

IN THE
United States
Supreme Court

Phillip L. Horrell
~~Plaintiff~~, Petitioner

v.

State of Illinois
~~Defendant~~ Respondent

)
)
) Case No. _____
)
)
)

PROOF/CERTIFICATE OF SERVICE

TO: Mr. Tom Arach (Deputy Director, States Atty TO: Mr. Tim Rowe (States Atty, Kankakee Co.)
Appellate Prosecutor) Kankakee Co. Court House
628 Columbus Suite 300 450 E. Court St.
Ottawa, IL 61350 Kankakee, IL 60901

To: Kwame Raoul Attorney General - 100 W. Randolph St. 12th floor. Chicago, IL 60601

PLEASE TAKE NOTICE that on May 11th, 2023, I have placed the documents listed below in the institutional mail at Hill Correctional Center,

properly addressed to the parties listed above for mailing through the United States Postal Service: "Petition for Writ of Certiorari" (w/31 Appendices); "Affidavit,"

w/4 EXHs attached; "Motion for leave to proceed in forma pauperis;"
and "Affidavit or Declaration in support of Motion for leave to proceed in

forma pauperis." (Please see NOTE below—). Also—a "Certificate,"
and 6 mos of trust fund account ledgers (balance) for Petitioner.

Pursuant to 28 USC 1746, 18 USC 1621 or 735 ILCS 5/109, I declare, under penalty of perjury, that I am a named party in the above action, that I have read the above documents, and that the information contained therein is true and correct to the best of my knowledge.

DATE: 5-11-2023

/s/ Phillip L. Horrell

NAME: Phillip L. Horrell

IDOC#: K58809

Hill Correctional Center

P.O. BOX 1700

Galesburg, IL 61402

NOTE: Due to the voluminous amt. of (31) "Appendices" to the Petition—and
cost, to copy, and mail—and the fact that they all are in the "record on appeal;"
or are caselaw; or statutes (or other public information); the Appendices are
not served on the above parties—but will do so, upon request.
They are not served, due to economy; and are in the record (etc.)

STATE OF ILLINOIS)

) SS

COUNTY OF Knox)

AFFIDAVIT

I, Phillip L. Horrell, hereby declare under penalty of perjury that the following is true and correct based upon my personal knowledge, and that I am competent to testify thereto if called upon as a witness.

I am the defendant in Kankakee County (IL) Case No. 12CF541. I am filing a "Petition for Writ of Certiorari" to the Illinois Supreme Court (in said case), as part of my direct appeal; pro se. The reason I am filing this important petition, pro se, in the highest court of this Country, is due to my (now former) counsel's refusal to file it on my behalf. He (i.e., Thomas C. Brandstrader) was retained by my dad, Lawrence Horrell, to do my Rule 604(d) remand/post-plea, trial court proceedings (in Sept. of 2019) and then again (in 2021), to do my direct appeal, of the denial of that motion; which he litigated. Mr. Brandstrader did file an "opening brief," "reply brief," and "petition for rehearing," in Appeal # 3-20-0417; which were all unsuccessful. He then filed a "Petition for leave to Appeal," in the IL Supreme Court (all attached as Appendices, to my Petition for Certiorari, submitted with this Affidavit); in the Illinois Supreme Court; which was denied (No. 129220 - denied on 3-29-2023). The denial order I ⁽¹⁵⁷⁾received, was from Mr. Brandstrader, to myself, via an e-mail, to me, through the "GTL" system here, allowed by ILDOC (see attached as EXH #1). Directly thereafter, I asked Mr. Brandstrader (via e-mail; which I cannot obtain a copy of - only read e-mails are allowed to be printed out, & given to inmates here, in ILDOC) to file a "Petition for Certiorari," on my behalf; raising the same two (primary) issues, as are set forth in my (pro se) "Petition

for cert.; which he'd argued below - which my dad had hired him to do. I stated that I truly believe J.J. Barrett, Gorsuch, Kavanaugh, Roberts, Thomas, and possibly the others, would be fair to me; and very much unbiased (i.e., the Conservative majority, is what I was implying). On March 30th, 2023, he sent me an e-mail (see EXH #2), suggesting that I file a federal habeas corpus petition; and he quoted \$30,000 as a fee, to my dad; on a phone call with him that day. On March 31st, 2023, he sent me another e-mail; formally refusing to file a "petition for writ of Certiorari," on my behalf - stating (inter-alia): "writ would be a lot of work with such a small chance of any type of success that it would be the definition of frivolous." (see EXH #3). I then sent him an e-mail, informing him that it is my decision to make; and that he had deliberately withheld his skill, and abilities, in my case. He e-mailed me on 4-3-23 (see EXH #4); and withdrew. He refused to provide me with a counselled, Pet. for Writ of Certiorari; and I've been thus left to file it Pro Se, or not at all. I vehemently disagree with his "frivolous" assessment. And I sincerely hope to be proven correct, by this Honorable Court. Thank you, very much.

Phillip L. Horrell
AFFIANT

State of Illinois

County of Knox

Signed and sworn (or affirmed) to before me on 25 Day of April,

2023 by Horrell, P (name/s of person/s making statement).

(Signature of Notary Public)

