

USAP4  
No. NO-21-7643  
22-7191

Supreme Court, U.S.  
FILED

JUL 14 2022

OFFICE OF THE CLERK

IN THE  
SUPREME COURT OF THE UNITED STATES

Terrence Hammock — PETITIONER  
(Your Name)

vs.

Gail Watts, — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. Court of Appeals For The 4th Circuit,  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Terrence Hammock  
(Your Name)

Baltimore County Detention Center 720 Bogle Ave  
(Address) TOWSON, MD 21204.

TOWSON, MD 21204.  
(City, State, Zip Code)

N/A  
(Phone Number)

ORIGINAL

QUESTION(S) PRESENTED

# ① Was Petitioner denied and deprived his 6th amendment constitutional right to Face, Confront, and cross Examine the state chief witness Andrea Bratcher at a preliminary hearing and at trial?

② Did the court Error in allowing the state to proceed to take Petitioner to trial without ever having an opportunity to Face ~~his~~ his accuser Andrea Bratcher?

③ Did the state violate Petitioner Hicks 180 days because the state did not bring him to trial within 180 days nor did the state Request a continuance after the expiration of the 180 days Deadline?

④ Did the state violate Petitioner 6th amendment speedy trial for having him in pretrial for 28 months from the date of arrest 9/19/19 - 12-17-21 prejudicial and constitutes a dismissal of the indictment? see; Epps v State (1975); Strunk v U.S. (1973); Barker v Wingo (1972).

### 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

N/A

## TABLE OF CONTENTS

OPINIONS BELOW .....	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	
STATEMENT OF THE CASE .....	
REASONS FOR GRANTING THE WRIT .....	
CONCLUSION.....	

## INDEX TO APPENDICES

- APPENDIX A Judgment of the U.S. Court of Appeals  
For the Fourth Circuit Judgment/Opinion;
- APPENDIX B Unpublished Decision of the U.S.  
Court of Appeals For the Fourth Circuit;
- APPENDIX C Mandate and/or Decision of the  
U.S. Court of Appeals For the Fourth Circuit;
- APPENDIX D Order and/or Decision of the U.S.  
Court of Appeals For the Fourth Circuit;
- APPENDIX E Order From the U.S. District Court  
of MD.
- APPENDIX F ~~MD~~ Order From U.S. Court of Appeals  
For the Fourth Circuit.
- APPENDIX G. N/A

# TABLE OF AUTHORITIES CITED

## CASES

## CONFRONTATION OF WITNESS

## PAGE NUMBER

CRAWFORD V Washington (2004);

Davis V Washington (2006);

Douglas V Alabama (1965);

Pointer V TEXAS (1965)

MATTHEW V U.S., 156 U.S. 237 (1895);

Federal Rules OF Criminal Procedure Rule 43;

Melendez-Diaz V Massachusetts, 557 U.S. 305 (2009), 6th AMENDMENT, Art 21 OF the Declaration OF rights.

## STATUTES AND RULES

## HICKS Rules

HICKS V State (1979);

MA Rule 4-271;

Article 27 Section 591;

TAPSCOTT V State (1995);

Art 21 OF the Declaration OF right;

Section 6-103 OF the Criminal Procedures Article,

## OTHER

N/A

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 B to the petition and is ~~Mandate~~

☐ reported at \_\_\_\_\_; or,

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

☒ is unpublished. May 24, 22.

The opinion of the United States district court appears at Appendix C to the petition and is ☒ Mandate 6/17/22.

☐ 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 ~~6/5/22~~ 5/26/22

☐ 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: ~~6/5/22~~ 7/1/22, and a copy of the order denying rehearing appears at Appendix ~~2~~ 716122.

N/A ☐ 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:

N/A 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 \_\_\_\_\_.

N/A ☐ 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

- ① HAMMOCK 6th amendment CONFRONTATION clause was violated, deprived the right to face and cross examine his accuser; right
- ② HAMMOCK ~~was~~ 6th amendment speedy trial constitutional right was violated; denied a speedy trial;
- ③ HAMMOCK speedy trial under MD rule 4-271 AND HICKS V STATE (1979) was violated -  
was not brought to trial within 180 days from the date 10/29/19 his attorney enter appearance.



6th amendment speedy trial begin on the day of arrest.  
Hicks 180 days speedy trial begin on the day the attorney enter appearance. STATEMENT OF THE CASE

ON 9/19/19 HAMMOCK was arrested for home invasion, armed robbery, theft, case 103-CR-193914 and indicted on 10/16-19 and on 10/28/19 attorney enter appearance which the 180 days ~~begin~~ begin for Hicks. HAMMOCK was in pretrial 28 months before he was brought to trial which is presumptively prejudicial, violation of the 6th amendment speedy ~~at~~ trial and violation of the AD HOC balancing test in Barker & Wingo (1972). HAMMOCK speedy trial was also violated under MA rule 4-271, because he was not brought to trial within 180 days.

also, HAMMOCK 6th amendment was greatly violated, because he was deprived the opportunity to face and cross examine the state's chief witness Andrea Bratcher which in turn resulted in an unlawful conviction on 12-17-21 without due process of the law. Wherefore, HAMMOCK petition should be granted, and his case vacated, and a acquittal

## REASONS FOR GRANTING THE PETITION

HAMMOCK constitutional rights and statutory rights has been violated, and he's been deprived and denied of them without due process of the law, and he has proven it.

HAMMOCK Petition demonstrates both that the dispositive procedural ruling is debatable and that the Petition states a debatable claim of the denial of a constitutional right. See,

GONZALEZ v Thaler, 565 U.S. 134, 140-41 (2012) citing

SLACK v McDaniel, 529 U.S. 473, 484 (2000).

## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Terrence Hammock

Date: 8/22/22