

No. 22-7067

IN THE
SUPREME COURT OF THE UNITED STATES

THOMAS POWERS — PETITIONER
(Your Name)

vs.

GREG DONATHAN — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Seventh Circuit Court of Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

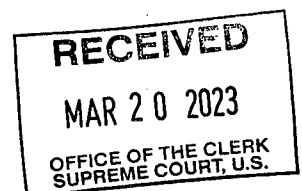
PETITION FOR WRIT OF CERTIORARI

Thomas Powers
(Your Name)

17019 County Farm Road
(Address)

Chicago, Illinois 62681
(City, State, Zip Code)

217-322-3204 10am to 11am Fridays
(Phone Number)



QUESTION(S) PRESENTED

WHETHER THE PETITIONER IS ENTITLED TO RELEASE FROM INVOLUNTARY DETENTION FROM THE CARE, CUSTODY AND TREATMENT OF THE ILLINOIS DEPARTMENT OF HUMAN SERVICES TREATMENT AND DETENTION FACILITY PURSUANT TO THE ILLINOIS SEXUAL VIOLENT PERSONS ACT 725 ILCS 207/1 et seq. WHERE THE PETITIONER HAS BEEN PENDING SINCE JUNE 26, 2012 WITH NO CIVIL COMMITMENT HEARING IN VIOLATION OF SIXTH AMENDMENT, WHICH PROTECTS BASIC DEMANDS 1). TO PREVENT UNDUE AND OPPRESSIVE INCARCERATION PRIOR TO A CIVIL COMMITMENT HEARING, AND 2). TO MINIMIZE ANXIETY AND CONCERN ACCOMPANYING PUBLIC ACCUSATIONS AND 3). TO LIMIT THE POSSIBILITIES THAT LONG DELAY WOULD MEAN LOSS OF JOBS, DISRUPTS FAMILY LIFE, IT ENFORCES IDLENESS, HINDERED GATHERING OF EVIDENCE, TO CONTACT WITNESSES OR TO PREPARE THE PETITIONER'S DEFENSE.

WHERE THE COURTS OF WINNEBAGO COUNTY ILLINOIS, SECOND DISTRICT APPELLATE COURT OF ILLINOIS, THE ILLINOIS SUPREME COURT AND THE UNITED STATES DISTRICT FOR THE NORTHERN DISTRICT OF ILLINOIS HAVE FAILED OR REFUSE TO ADDRESS THIS MOST HONORABLE SUPREME COURT'S RULING IN THE MATTER OF BARKER V. WINGO 407 U.S. 532, 92 S.Ct. 2182 TO CONDUCT AND ACCOUNT FOR THE TIME TOWARD A ONE HUNDRED AND TWENTY DAY SPEEDY TRIAL DEMAND (120-DAY), PETITIONER THOMAS POWERS HAS BEEN DETAINED WITHOUT A CIVIL COMMITMENT HEARING SINCE JUNE 26, 2012 (GOING ON TO ELEVEN YEARS) WITH THE PREJUDICE IS GREAT IN VIOLATION OF THE UNITED STATES CONSTITUTION OF THE SIXTH AND FOURTEENTH AMENDMENTS.

WHERE NOW THE SEVENTH CIRCUIT REFUSED TO ADDRESS THIS MATTER BASED ON "JURISDICTION"



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

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CASES	PAGE NUMBER
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STATUTES AND RULES

725 ILCS 207/1 et seq

OTHER

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

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

OPINIONS BELOW

☒ For cases from **federal courts**:

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

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

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

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

[] For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix C 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 Feb 17 2023.

☐ 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 _____.
A copy of that decision appears at Appendix C_____.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

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

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

SIXTH AND FOURTEENTH AMENDMENTS OF THE UNITED STATES CONSTITUTION

STATEMENT OF THE CASE

A QUESTION RISES WHETHER THE PETITIONER IS ENTITLED TO RELEASE BASED ON A SPEEDY TRIAL DEMAND x 4 WHERE THE PETITIONER HAS BEEN INVOLUNTARILY DETAINED SINCE JUNE 26,2012 PENDING A CIVIL COMMITMENT HEARING WHERE THE PETITIONER HAS EXHAUSTED THIS ISSUE BEFORE THE WINNEBAGO CIRCUIT COURT, ILLINOIS IN RE: THE DETENTION OF POWERS 12 MR 419,THE ILLINOIS APPELLATE COURT , THE ILLINOIS SUPREME COURT AND THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT (WEST) OF ILLINOIS AND NOW THE SEVENTH CIRCUIT COURT OF APPEALS. ALL HAVE REFUSED TO CONDUCT A HEARING PURSUANT TO THIS MOST HONORABLE COURT OF BARKER V. WINGO 407 U.S. 532,92 S.CT. 2182, THIS ANALYSIS SHOULD BEEN CONDUCTED AFTER ONE-YEAR.

REASONS FOR GRANTING THE PETITION

THE PETITIONER THOMAS POWERS HAS BEEN INVOLUNTARILY DETAINED FOR AROUND ELEVEN YEARS WITHOUT A CIVIL COMMITMENT HEARING PURSUANT TO THE ILLINOIS SEXUAL VIOLENT PERSONS ACT 725 ILCS 207/1 et seq.

THE PETITIONER HAS DEMANDED SPEEDY TRIAL (ONE HUNDRED AND TWENTY DAYS X 4) STATUTE AND THE SIXTH AMENDMENT OF THE UNITED STATES CONSTITUTION. THE CIRCUIT COURT HAS STATED THE PETITIONER HAS DELAYED THIS MATTER, YET THE PETITIONER HAS CALCULATED THAT THE STATE OF ILLINOIS AND THE WINNEBAGO COUNTY COURT HAS ATTRIBUTED AND CAUSED THIS DELAY WELL OVER THREE YEARS IN ADDITION THE WINNEBAGO PUBLIC DEFENDER HAS ATTRIBUTED DUE TO THE SYSTEMATIC BREAKDOWN AND THE INEFFECTIVE REPRESENTATION HAVE CAUSED OVER THREE-YEARS OF THIS DELAY THEREFORE DENYING THE PETITIONER HIS CONSTITUTIONAL RIGHT UNDER THE FOURTEENTH AMENDMENT, THE PETITIONER'S RIGHT TO BE HEARD. THEREFORE THE UNITED STATES SUPREME COURT MUST CONDUCT AN ANALYSIS UNDER THEIR OWN RULINGS IN **BARKER V. WINGO 407 U.S. 532, 92 S.Ct. 2182 AND VERMONT V BRILLON 556 U.S. 81, 90, 129 S.Ct. 1283** AND GRANT THIS PETITION.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: MARCH 8, 2023