

22-6183 No. \_\_\_\_\_ **ORIGINAL**

IN THE  
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.  
FILED  
NOV 23 2022  
OFFICE OF THE CLERK

JAMES BAUHAUS — PETITIONER  
(Your Name)

vs.

"scott crow" (OK) — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

NO COURT HAS EVER RULED ON THE MERITS OF MY CASE. THE  
LAST COURT TO REFUSE TO ADDRESS THE MERITS IS:  
U.S. TENTH CIR. CT. OF APPS DENVER CO

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

PETITION FOR WRIT OF CERTIORARI

JAMES BAUHAUS  
(Your Name)

POB 514

(Address)

GRANITE, OK 73541

(City, State, Zip Code)

(580) 480-3700

(Phone Number)

## **QUESTIONS PRESENTED**

Does congress illegally nullify the Due Process amendment and the Fair Trial Guarantee of the Supreme Law of this Land by forcing innocent convictees to satisfy the impossible requirement of 28 USC sec. 2254 (b)(B)(ii) 'due diligence', which sets up a Xeno's Paradox where there is ALWAYS a SHORTER, PREVIOUS INTERVAL that is used to deny justice by insisting "You could have dug up the innocence proving evidence 'sooner', so you had no 'due diligence' and thus "waived your right" (to have the proof accepted by appeals judges and sent to a new jury to evaluate)?

How does 'sooner; due diligence; you waive' have any purpose OTHER than to prevent use of suppressed, innocence-proving evidence, to preserve false convictions and to stealthily nullify the Due Process and Fair Trial amendments of the Supreme Law of this Land?

How is it legal for chains of appeals judges to thwart Due Process and the Fair Trial guarantee of the Supreme Law of this Land by falsely claiming that irrefutable proof is 'insufficient' in order to usurp the function of the required new jurors due to the original jurors having been cheated out of their job of evaluating this proof at trial by Tulsa police, FBI Lab and DA Jerry Truster, all of whom lied to jurors in court, at trial, under oath, about the number and quantity of the killer's blood samples that they collected in a conspiracy to convict a teen whom they all knew was innocent?

Didn't Tulsa police/FBI lab/DA Jerry Truster violate BRADY v MD numerous times when they lied to 3 PDs before trial, claiming they had NO blood, then lied to

jurors months later at trial, claiming to have only "the" "insufficient" blood sample when in fact they had at least 9 samples, EACH of which were enough for typing and which were never made available to the defense despite requests?

How does a mere convention or even a statute (Laches, res judicata, 28 USC sec. 2254 (b)(B)(ii), etc) get to trump the Supreme Law of this Land, which says we citizens have the right to Due Process of Law and a Fair Trial, not a swift, blanket denial based upon "Finality", a time limit on finding proof of innocence or the first denial, generally from the local appeals judge, or the actual trial judge, who may be mistaken, misled by his police/DA team, mal-informed by the media, biased or even corrupt, and who has the largest, natural, career-based bias and interest in preserving convictions?

Doesn't the Fair Trial guarantee of the Supreme Law of this Land require appeals judges to vacate false convictions or at least order new trials in cases, like mine, where proof of BRADY evidence suppression, perjury and abuse of office, etc. is irrefutably documented in signed, official records?

## 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:

US ct. of APPS,  
10th Cir. Ct. DENVER, CO RELATED CASES CONTINUED  
J. BAUHAUS v ("PRISON WARDEN") { 2067-5094  
1998-5054 07-5141  
00-5146 ←  
22-6018 (J BAUHAUS v "Scot Crow")

U.S. SUP. Ct  
98-6343 BAUHAUS v "REYNOLDS"  
UNKNOWN  
UNKNOWN

## RELATED CASES

OK v JAMES BAUHAUS } Post conviction relief efforts  
Tulsa Dist. Ct, OK F-73-24 } ~10

J. BAUHAUS v OK  
OK Ct. of Cr. APPS, OK City, OK  
PC-1996-1131 HC-00-962  
0- 96-943 MA-2007-129  
0- 98- 23 PC-2007-330  
1998- 1369  
M-99- 335  
0-99- 1547  
MA-00- 507  
MA-00- 717  
0-00- 820  
0-00- 959  
0-00- 962

