

No. 22A41

Supreme Court, U.S.
FILED
JUL 07 2022
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IN THE
SUPREME COURT OF THE UNITED STATES

Theodore Luczak - Petitioner,

VS.

Kwame Raoul - Respondent,

APPLICATION TO STAY THE MANDATE

Theodore Luczak Pro-Se;
Reg No:#B-00780
Pinckneyville Correctional Center
5835 State Route 154
Pinckneyville, ILL 62274

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Now comes petitioner, Theodore Luczak, and respectfully moves this Honorable Court, pursuant to Rule 23 of the Supreme Court of the United States, and Title 28 U.S.C. §2101(f), seeking a Stay of the Mandate to be issued back to the Illinois Appellate Court First District on June 29, 2022, pending the review of the petitioner's Writ of Certiorari.

In support of this application the petitioner sates as follows:

[1] That on May 25, 2022. The Illinois Supreme Court denied the petitioner's Leave To Appeal. (See Exhibit #1)

[2] That on June 03, 2022, the petitioner caused to be filed in the Illinois Supreme Court, a Motion To Stay The Mandate; to be issued on June 29, 2022.

[3] That on June 14, 2022. The Illinois Supreme Court denied the petitioner's motion to stay the mandate. (See Exhibit #2)

[4] That the petitioner is unable to obtain the relief for the constitutional violations contained within his Writ of Certiorari from the Federal **** system; as on July 15, 2020, the Executive Committee of the United States Northern District of Illinois, entered an order against the petitioner; prohibiting him from filing any pro-se Release/Habeas Petitions. (See Exhibit #3)

[5] That the above order entered on July 15, 2020, by the Executive Committee; is absent any kind of jurisdiction over the matter presented to the Supreme Court of the United States. The petitioner never filed any matter in the Northern District Court of Illinois captioned Luczak v. State of Illinois. (See Exhibit #4)

REASONS WHY THE STAY IS JUSTIFIED:

WHETHER A STATE'S ATTORNEY
SHOULD BE ALLOWED TO ENACT
LEGISLATION ON THEIR OWN

THAT WOULD VIOLATE THE STATE
AND FEDERAL CONSTITUTIONAL RIGHTS
OF EACH CITIZEN OF THE STATE OF
ILLINOIS

In 1992, the Eighty-Seventh General Assembly of the State of Illinois; codified and revised their State Statutes in Public Act 87-1005. Contained within said public act, was an Enacting Clause¹ that; informed the State's Attorney of Illinois that the revised version would become effective on July 1, 1994.

In 1995, the petitioner was indicted on several criminal charges in the Circuit Court of Cook County, Illinois, and was informed that he was in violation of the Illinois Compiled Statutes of 1992 as amended. Such actions of the Illinois State's Attorney is in direct violation of the Illinois State Constitution under Articles 1§2 Due Process; 1§16 Ex Post Facto, and 2§1 Separation of Power, and the Fifth(5th) and Sixth(6th) Amendments of the United States Constitution, whereas the petitioner had a right to be informed of the nature and accusation of the crime in question.

To allow the Illinois State's Attorney to continue to make reference to this void state statute, only expands the scope of the clear intent of the Illinois State Legislature.

1 • Enacting Clause
The part of a statute stating the legislative authority by which it is made and often the date when it will take effect.

WHETHER THE STATE OF ILLINOIS
SHOULD BE ALLOWED TO USE THE
JUDICIAL SYSTEM AS A POLITICAL
WEAPON TO DENY A CITIZEN THEIR
CONSTITUTIONAL RIGHTS

Through the petitioner's court filings and letters to some Federal Officials such as Kwame Raoul, it was made clear that the petitioner had some conservative views, and thereafter; the judicial system has prohibited the petitioner from obtaining any kind of relief from the claims of Deial of Due Process; DNA Evidence; Police Torture; Perjured Testimony, and the Lack of Jurisdiction, and upon his appeal now in question, the Illinois Appellate Court First District, refused to take Judicial Notice of critical evidence of petitioner's actual innocence. The judicial system has allowed the judge to use dorogatory language against the petitioner thereupon calling the petitioner a "Poster Child" and a "Rapist", and thereafter based his denial of the petitioner's actual innocence post-conviction on his own opinion.

The Illinois Supreme Court had taken further actions to ensure that the petitioner knows that the actions taken against him are personal, the very act of denying his Petition For Leave To Appeal on May 25 2022, is the petitioner's birth day (5-25-66) as this is the second time the Illinois Supreme Court denied a Petition for Leave to Appeal on May 25, whereas the petitione argued the lack of jurisdiction over a prior conviction in 1989, caused by perjured testimony of the alleged victim.

The above arguments fully demonstrate that; the State of

Illinois and its judicial system, has so far departed from the accepted and usual course of judicial proceedings, as to call for an exercise of this Honorable Court's supervisory power, where the importance of the case not only affects the petitioner; but all those who are similarly situated, and correct the erroneous rulings of the Illinois Judicial system.

CONCLUSION

WHEREFORE, for the above reasons this Honorable Court should grant the petitioner's Application To Stay The Mandate to be issued on June 29, 2022, pending the review of his Writ of Certiorari in the United States Supreme Court.

Dated July 05, 2022.



Theodore Luczak Pro-Se;