtado ruling was in 1884 - between the two versions of the State's constitution. Furthermore, the language of Article I, Section 25 is taken straight from Hurtado (with certain liberties taken with the language). And since Article I, Section 25 has never been amended, the current and only version of the law is "still" based on the Hurtado ruling. Which is okay, because I am not arguing that. I bring up this fact to show that the State and I can agree that we both want Hurtado upheld (for different reasons of course, but the same end result of keeping Hurtado good law).

1 I want Hurtado upheld because it gives me more rights than I have without
2
3 it (rights that the state violated). The state wants Hurtado upheld to not
4
5 jeopardize the laws of Washington.
6

7 Washington State cannot intelligently make an argument that Article I, Section 25
8
9 would exist without Hurtado (the state has remained silent on this and everything
10
11 else I have stated - see all of my other filings, and how the state has remained
12
13 silent). Just like they cannot argue that Gaines, Ng, or Rose, or any other
14
15 similar ruling would exist without Hurtado (again the state has remained
16
17 silent). Hurtado came first, and those other rulings or laws stand on it, and
18
19 point to it as the authority. The Hurtado ruling is the authority or
20
21 reference or foundation for other rulings and state laws. Hurtado must
22
23 be upheld in full.
24

25 Is Article I, Section 25 vague? Yes it is, and vague laws can invite the exercise
26
27 of arbitrary power. For example, Section 25 states "offense" which may be prosecuted,
28
29 but it doesn't define what type of offenses. Section 25 states that an information
30
31 or an indictment can be used, but doesn't explain the "how." To find those answers
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33

1 and to clear things up, we must turn to Hurtado. Hurtado is the foundation that
2
3 Article I, Section 25 is built upon, and it is also the reference we must turn to
4
5 in explaining the elements that Section 25 leaves out. I am personally grateful
6
7 to be able to turn to Hurtado to better understand my rights.

8
9 (See: "Supporting Case Law" pg. CC1-CC2, DD1-DD11, FF1-FF6 to support
10 these reasons).

11 1C) "The judicial power of the United States shall be vested (not may be vested)
12
13 in one supreme court..." (Martin). "The second article declares that 'the executive
14
15 power shall be vested in a president of the United States of America.' Could congress
16
17 vest in any other person, or, is it to await their good pleasure, whether it is to
18
19 vest at all?" (Martin).

20
21 "Then shall..." Regardless of a person's view of God or the Bible, every person
22
23 should agree that the word "shall" is a command.

24
25 "shall" is a mandatory, no questions asked, command that must be followed,
26
27 especially when that command is handed down by an unquestionable authority, as

28
29 in any case here, in where that unquestionable authority is the United States Supreme
30
31 Court. When the Court speaks, all other courts listen. And when the U.S. Supreme
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1 Court says that something "shall" be done, all other courts are required or
2
3 bound to follow it. Of course we all know this. So then why is the State
4
5 of Washington purposefully and willfully violating the law when the U.S.
6
7 Supreme Court clearly stated "shall?"

8
9 U.S. Supreme Court Justice Matthews, agreed with, and wrote to the fact,
10
11 in Hurtado v. California, that, "Offenses heretofore required to be prosecuted
12
13 by indictment, shall be prosecuted by information, after examination and
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15 commitment by a magistrate, or by indictment..." (emphasis added).

16
17 "Shall" is a command. It is mandatory. And here in the Hurtado ruling, the
18
19 command comes straight from the U.S. Supreme Court. It is interesting
20
21 that the word "shall" is also in the Grand Jury Clause of the 5th
22
23 Amendment, which is the same Clause the U.S. Supreme Court interpreted in
24
25 Hurtado. Because the U.S. Supreme Court, in their wisdom, knew the
26
27 importance of probable cause determination by an elected body (preliminary
28
29 hearing or grand jury) dedicated to properly, ethically, and legally determine
30
31 probable cause prior to a case moving forward.

1 The U.S. Supreme Court made it crystal clear. A person accused of a capital or
2
3 infamous crime "shall" be charged one of two ways: 1) by an information
4
5 "after" probable cause is determined by a preliminary hearing, "or" 2) by an
6
7 indictment "after" probable cause is determined by a grand jury. That's it.

