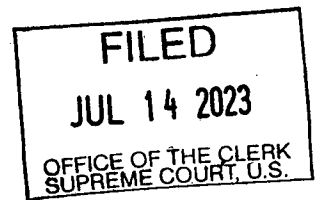


No. 23 - 5122



IN THE

SUPREME COURT OF THE UNITED STATES

WASHINGTON, DC. 20543

King: RONNY DEVIOD WALKER Sr. PETITIONER
(Your Name)

vs.
Sixth Circuit: 22-5401., Commonwealth's Jefferson Co., KY.
Hon: 3:21-cv-00225-BJB; — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

SIXTH CIRCUIT: 22-5401
UNITED STATES DISTRICT COURT WESTERN OF KENTUCKY LOUISVILLE
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

KING: RONNY DEVIOD WALKER Sr., Pro se...
(Your Name)

Western Kentucky Correctional Complex
(Address)
374 New Bethel Church Rd.
Fredonia, KY. 42411
(City, State, Zip Code)

Pondmc.profilerecords@gmail.com
(Phone Number)

QUESTION(S) PRESENTED

1): WHO MAY BE COMPLAINED ABOUT: WHERE TO FILE A COMPLAINT?

IF YOU, believe that a federal judge committed misconduct, you may file a complaint about it with the proper court office. If the complaint against a United States District Court, Western District of Kentucky Louisville Division. Plaintiff filed a motion for judgment (DN 10) shortly after the Court dismissed his prisoner civil-rights lawsuit on review under 28 U.S.C. § 1925A for failure to state a claim upon which relief may be granted. A Complaint is against a United States District Judge a United States Magistrate Judge, you must file it at the clerk's office of the United States Court of Appeals for the region "circuit" in which the judge serves. Disability terms "misconduct" as used in this complaint process, are defined by law. A Judge Hale and Magistrate Judge Lindsay These Defendants are immune from Walker's lawsuit. "enough facts to state a claim to relief that is plausible on its face," Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007). Walker's, has stated a claim upon which relief can be granted pursuant to 28 U.S.C. § 1915A(b)(1). Because Plaintiff filed this motion within 28 days of the decision, the Court has considered the possibility that he intended, motion for notice of appeal to alter or amend the judgment in this case under Rule 59 of the Federal Rules of Civil Procedure. See Fed. R. Civ. P. 59 ("A motion to alter or amend a judgment must be filed no later than 28 days the entry of the judgment."). The motion, however, makes no reference to that Rule 60, which enumerates grounds for relief from a final judgment, order, or proceeding.

(Impeachments of the Commonwealth's Kentucky, High-Stakes lawsuits).

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

[x] 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:

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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 CRIMINAL ACTION NO.0:16-cr-HRW:; 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 Walker v. Commonwealth, 349 S.W.3d307; 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 JUNE 23, 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 09/22/11.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: _____ N/A _____, 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 _____ N/A _____ (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

Comes now the Plaintiff, Ronny D. Walker Sr., Pro-se and without Counsel in good faith after a reasonable investigation of the facts and the court circumstance in disput, and just cause to be heard by the Honorable Court to issue an order directing that all fine(s). Deregulation of civil suit violating 4th degree, Honorable Judge Benjamin Beaton. Amendment laws in a serious matter to my case's, United States Court Of Appeals For The Sixth Circuit: Case No. 22-5401, Ronny D. Walker v. Amy Robey, et al. Defendants. This matter is before the for screening pursuant to 28 U.S.C. *2254 in writ of habeas corpus pursuant to U.S.C. *2254 in Walker v. Robey, 3:21-cv-00225.D.N. 48: Under Fed.R. Civ.P. 60(b)(20); Walker motion for a default judgement as a Federal Rule of Civil Procedure 60 motion for relief from the judgement addressed to correct the judgement. Have caused hardships such as many 5 cases being broken U.S. Law 4566; KSR Law 4566. I Would like the courts to review KRS Law of Kentucky 4566 to prove the case filing fee of 402.00 is not needed for me Ronny D. Walker Sr., to be heard or seen in the court of law. To as well continue reading further on about what happens when judges violate this law, who it effects, why & what penalties are given. Judges are entitled to absolute immunity for actions arising out of all acts performed in the exercise of their judicial functions. Mitchell v. Forsyth, 472 U.S. 511, 526 (1985). RON D.M'C. WALKER SR., Defamed Claims Author Former President Red. (5:23-cv-31-BJB): Furthermore, absolute immunity is not available if the alleged wrongful conduct was committed pursuant to a non-judicial act, i.e., one not taken in the judge's judicial capacity, such as terminating an employee. Cameron v. Seitz, 38 F.3d 264, 272 (6th Cir. 1994) (citing Forrester v. White, 484 U.S. 219, 229-30 (1988)). (5:23-cv-00031-JHM: REASSIGNMENT GO:

