

JUL 14 2022

OFFICE OF THE CLERK

4549
No. NO-21-764322-7191IN THE
SUPREME COURT OF THE UNITED STATESTerrence 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 Boston Ave
(Address) Towson, MD 21204Towson, MD 21204

(City, State, Zip Code)

NIA
(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 28 months which is presumptively prejudicial and constitutes a dismissal of the indictment?
See; EPPS v STATE (1975); STRUNK v U.S. (1973); BARKET v WINGS (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

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APPENDIX F ~~RE~~ Order from U.S. Court of Appeals
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APPENDIX G. N/A

TABLE OF AUTHORITIES CITED

CASES	<u>CONFRONTATION OF WITNESS</u>	PAGE NUMBER
	CRAWFORD v WASHINGTON (2004); Davis v Washington (2006); Douglas v Alabama (1965); Pointer v Texas (1965)	
	MATTOX v U.S., 156 U.S. 237 (1895); Federal Rules of Criminal Procedure Rule 43;	
	MEDENDEZ-DIAZ v Massachusetts, 557 U.S. 305 (2009); 6th Amendment, Art 21 of the Declaration of Rights.	
STATUTES AND RULES	<u>HICKS RULES</u>	
	HICKS v State (1979); Md Rule 4-271; Article 27 section 591; TAPPENH v State (1995); Art 21 of the Declaration of rights; 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 M _____

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 M and date 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 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: 5/26/22, and a copy of the order denying rehearing appears at Appendix 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;
- 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 (10/28/19) 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 trial and violation of the ad hoc balancing test in Barker v Wingo (1972). Hammock speedy trial was also violated under MD 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 states 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

Hammonk 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.

Hammonk 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