8
9 There are only two paths that lead to charges being able to be filed in the
10
11 State - the preliminary hearing/information path (protected by Due Process of
12
13 the 14th Amendment) or the grand jury/indictment path (not protected by

14
15 Due Process). In my case, an information was filed against me in violation
16
17 of Supreme Court precedent as dictated or mandated by the Hurtado Court, because

18
19 a preliminary hearing wasn't used to first determine probable cause before the

20
21 information was filed. When the State violated U.S. Supreme Court precedent,

22
23 they also violated my right to Due Process.

24
25 (See: "Supporting Case Law" pg. CCI-CC2, DDI-DD11, FFI-FF6, GGI-
26
27 GG3, JJI-JJ9, KKI-KK7, LLI-LL5 to support these reasons).

2) Per the U.S. Supreme Court's ruling in Hurtado: Does the filing of an information come "after" a judge during a preliminary hearing, finds probable cause to move the case forward, in where a preliminary hearing contains elements such as the right to counsel, and the right to cross-examine state witnesses, and is also protected by Due Process of the 14th Amendment?

The answer is "Yes."

2A) The progeny of Hurtado did not overrule Hurtado. The Hurtado ruling is five years older than the State of Washington and the State's Constitution. Therefore, any omissions or inconsistencies between the progeny cases or the laws of Washington, and the Hurtado ruling, Hurtado stands as the controlling law or rule. I am asking the Court to uphold Hurtado and enforce the U.S. Supreme Court ruling onto the State of Washington. At minimum, I should have received a preliminary hearing, which is protected by due process of the 14th Amendment, and upheld by the U.S. Supreme Court.

In my limited understanding, Article I, Section 28 is not defined by law, has no comparable or equivalent text in the U.S. Constitution, nor is defined on how (the process or steps) an information is allowed to be filed. According to Judge Snider (Appendix A4), prosecutors do not simply "rubberstamp"

1 charges, which can be interpreted to mean that there is a defined process
2
3 written down somewhere, that prosecutors must go through before filing an
4
5 information, and since the State has not contradicted any of my points or
6
7 claims, they therefore agree that defined process is the preliminary hearing.

8
9 It wasn't Gaines or any other progeny case or other ruling that the U.S.
10
11 Supreme Court used to interpret or define the Grand Jury Clause of the 5th
12
13 Amendment - it was Hurtado v. California. And Hurtado gives one allowance,
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15 that is, one substitution for the grand jury, and that is the preliminary
16
17 hearing.

18
19 I am fighting for my right to a preliminary hearing (which I did not receive)
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21 as determined and commanded ("shall") by the Hurtado Court. The State of
22
23 Washington violated U.S. Supreme Court precedent, and the State violated my rights.

24
25 The State may argue that the right to a preliminary hearing is not found
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27 in the U.S. Constitution. And that is absolutely true, but neither is an
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29 information. The State is allowed to use an information, not because it is
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31 found in the U.S. Constitution, but because of the U.S. Supreme Court's
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1 decision in Hurtado v. California, which is the same decision that dictates
2
3 that an information can only be filed "after" a judge during a preliminary
4
5 hearing finds probable cause to move the case forward.
6

7 Does Washington State believe that Hurtado is the wrong type of precedent in
8
9 where state decides only applies part of the ruling as enforceable; in where
10
11 the other part, not favorable to the State is ignored?
12

13 (See: "Supporting Case Law" pg. CC1-CC2, DD1-DD11, FF1-FF6, JJ1-
14 JJ9, KK1-KK7 to support these reasons).
15

16 28) I think one of the biggest reasons used by the State to "justify" the filing of
17
18 an information without a preliminary hearing, is the perversion of the text found
19
20 in the Hurtado ruling. The State uses key words, and misapplies them to
21

22 make them appear to mean something else; when in reality they don't. The State
23
24 highlight words like: grand jury, indictment, substitution, prosecutor, information.
25

26 When read like that, out of context, it appears that a prosecutor's information
27
28 is a substitution for the grand jury's indictment, and therefore, the prosecutor
29
30 is the substitution for the grand jury.
31