US FED NORTH Dist Ct TULSA, OK  
J. BAUHAUS v ("PRISON WARDEN")  
1996-CV-1033  
96-CV-929-H BASE FILE  
97-CV- 313  
98-CV- 725-K (M)  
00-CV- 543-K  
07-CV- 275-9KF-PJC

US FED. EAST Dist. Ct, OK City OK  
J. BAUHAUS v ("PRISON WARDEN")  
1996-CV-605  
96-CV- 447  
US FED WEST Dist Ct, OK City, OK  
J. BAUHAUS v "Scot Crow"  
5:20-CV-01003-JD

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### STATUTES AND RULES

28 USC § 2254 (b) (B) (i) AND (ii) "DUE DILIGENCE"

DOCTRINE of "LACHES"

RES JUDICATA

### OTHER

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WWW.NOLIEMRI.COM

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 2022 WL 3572436; 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 8-19-22.

[ ] 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: 9-15-22, 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 \_\_\_\_\_. 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

U.S. CONSTITUTIONAL AMENDMENT 5. "NO PERSON SHALL BE HELD FOR... INFAMOUS CRIME... WITHOUT DUE PROCESS OF LAW..."

U.S. CONST'L AMENDMENT 6. "IN ALL CRIMINAL PROSECUTIONS, THE ACCUSED SHALL ENJOY... (A FAIR) TRIAL, BY AN IMPARTIAL JURY... (WHO ARE NOT DEPRIVED OF INNOCENCE-PROVING FACTS AND EVIDENCE) [AND]... A COMPULSORY PROCESS FOR OBTAINING WITNESSES (AND EVIDENCE) IN HIS FAVOR..."

28 USC § 2254 (b) (B) (i) "DUE DILIGENCE; SOONER; YOU WAIVE..."

DOCTRINE OF "LACHES"

"RES JUDICATA"

## STATEMENT OF CASE

Tulsa, OK police/FBI lab/DA Jerry Truster deprived jurors of crucial, innocence-proving facts and evidence that would have prevented conviction (See enc. exhibits) for a murder I had nothing to do with. Previously withheld signed, official documents uncovered after trial show that the victim's wife described (and had drawn) a teen who could not be me at the crime scene. For 78 days, they muddied her memory with hundreds of yearbook and mugshot pictures and many lineups before picking me. TPD found a 2nd witness at the end of a blocks long blood trail. TPD discarded a 3rd witness, violating BRADY. 7 days after the murder, witness 2 saw a newspaper photo of me and did Not call TPD. 94 days after the crime, TPD went to w-2's home to add her to w-1 by getting her to sign a paper against me as a receipt for testimony. She refused even to initial their picture of me. Then she tipped TPD to the fact that she had excluded me 87 days ago due to my too-long (wrong-color) hair, (no glasses) in the newspaper. (See TPD w-2 assisted pastel drawing) Instead of acting on her info, TPD eventually wrote she HAD denounced me. Meanwhile, (day 78) TPD lied to each of 3 (still-alive) PDs I sent to get BRADY blood for analysis, claiming they had NO blood. My BRADY attempt alerted TPD that blood analysis would make conviction impossible. 21 months after the murder, at the morning pre-trial confab, officials learned that w-2 would not finger me. The TPD report was used to suborn perjury from her through threats of jail for 'lying to police', another BRADY violation. 100% of the convicting evidence was these 2 women who are now proven by withheld police reports to be perjurers. The enc. documents prove that TPD managed to make w-1 forget her crime scene description (and pastel drawing) of the killer and switch to me, unable to remember that my too-long, (wrong-color) hair (no glasses) made it impossible for me to be the teen she saw kill her mate.

TPD/FBI/DA Jerry Truster's BRADY violations include a conspiracy letter set proving pre-meditation, erasure of evidence, planting of false evidence, pretending he doesn't have a microscope, pretending blood was dye or paint, pretending blood was from an animal, pretending that the blood trail was left by 8 different killers, lying about what is a technically 'insufficient' amount, lying to jurors about the number and quantity of blood, (tr. p. 241 l. 3) etc. The withheld BRADY v MD documents prove that they cheated my jurors out of numerous facts, documents and evidence that would make conviction impossible.