INTRODUCTION

This is an Appeal from a judgment that denied Mr. Ronny D. Walker his CR. 60.02 Motion, where he alleges Fraudulent and Unethical Representation by his court appointed Department of Public Advocacy counsel; and breach of contract for NON DISCLOSURE of their inevitable deficient representation because of case-overload.

STATEMENT REGARDING ORAL ARGUMENT

Appellant asks for oral argument in this appeal, as arguments raise unusual issues of Fact and Law, and Appellant believes that the proper disposition of these issues would be better presented by oral representation to this Honorable Court.

CITATIONS OF RECORD

The record on Appeal consists of 2008 letter to Governor Beshear, Chief Justice Joseph Lambert; Attorney General Jack Conway; all judges and D.P.A. Directing Attorney's from the Honorable Mr. Erwin Lewis, Director for the D.P.A.. (Attach. 8).
- Also consists of letter to the Governor Beshear from the Honorable Mr. Robert C. Ewald, Chairman for the D.P.A.. (Attachment 9).
- Also includes an Affidavit from the Honorable Mr. Edward C. Monahan; (Attachment 10)
- And Defender Caseload Reports from Fiscal Years 2007-2014, with Kentucky Criminal Justice Agency Funding, Budget Actual Expenditures for 1998, 1999, 2007, 2009, 2011, 2012, 2013 and 2014; (Attachment 11)
- Also included is evidence compiled by Investigator Mr. Jeff Carter: Newspaper Article on Detective Anthony Lee Finch, Louisville Metro Police, charged with 100 counts of Police Misconduct, Perjury, Harrassing and Illegally tampering with a computer; (Attachment 7)
- Newly discovered evidence by Investigator Mr. Jeff Carter for D.P.A., on Lisa Thomas, Detective Finch, D.N.A. of other person, not defendants. (Attachment 6)

STATEMENT REGARDING PRO-SE PLEADINGS

Appellant respectfully states for the record that he is acting in this action Pro-Se, without the benefit of trained counsel, and possesses less than minimal understanding of the law, it's rules, procedures and statutes, as it relates to his case.

Appellant respectfully requests this Honorable Court not refer to any deficiencies in these pleadings as grounds to discredit and dismiss his claim; and further preclude Respondants from doing the same.

Appellant respectfully requests this Honorable Court to liberally construe his pleadings and view them in the light most favorable to him. Please see: Case V. Comm., 467 S.W. 2d 367 (Ky. 1971).

STATEMENT OF THE CASE

Appellant claims that during his trial, the Direct Appeal and his RCr. 11.42 proceedings, he was NOT informed by the Court appointed Department of Public Advocacy's counsel, the following:

- 1) D.P.A. counsel's were overburdened with overwhelming and unethical caseloads; (Attachment 8), and:
- 2) were unable to adequately represent him, (Attachment 9), because of:
- 3) Government and State-Interference in the representation process, (Attach. 10);
- 4) resulting from a Disparity of Resources available to the D.P.A., (Attach. 11), versus prosecution.

This issue being raised has not been properly preserved for review.