32 This is wrong, in part, because the problem comes with the competing "applies
33

1 to apply." Yes, the "indictment" and the "information" are similar or equivalent,
2
3 and can be substituted, which is comparing "apple to apple." However, it is
4
5 the "grand jury" and the "preliminary hearing" which are similar or equivalent,
6
7 and can be substituted, which again is comparing "apple to apple."
8

9 Nowhere does it say, or is intended, or even hint at, that the prosecutor
10
11 is a substitution for the grand jury. The prosecutor can't be. That would be
12
13 illegal for the prosecutor to be a substitution or replacement for the grand
14
15 jury.
16

17 The prosecutor (executive branch) cannot be a replacement for, or a substitution
18
19 for, the grand jury (judicial branch) or the preliminary hearing (judicial
20
21 branch). By the State of Washington allowing prosecutor's to file information
22
23 without first going through the preliminary hearing process, is a violation
24
25 of the U.S. Constitution, the State's Constitution, U.S. Supreme Court precedent,
26
27 and the U.S. Supreme Court's careful thought process in Husted. The
28
29 Husted Court was careful and thoughtful when they made their ruling in
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31 where one judicial branch process can only be substituted by another
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33

judicial branch process. The executive branch was not a part of this substitution, because they can't be, because that would violate the Constitution and the separation of powers. The prosecutor is simply the person who "files" the information with the court.

(SEE: "Supporting Case Law" pp. CC1-CC2, DD1-DD11, FF1-FF6, JJ1-JJ9 to support these reasons).

2C) One of the major problems with the state not following the Hurtado ruling (not forgetting that the state is breaking U.S. Supreme Court law), is that the state is, instead or also, using abbreviated versions of Hurtado (i.e. Ny; Gaines; Rose; Beck; Article I, Section 25; etc.), which normally are fine because all of the authority and procedures or processes are still in the abbreviated versions (because none of the steps in filing an information have gone away - the process or steps (the preliminary hearing) hasn't magically vanished). However, part of the problem comes because the state is reading or interpreting into the abbreviated versions to allow judicial branch actors (i.e. the grand jury) to be substituted or replaced by an executive branch actor (i.e. the prosecutor). Thus, skipping a critical and important step in the

process. This of course is not what the Hurtado Court said or intended.

And it clearly violates the U.S. Constitution (Articles III and VI, and the 14th Amendment). How can the State do this? And why is this such a hard argument, when the U.S. Supreme Court made it crystal clear?

Example: If I say, as the sole authority, that you are to put on your shoes "after" you put on your socks. I establish a process, or standard operating procedure, of first socks, and then shoes after putting on your socks. You don't question it because I am the authority and that is the process. It becomes common practice. It is the rule. When I later say, "put on your shoes," I don't have to remind you to first put on your socks, because the long-established principles have not changed. Even unstated, the rules of procedure are clear - socks first, then shoes. It is never shoes first, then socks. It is never shoes without socks. And since I am the sole authority, you cannot alter this rule or process on your own. Only I can - and I haven't done so, or plan to do so.

Stated or unstated, the Hurtado rule is very clear - the filing of the information comes "after" the preliminary hearing. The two parts together equal due process.

The information on its own is invalid and not due process.

(SEE: "Supporting Case Law" pg. CC1-CC2, DD1-DD11, FF1-FF6, JJ1-JJ9 to support these reasons).

20) An information was filed against me in Clark County, WA (fact). Per the U.S.

1 Supreme Court (Hurtado v. California), information can only be filed if
2
3 probable cause is first determined through a preliminary hearing (fact). The U.S.
4
5 Supreme Court is the Highest Court in the Nation, and all other courts must
6
7 follow its rulings (fact). Per the U.S. Supreme Court, in Hurtado, the preliminary
8
9 hearing is protected by due process of the 14th Amendment (fact). I did not
10
11 receive a preliminary hearing, with all of its steps, or requirements, or guarantees,
12
13 prior to an information being filed (fact). This is a clear violation of U.S.
14
15 Supreme Court precedent (fact). The information filed against me, with no
16
17 preliminary hearing, is invalid and contains no legal authority (fact). Meaning
18
19 the court did not have competent jurisdiction to hear my case (fact).
20
21 Which means the court couldn't have set restrictions on me (fact).
22
23 Which means the court couldn't have ruled on my case (fact). Meaning
24
25 the court never had authority to judge or sentence me (fact).
26

27 Washington law - CrRLJ 3.2.1(g)(1):

28 If the court finds probable cause [during the preliminary hearing], the court
29 shall bind the defendant over to the superior court. If the court binds the
30 accused over, or if the parties waive the preliminary hearing, an information shall
31 be filed without unnecessary delay. Jurisdiction vests in the superior court
32 at the time the information is filed.