Soon as I uncovered the proof of innocence, I appealed. Tulsa dist. ct. seems to have been unable to grasp the proof described above and included herein. Somehow, he concluded the opposite of everything I had proved: that there were no BRADY violations, the blood was 'fully disclosed', no perjurers, etc, and that "in-court identification is presumed correct." (This presumes that w-1's memory IMPROVED after the passage of 21 months, which is anti-science, as is the presumption that 5 inches of wrong color hair can grow in just 7 days.) All other post 1996 denials used this template as the basis of their own denials, indicating that Tulsa's ct. may not be the best basis for appeal justice due to an apparent bias against embarrassing former officials who permitted the killer to escape justice forever. There was no way to make any of them accept the proof and call the 2nd set of jurors required to evaluate the proof that the 1st set of jurors were cheated out of.

Also used to stymie justice was the doctrine of "Laches", res judicata and 28 USC section 2254 (b)(B)(i) and (ii) "due diligence", each of which seem to be made for quickly killing the never-ending appeals of the innocent. Laches just says "[Enough! You lose!]" Res judicata takes the word of a lower judge, such as Tulsa, who have good reason to be biased toward preserving

embarrassing convictions from their districts, and says "[Enough! You lose!]" The 3rd one adds an impossible requirement on top of the nearly impossible requirement of proving our innocence beyond any doubt. Nearly 100% of innocent convictees NEVER uncover the proof that was lost, overlooked, discarded, withheld, concealed or deliberately destroyed. (Asking for BRADY evidence causes the proof to disappear.) We who do find proof now also suffer (since 1996) 28 USC sec. 2254 etc which sets up the legal equivalent of Xeno's Paradox. No matter how 'soon' we uncover the proof of innocence, appeals judges find that we could have found this 'sooner' and thus had no 'due diligence' so we 'waived' our right to due process, fair trial and the Supreme Law of the Land. None of these 3 appeal killing devices have any justice function. They presume that proof of innocence is found all at once rather than accumulatively. How much is enough? Where is the dividing line? What is the threshold amount? How can we innocents determine the exact point where the judge expects we must race to court or be too late? They allow an absent decider to measure the undelineated and unmeasurable, using undefined, unwritten rules that are different for every decider, having no discernable, publicly available standards or guidelines. They put a time limit on innocence, though innocence never turns into guilt. This non process is entirely subjective. No one can know how it works because only each judge can do it. It gives more weight to a triviality than innocent imprisonment. No one told me there was a time limit on finding, then using, new proof, so my appeals held no data on 'when'. The denier had no data on 'when', yet decided I could have found the proof 'sooner' with no basis for his speculation. These 3 devices do the opposite of justice, at tremendous cost to the thousands of innocents piling up in prisons and society. They work to keep innocents in prison, teaching us to give up trying to get justice. They encourage us to commit suicide. They encourage corruption in the police and others

who benefit through speed and quantity of convictions to obtain raises, perks, glory, larger allocations, promotions, and political careers, etc. They encourage the lucky killers, robbers, rapists, child molesters, etc who got away with their crimes forever to perpetrate more, worse atrocities in the future.

Out of over 40 judges in many courts, none addressed the poof but to deny it despite everyone lacking a vested interest in preserving convictions swiftly seeing the proof as 'material', 'debatable', 'verdict changing' and a constitutional violation of Fair Trial/Due Process. The FIRST thing that they see is that there is only ONE reason to hide, lie about, withhold and conspire to prevent analysis of the killer's blood: to convict an innocent. If you have ANY DOUBT of the proof, consider:

The State 'lost' the blood. It owes me the ability to prove my innocence the next best way: FMRI brain-scanning lie- and memory-detection. (97% accurate 3% inconclusive) See [www.Cephoscorp.com](http://www.Cephoscorp.com) and [www.NoLieMRI.com](http://www.NoLieMRI.com). It will prove I never killed ANYONE, met the victim, touched his gun, been in his home, know where he lived, left a blood trail anywhere, etc.

If there is ANY justice, this conviction will fall.

So Prayed,

James Bauhaus

EX. B

OFFENSE REPORT

Jefferson Bee Hunt

Homicide

10-17-72 1438 hrs.

MALE

FEMALE

DETAILS: If possible all facts in the following order:

On 10-17-72 at 1433 hrs. the dispatcher reported a shooting at 5145 E. 25th Pl. Cpl. Bayles and I were at 31st & Yale and told the dispatcher we would go to the scene. On arriving we could hear a woman screaming from inside the home.