1 "Jurisdiction vests in the superior court at the time the information is filed."

2
3 There was a lack of jurisdiction in my case. According to the State's own

4
5 law or rule, Clark County Superior Court never had jurisdiction over me or my

6
7 case. This of course should grant me immediate relief from incarceration,

8
9 because the information against me is invalid because the State skipped

10
11 steps in filing the information, which caused an insufficiency of the

12
13 process. The U.S. Supreme Court is very clear that an information can only

14
15 be filed "after" a judge during a preliminary hearing finds probable cause

16
17 to move the case forward. There was no valid information filed in my case,

18
19 therefore the Clark County Superior Court never had jurisdiction. Thus, my

20
21 judgment and sentence is invalid on its face, and was not rendered by a

22
23 court of competent jurisdiction.

24
25 (SEE: "Supporting Case Law" pg. EE1 - EE5 to support these reasons).

26
27 2E) The information filed against me states:

28 COMES NOW the Prosecuting Attorney for Clark County, Washington, and
29 does by this inform the Court that the above-named defendant is

30 guilty of the crime(s) committed as follows, to wit:

31 (Appendix J1-J4)

1 The wording of the information is prejudiced against me, and damaging to me, by
2
3 anyone who had access to it, like the judge or the jury. I may be a layperson,
4
5 but I believe that the information is written in a way that declares guilt
6
7 before I was convicted. I was supposed to have been "innocent until proven
8
9 guilty." So how was it that the prosecutor found me guilty on the
10
11 information? Where was the presumption of innocence? To me, using words
12
13 as "defendant" and "is guilty of the crimes committed," seems to be biased,
14
15 unethical, and misleading. I am challenging the wording of the information,
16
17 especially the words: "IS GUILTY."

18
19 This information may be "alleged," but if it is, as a layperson, I am not
20
21 seeing that in the words I am reading that I was already convicted
22
23 of the crimes charged and found guilty; all before I had the opportunity
24
25 to plead "not guilty," before I had counsel, and before I had a jury
26
27 trial. A preliminary hearing would have kept this information, or any information,
28
29 from being filed, because a lack of probable cause would have kept the
30
31 case from moving forward. How do I know this to be true? Because
32
33

everything that came out at trial, or after trial, that I am using in my
fight to go home was known, or should have been known, prior to the
information being filed. That is why I am fighting so hard to uphold the
Hurtado rule, because if given a preliminary hearing, no information would
have been filed. I am confident in that.

Elements of my case known prior to the filing of the information, that
would have come out at the preliminary hearing, include (but not limited to):

- Documented and declared medical evidence in my favor, that I gave to
Deputy Turner, that he did not investigate, nor did he share it with
anyone else - he hid it (Appendix L, P).
- The same medical evidence that the prosecutor had at trial, even though Turner
said that he didn't share it. However, both the prosecutor and Turner hid it
or did not share it with Detective Hernandez (Appendix P, Q7, Q8, Q9,
Q10, Q14, Q15, Q16).
- I was not arrested. There was a lack of evidence to arrest me (Appendix N).
- A forensic interview was recorded, but it failed to record, and "no actual
recording was made" (Appendix O). And no follow up interview was done.
- Forensic interviewer, Kim Christly (Appendix O), was not used to explain,
authenticate, identify, or validate what would have been on the recording.

Why wasn't Kim Christly used to explain what would have been on the video,
especially since she would have been considered an expert (I'm guessing she would
have been considered an expert since the state used her services), and she was the

1 only one in the interview room other than AA (Detective Hernandez was outside
2
3 watching through a window)? Why wasn't Christly used at trial? Or why
4
5 wasn't she interviewed to confirm what happened or what was said during the
6
7 interview? More importantly, why wasn't Christly used to validate or
8
9 authenticate the forensic recording as the actual recording, during Judge
10
11 Gonzalez's "probable cause" determination, prior to the information being filed?

12
13 WAIT... WHAT??? The only forensic interview done, failed to record.

14
15 Somehow, the prosecutor presented Judge Gonzalez with this recording
16
17 (Appendix A4) to help establish probable cause.

18
19 I don't believe that Judge Gonzalez, or any judge, or any juror, would

20
21 accept a blank videotape - a black screen of nothingness - as evidence by the

22
23 state to establish probable cause or guilt. Which begs the question, if

24
25 this non-recorded video was good enough to establish probable cause, without

26
27 Christly to verify or validate it, why wasn't it presented at trial, with or without

28
29 Christly? Meaning, if Judge Gonzalez allowed the failed recording, so would

30
31 have my trial judge. Honestly, I don't believe Judge Gonzalez ever seen

1 nor was presented with this "recorded video." This is a powerful example
2
3 on the importance of the preliminary hearing. During the preliminary
4
5 hearing, I and my attorney would have been in the courtroom, and the defense
6
7 would have kept the failed recording from establishing probable cause.
8

9 What was really captured during the forensic interview? I am guessing it
10
11 was something in my favor, and I say that for a number of reasons, including
12
13 but not limited to:

- 14
- 15 • Hernandez never arrested me.
- 16 • The video equipment appeared to be working. It worked before and after
17 in other interviews.
- 18 • Upon learning the video failed to record, no re-interview or follow up interview
19 was done.
- 20 • Kim Christly wasn't consulted on what the interview contained. Nor did
21 she verify that the equipment failed.
- 22

23 There is a reason that the U.S. Supreme Court ruled that an information
24
25 "after" a preliminary hearing is considered due process. The preliminary hearing
26
27 would have kept charges from being filed. I would not be in prison now, because
28
29 all of this was known prior to the information being filed. There is enough
30
31 evidence in my favor, there is enough reasonable doubt, for the judge, during the
32
33

1 preliminary hearing, to set me free. These facts, plus the ones I have
2
3 already presented in this petition (and my petitions, motions, or affidavits
4
5 in the lower courts), and present in the following grounds, all demonstrate
6
7 how the justice system failed me. Justice in Washington cannot be blind
8
9 when the State cares more about a conviction than the truth. And as seen in
10
11 my case, the State will use any means necessary to get that conviction.
12

13 (See: "Supporting Case Law" pp. AA1-AA7, CC1-CC2, DD1-DD11, FF1-
14 FFC, KK1-KK7 to support these reasons).
15

16
17 3) Is the 6th Amendment's right "to have compulsory process for obtaining witnesses
18 in his favor" enforced upon the states and protected by the 14th Amendment?
19

20 The answer is "Yes."
21

22 3A) Please see Appendix LL4, LL5, and L and M
23

24 I have Multiple Sclerosis (MS), and this is a critical and important and
25
26 relevant fact, because it is a key element of my defense (or should have been
27
28 if I had an effective attorney); of my innocence; and, at minimum, raises
29
30 significant and large amounts of reasonable doubt - all of which is in my
31
32 favor, or should have been.
33

1 Clearly my lawyer failed me by not providing expert witnesses (his actions
2
3 were not strategic), which violated my 6th and 14th Amendment rights. I was
4
5 not given the opportunity to be heard. I was not given the opportunity for
6
7 experts to explain to the average person (judge, jury) what MS is and
8
9 how it plays a part in my life, my defense, and my innocence. I was
10
11 denied a fair trial (on top of being denied a preliminary hearing).

12
13 The average person does not know or understand what MS is and how it
14
15 affects a person living with it - how it affects me personally. Expert
16
17 medical witnesses to help explain it would have been beneficial to me and
18
19 my case. I would have had a different result. Because charges would
20
21 never have been filed (preliminary hearing), or charges would have been
22
23 dropped (police investigation, or an investigation by a non-malicious prosecutor),
24
25 or the jury would have found me not guilty (trial).

26
27 This is also another reason on why the preliminary hearing is so important.
28
29 because I would have been able to present expert testimony on my sexual dysfunction.