Mrs Hunt's original, first, truthful description of the killer.

Upon entering the home we observed a white male lying face down, head to the north, feet to the south. The woman, later identified as Dorothy Nell Hunt, said the assailant was inside the home when she and J.D. arrived home. She said J.D. tried to take the gun away from the assailant but the assailant shot J.D. She said the assailant is a white male with brown, clean-cut hair, approx. 20 yrs. of age, wearing a white shirt and light colored slacks.

She said the assailant broke out the glass in the north kitchen door and ran out. Cpl. Bayles checked the victim and could find no vital signs. The scene was turned over to Det. McCullough.

Cpl. Bayles and I made a canvass of the immediate area, with negative results. K9 Ofcr John Parker, Cpl. Bayles and I followed spots of blood from the north kitchen door to the fence facing Darlington. The blood spots continued from there north on Darlington to 23rd, then west on 23rd to Braden and there north on Braden to the 21st block where no more blood could be found.

While following this route we talked to Mr. S.E. Crisp, a tulsa school guard who said he arrived at his spot on Darlington after 2:30 PM. He said a woman who is usually there waiting for her kids, had seen a young man run north on Darlington, appearing to look at his watch. Mr. Crisp said he sent the woman, a mrs. Jack Baker, to the scene of the shooting.

Police conceal this witness who said the same thing as Mrs Hunt

While we were at 23rd st. and Braden I spoke to Candy Connors, 5126 E. 23rd, who said she had seen a beige 63 model car driven by a white male with light, short brown hair in his 20's driving the area on 10-16-72. She said the car was in the area most of the afternoon of 10-16-72. Due to the fact that most people in the area were watching the excitement at the victim's residence, a canvass of the area was unsuccessful. See supplemental reports.

J. R. Brown/cL

10-17-72

1830 hrs.

M'Callough  
Homicide (B)

BRADY V MD  
VIOLATIONS  
8

FILE NO. 867-819

Jefferson Dee Hunt	5145 E. 25th P1	Mrs. Baker alerts Ofcr McCullough
Homicide	Same	to the fact that my hair was too long for me to be the killer she saw.
<p>On 10/19/73 approximately 1230 PM I went to 5941 E. 28th to the home of Mrs. Jack Baker to show her the photographs of a lineup in which the accused, in this case was standing. Miss Baker viewed the photograph and identified #3 from the left, James Scott Bauhaus as the young man that ran by her car as she was sitting at 24th &amp; Darlington waiting for her children to get out of school at the approximate time of the offense at the Hunt home on 10/17/72. Mrs. Baker kept referring to #3 as looking like Bauhaus only his hair was longer in the photo in the newspaper. I did not identify Bauhaus to Mrs. Baker until after she identified him from the photograph. Mrs. Baker stated that he was the young man she saw run by her car and that she could identify him if called to testify. This photograph is the photograph of the same lineup in which Bauhaus was identified by Mrs. Dorothy Hunt, widow of Jefferson Dee Hunt.</p>		

SHE AND  
MS HUNT  
DID NOT  
CALL POLICE  
ON ME ON  
10-24-72.

Both original drawings show brown hair.



Mrs. Baker's drawing  
of the killer.

10-24-72

Tulsa World newsphotó of me, 10-24-72  
that Mrs Baker saw.

Mrs. Hunt's  
drawing of the  
killer she saw.

10-20-73

THIS OFFENSE IS DECLARED:

UNFOUNDED

CLEARED BY ARREST

EXCEPTIONALLY CLEARED

INACTIVE - NOT CLEARED

Jess McCullough/pd

(2/15/73)

2/15/73

INSTRUCTIONS: This form is used by officer assigned to a case to report progress after 3 and 7 days and weekly thereafter. Use to Report Progress, Development, and Results of Investigation.

Ofcer McCullough never convinced Mrs Baker to sign his accusations against me, which was the sole reason for his visit to her home. Instead, he ignores Mrs Baker's information that I am not the short-haired, brown-haired, no glasses killer she saw. McCullough cogitates for 27 days before filing this "weekly" report, trying to get around my non-short, non-brown hair and glasses. Finally he creates a report in which he simply pretends that Mrs Baker DID denounce me. Sixteen months later, at trial, McC's report is used to coerce Mrs Baker into perjury. She is threatened with jail if she does not agree with McC's report.