30
31 But, even without the preliminary hearing, as found in my case, this knowledge
32

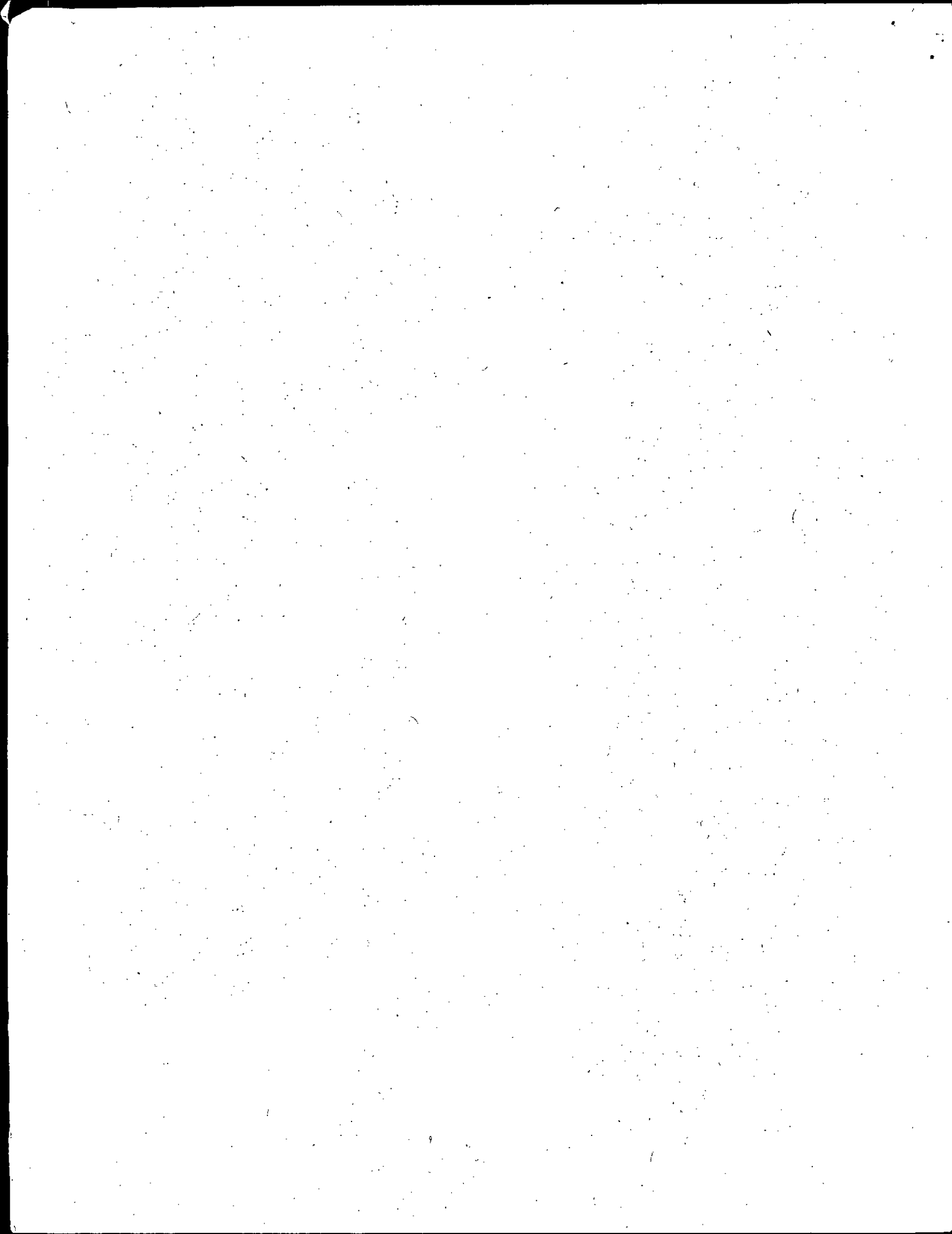
1 should have been included in the probable cause determination. Unfortunately,
2
3
4 all evidence of MS and my sexual dysfunction was kept from Judge Gonzalez,
5 just as it was kept from Detective Hernandez.
6

7 In the Court's Decision (Appendix A2), Judge Sinter stated that, "Expert
8 testimony is only allowed if the matter is one that cannot be judged by people
9 of ordinary experience and knowledge." MS fits into this category. Am I to
10 assume that the members of the jury had this knowledge and were then able
11 to "connect the dots?" I don't believe Multiple Sclerosis ever came up in the
12 jury selection. But Judge Sinter in his decision goes on to say, that the jury
13 had "the ability to observe him throughout the duration of the trial." Observed
14 me doing what? Sitting and not speaking? Sitting and not speaking are not
15 two of the symptoms I suffer from.
16
17
18
19
20
21
22
23
24

25 I agree that the concept of the charges, in theory, are easy to understand,
26
27 as long as the trial stays one-sided as it did, in which the defense did
28 not counter the claims. But Al also went into detail about acts she performed
29 on me, which could not have happened. This is where testimony from expert
30
31
32
33

1 medical witnesses would have been most beneficial for the defense. Expert
2
3 witnesses with medical knowledge about MS, would have been able to explain
4
5 to the jury (or judge during a preliminary hearing) that no libido (no sex
6
7 drive) means that I do "not" care about sex in any form or fashion, which
8
9 includes having acts performed on me or my performing acts on others. The same
10
11 experts would have been able to explain how the inability to get or maintain
12
13 an erection is embarrassing to the person with that problem, and how a
14
15 person with those issues would not put themselves out there due to the
16
17 embarrassment of being "less of a man." In fact, any male juror, or any
18
19 female juror who had a partner who could not get an erection, could
20
21 imagine that embarrassment. This, at minimum, raises reasonable doubt.
22
23 The trial would have had a different outcome if the jury was able
24
25 to hear from both sides in a truly adversarial way. Or no charges at all
26
27 if I was given a preliminary hearing.

28
29 Why didn't my attorney call an expert witness? I have no idea. He had
30
31 the same declared medical evidence that Tarnas and the prosecutor had.
32
33



1 Plus, he had me sign medical release forms so that he could get my medical
2
3 files and talk with my doctors. In his office, my attorney had a plan -
4
5 he was a tiger. At trial, he was a lamb that looked like my lawyer.
6

7 He failed me.

8
9 My attorney, Ternus, and the prosecutor all failed to do any investigation into
10
11 my claims. Not even for research purposes. How relevant was MS to my
12
13 defense? When Ternus, on the stand, was asked to identify me, he pointed me
14

15 out as the guy with the cane. Why did I have a cane? Everyone in the
16
17 courtroom, except for the jury and Detective Hernandez, knew why I had a cane.
18

19 I have a cane due to balance and coordination problems caused by MS.
20

21 I still have a cane because there is no cure for MS.
22

23 An expert medical witness would have countered sexual claims and raised
24
25 reasonable doubt. I have a medical history to prove that my sexual dysfunction
26
27 goes back years before the accusation timeframe. A list of doctors were
28
29 provided to Ternus. The prosecutor and defense had the same list. I
30
31 still have the same issues today, because there is no cure.
32
33

1 The function of an expert is to provide testimony on subjects that are beyond
2
3 the average person's common sense, experience, or education. My defense attorney
4
5 broke my trust. He purposefully withheld information that would have altered
6
7 the outcome of the trial; which could make his ineffective conduct to be
8
9 considered fraud under the law, or, at minimum, ineffective assistance of
10
11 counsel. He concealed important information when he chose to "not" present
12
13 crucial evidence, but presented through expert testimony, which deprived me
14
15 of the opportunity to be heard, and robbed me of a fair and impartial
16
17 trial, which was to my disadvantage and it prejudiced me.

18
19 Another frustrating piece is that while my attorney was questioning law
20
21 enforcement on the stand about the email evidence, Turner about not showing it
22
23 or following up on it, and Hernandez about not knowing about it or following
24
25 up on it; my attorney did the same, or similar, thing, by not presenting,
26
27 investigating, or following up on the declared medical evidence.

28
29 All of this would have come out during the preliminary hearing, which is another
30
31 example why the Hurford rule is so important and critical, and why the
32
33

1 State needs to follow it in its entirety. No probable cause would have been
2
3 determined, which means no information filed, which means no prison.