Mrs Baker quickly caves in to police desires and lies in concert with Mrs Hunt.

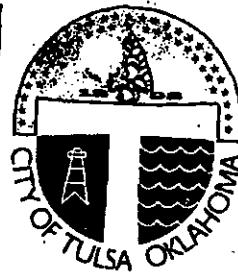
IMPOSSIBLE TO GROW 5 INCHES of WRONG-COLOR HAIR IN  
ONLY 7 DAYS.

Q+R7

2/12

POLICE DEPARTMENT

OFFICE OF THE  
CHIEF OF POLICE



600 CIVIC CENTER

TULSA, OKLAHOMA

74103

Date 2-8-73

To: Director, FBI  
Attention: FBI Laboratory

From: Tulsa Police Department  
600 Civic Center  
Tulsa, Oklahoma 74103  
Our Case # L720074

Re: Suspect: James Scott Bauhaus  
Victim: Jefferson D. Hunt  
Offense: Homocide

Dear Sir:

The evidence described below is forwarded under separate cover for examination by the FBI Laboratory.

This evidence is being submitted in connection with an official investigation of a criminal matter. It was not, nor will it be, subjected to the same type of technical examination by other experts. Please refer to our case number on the outside cover of the return package.

PRE-MEDITATED

BRADY V. MD

VIOLENCE

sincerely

Officer,

b6

b7C

Identification Division

Description of Evidence:

1- One white plastic card containing dried blood spots RED-BROWN STAINS.  
2- One small box containing five pieces of broken glass with blood spots  
3- One small box containing dried blood recovered from door. SCRAPPIES

Examination Requested:

Please examine items to determine if it is human blood and if it can be typed. We are unable to obtain blood ~~from~~ <sup>from</sup> suspect at this time.

Statement of Facts: On 10-17-72 officers responded to a call at the victim's residence. The victim had been shot by a burglar. The assailant ran through a back door cutting himself and leaving a trail of blood.

Lab-187  
3/1/73  
REB:jm

EE FEB 14 1973

THE OIL CAPITAL OF THE WORLD

SEVEN  
RB

1. TULSA PD ASKS FOR FRAUD AND ASSURES THAT THE FRAUDS WILL NEVER BE DETECTED. This shows his INTENT TO KEEP THE BLOOD SECRET BECAUSE HE KNOWS TYPING IT WILL FAIL conviction of his chosen TARGET.
2. PEYTON KNOWS THE BLOOD HE COLLECTED IS THE RIDER'S BLOOD, YET SLYLY ASKS "IF" IT IS REALLY BLOOD + "IF" IT CAN BE TYPED.
3. FBI LAB TECH IMMEDIATELY REALIZED A FRAME IS IN THE WORKS, KNOWING TO NOT TYPE THE BLOOD. INSTEAD, HE BEGINS IMMEDIATELY TO ERASE EVIDENCE AND PLANT "RED-BROWN STAINS", "GLASS" AND "SCRAPINGS" EVERYWHERE PEYTON DESCRIBES THE FACT OF "BLOOD".
4. ADDITIONAL, UNNECESSARY INFO TO MAKE DAMNED SURE THAT FBI LAB KNOWS THAT TYPING WOULD MAKE CONVICTION IMPOSSIBLE.

"BY RICHARD SAFERSTEIN, Ph.D. PAGE 324

④ 1968 "CRIMINALISTICS" SAYS "[... THE AMOUNT OF BLOOD SUFFICIENT FOR TYPING A, B, O, RH, M & N IS] ... THE AMOUNT THAT WILL ADHERE TO A THREAD  $\frac{1}{2}$  INCH LONG." ALSO, BLOOD IS NOT "USED UP" IN TYPING, BUT GENTLY HEATED, WASHED + RE-USED.

Quantity  
not  
sufficient.