4
5 (See: "Supporting Case Law" i.e. AA1-AA7, BB1-BB6, CC1-CC7,
6 LL1-LL5, MM1-MM3; and Appendix L and M to support these reasons).
7

8
9 4) Can silence be construed as an admission or agreement?
10

11 The answer is "Yes."

12
13 4A) I filed a Writ of Habeas Corpus in Clark County Superior Court, in where
14
15 the State didn't respond, reply, or object in any way. Then my case was
16
17 moved to the Court of Appeals, Division II, in where again, the State
18
19 didn't respond, reply, or object in any way. Then my case was moved to the
20
21 Washington State Supreme Court, in where once again, the State didn't respond,
22
23 reply, or object in any way to anything I said.

24
25 Silence is agreement. Silence is, or equals, acquiescence. The State's silence is
26
27 acquiescence, because the circumstances should have had them saying

28
29 something. I am "not" saying the State is required to do anything, but I am
30
31 saying that normally, under the same or similar circumstances, the State
32
33

1 doesn't shut up. They fight "tooth and nail" to keep people in prison; they
2
3 have done it to me over the years. This is the first time I have ever
4
5 seen the State remain 100% quiet. Not a peep. Not even to press the
6
7 time bar issue. And since the State is silent, their silence is considered
8
9 agreement, and thus admitting to, or agreeing with, my claims. And since
10
11 they haven't objected to anything, their agreement is implied.

12
13 Unfessed allegations in pleadings are to be taken as true. I accused the
14
15 State of violating Hurtado, of violating my rights, and I did so in
16
17 motions, petitions, and affidavits; that must be taken as true, because
18
19 the State was sent copies (everything that went to the courts went to
20
21 them), and had ample opportunity time and time again through three
22
23 levels of State courts to say something, but they didn't and so that
24
25 time has thus passed.

26
27 The State did not object to my understanding that U.S. Supreme Court rulings
28
29 (i.e. Hurtado v. California) must be followed by "all" lower courts, including
30
31 the courts of Washington State. Nor did they object when I stated that they
32
33

1 violated the Hurtado ruling, and since I didn't receive a preliminary hearing
2
3 prior to an information being filed, that my rights to due process were also
4
5 violated. And in my filings, I state my immediate relief from incarceration
6
7 as the solution. The State of Washington in their silence agrees with my
8
9 arguments, and therefore, they also agree with my relief from incarceration.
10
11 And since both the State and I agree on my immediate relief from
12
13 incarceration, the Court's decision has become a lot easier.

14
15 Obviously, a ruling in my favor doesn't require an agreement from the State.
16
17 But they agreed nonetheless, maybe not expressly. (Nothing states that an
18
19 agreement must be express), but they gave implied consent, or implied agreement,
20
21 to my relief from incarceration by keeping silent and not responding to any
22
23 of my filings. In fact, it could be argued that the state gave
24
25 informed consent to my relief, by their actions of "not" filing any form
26
27 of objection, even though they knew what I was asking for, and the
28
29 direction I was going.

30
31 The State cannot plead ignorance of not knowing. I copied the state on
32
33

1 everything. And, at bare minimum, the courts in all their filings, rulings,
2 and correspondence, copied the State on absolutely everything. The State never
3 came back and said "What's this?" or anything else. They remained 100%
4 silent.
5
6

7 And I get it, in my opinion (because the state hasn't said anything to
8 challenge my belief), if I were in the State's shoes, I wouldn't be able to
9 argue against what I have been saying either. Because a lot of my argument
10 is in agreement with the state (including the A.G.), with the several states,
11 with state and federal courts, and with the U.S. Supreme Court. I agree
12 with Hurtado in where I should have received a preliminary hearing. I am
13 asking that the Hurtado rule be applied to my case, in where my case
14 becomes the newest progeny of Hurtado, keeping the 138 year old ruling
15 upheld for years to come. I envelope the Hurtado rule.

16 Silence is agreement. The State and I are both agreeing to uphold Hurtado.

17 Furthermore, the State and I are also agreeing to my release from prison.

18 (See: "Supporting Case Law" pp. HH1-HH12, LL1-LL5, MM1-MM3
19 to support these reasons).

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

CAW

Date: September 23, 2022

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