## BLOOD EXAMINATION

PC-J5008 MII

## Contributor

Tulsa, Oklahoma

Date

2-18-73

Specimen	Beoz.	Hemo.	#29 Anti-H	Groupings <sup>1</sup>		Crust	Remarks
				Blut.	Inh.		
Q1 Card containing red-brown stains 2		+	+/ 50	QNS	-	→	scraping } " "
		+	+/ 50	QNS	-	→	
							Q1 is a white card with clear tape over stains
Q2 Glass	1	+	+/ 50	QNS	-	→	scraping
Q3 Piece of glass	1	+	+/ 50	QNS	-	→	"
Q4 Piece of glass	1	+	+/ 50	QNS	-	→	"
Q5 Piece of glass	1	+	+/ 50	QNS	-	→	"
Q6 Piece of glass	1	+	+/ 50	QNS	-	→	composite scraping
Q7 Scrapings	1	+	+/ 50	QNS	-	→	scraping } " "
				blank	-		
				k blood	+		

2  
B200D  
5P045

FIVE  
BLOOD  
SPLASHES

DRIED  
BLOCKS

- PRETENDING THE BLOOD IS PAINT OR DYE AND THAT HE HAS NO MICROSCOPE
- PRETENDING IT'S ANIMAL BLOOD
- PRETENDING HE'S LOOKING FOR 8 DIFFERENT KILLERS IN ONE BLOOD TRAIL

ADA 1 but am prevented from fully jumping into until the door is  
JERRY 2 opened by defense counsel. He inquires where are they. I will  
TRUSTER 3 tell you where they are. The blood sample went to the F.B.I.  
LYING 4 laboratory in Washington, D.C., a report came back from the  
ABOUT 5 E.B.I. laboratory indicating that the amount of blood was  
THE 6 insufficient in quantity --

HE 7 MR. WALLACE: We object to this, Your Honor,  
READ, 8 it's not in evidence, there is no way we have of knowing that  
TRICKING 9 is true or not.

THE COURT: I will overrule it as an  
invitation, invited argument.

MR. WALLACE: Exception, please.

THE COURT: Allowed.

MR. TRUSTER: It came back insufficient quantity,  
again negating blood left at the scene that may have matched the  
accused's blood, James Scott Bauhaus. Where are fingerprints?  
Ladies and gentlemen, fingerprints and fingerprint scientific  
evidence is a fascinating area. It, however, is not a panacea  
for the solving of all crimes. A fingerprint can be left on a  
surface. A lot depends on whether or not a latent fingerprint  
is left. Now, latent fingerprints, everybody has ridges and  
whorls and swirls and all of the little things that a competent  
identification expert can testify to, that this ending ridge line  
on the hand of a particular person corresponds to that as of the  
latent print. In other words, if I go like this I leave what

TRAIL JURORS ON P-249. THIS LAST-SECOND LINE TO JURORS WORKS PREFERABLY TO

## REASONS FOR GRANTING THE PETITION

The court should use its supervisory power to rule 28 USC sec, 2254 (b)(B)(~~10~~) (i) 'due diligence' unconstitutional because it is being used to stealthily repeal the Due Process and Fair Trial amendments of the Supreme Law of the Land without the required 3/4ths of the States' permission.

For 26 years, many thousands of innocents have piled up in backlogs due to our suffering this (and other) appeal-killing clause that chains innocence-proving evidence to the anvil of an undelineated, unmeasurable, undefined, subjective, vague requirement that no one can satisfy. It was designed to kill off appeals of the desperate and to thwart justice to, apparently, save labor. We are a rich nation. We can afford a judiciary large enough to do the whole job of justice. There is nothing fair or just in tying innocence to a shortage of judges.

This court's discretion should issue to gently remind certain judges in this appeal chain that society and innocents are both harmed when irrefutable proof is refused. Such lack of feedback encourages even worse 'wrongdoing' by powerful officials like TPD/FBI lab/DA Truster. Without feedback loops, catastrophic loss of control swiftly ensues, as seen in Minneapolis and other police recently, and soon in the future as guns proliferate.

This court's discretion should issue to gently remind lower court judges that ignoring flagrant BRADY v MD violations harms society and innocents the same way as above, by encouraging police/DA teams to abuse their power and citizens worse and worse until catastrophic breakdown occurs. Civilization itself relies on feedback loops,

both positive and negative, operating fairly, ethically and justly.

This court's discretion and supervisory power should issue to somehow sanction judges who refuse and deny irrefutable proof in order to prevent having to call a new jury, whose job it is to evaluate suppressed, withheld, hidden evidence, facts, etc. that the first jurors were cheated out of. Jurors are the quality control. Let jurors do their job the first time, or the 2nd time, when you can not prevent the natural human tendency toward abuse of power.

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

J. Bauhaus

Date: 11-22-22