*** *** ***

On December 19, 2014, the Jefferson Circuit Court entered an ORDER denying Mr. Walker's RCr. 11.42 motion, which was "summarily dismissed because the allegations can be resolved on the face of the record" and thus denied an Evidentiary Hearing.

On January 16, 2015, Notice of Appeal was filed on RCr. 11.42.

On January 21, 2015, Appellate Brief was perfected and filed.

On July 10, 2015, CR. 60.02 (d) (f) was filed, Pro-Se, claiming fraud and newly discovered evidence.

On August 13, 2015, Court ordered RCr. 11.42 held in Abeyance for a period of 60 days to allow Jefferson Circuit Court to rule on CR. 60.02.

On October 6, 2015, Court entered ORDER denying CR. 60.02.

On October 29, 2015, Notice of Appeal was entered on CR. 60.02.

On November 5, 2015, Court returned the Appeal on RCr. 11.42 to the Courts docket.

On March 9, 2016, Court entered order allowing D.P.A. to withdraw as counsel on CR. 60.02 Appeal, and instructed Appellant to file brief on or before 60 days from date of entry. (Exhibit C).

DURING RCr. 11.42 PREPARATION

On January 9, 2014, court appointed D.P.A. Post-Conviction Counsel, the Hon. Mr. Christian Garrison received a memo from Ms. Heather Drake about her mitigation

witness interview of Ms. Donna Moore. (Attachment 1). On page 2, Lisa Thomas had recently stabbed her new boyfriend. Lisa Thomas is the accuser that her previous boyfriend, Derek Scott was murdered, and blamed Mr. Ronny Walker, after he had fought with the man and left him unconscious and alive. On page 3, Lisa is said to have been the instigator. INtrial, Lisa lied by saying she feared for her life, when she always knew that Ronny would never hurt her or the kids.

On February 26, 2014, Investigator III, CCDI for the D.P.A., Mr. Jeff Carter, sent an Open Records Request/ KRS. 61.870-61.884; requesting Disciplinary Files on Detective Anthony Lee Finch, D.O.B. 3/17/1967, from the LMPD Open Records Coordinators Office. (Attachment 2).

On March 4, 2014, Ms. Sharon L. King, Paralegal for LMPD responded to the request by sending Mr. Jeff Carter a copy of former LMPD Det. Tony Finch, Open Records LMPD # 14-0388. (Attachment 3). This response instructs him to contact Ms. Bernadette Baker, Metro Human Resources at (502) 574-4796, because LMPD is no longer in possession of the personal file / discipline records for Det. Finch. (Attach. 3).

However, she provided an attached copy of the Complaint Disciplinary History for said former Detective, (Att. 3, page 2), which shows Det. Finch had a history of suspensions for chargeable accidents and use of excessive force.

On March 10, 2014, Investigator III, CCDI for the D.P.A., Mr. Jack Carter sent the D.P.A. court appointed counsel, a case update with a current newspaper article alleging that the Detective was facing charges of perjury, Official Misconduct, Harrassing Communications and other charges. (Attachment 4, page 2). It also states that his attorney, Mr. Steve Shroering, informed the reporter that the Detective had filed his paperwork to retire from the LMPD effective June 1, 2008.

On March 26, 2014, Investigator III, CCDI for the D.P.A., Mr. Jeff Carter sent a new request asking LMPD to provide an entire personal file on LMPD Det. Finch, who was a witness for the Commonwealth in Appellant's trial. (Attachment 5).

When the Court appointed the Department of Public Advocacy's counsel, the Hon. Mr. Christian Garrison, to represent Appellant, upon appointment the counsel had a duty to assure his client was adequately represented to the court.

However, counsel misled Mr. Walker to believe that counsel would assist in the perfection of his claims with the newly discovered evidence, that was not made available during the trial, to corroborate and substantiate Mr. Walkers claims in his 11.42 action, that Det. Finch was fraudulent, intimidating, coercive, and used these tactics to compel Walker to admit to a crime that Mr. Walker did not commit, a confession that was never obtained.

Counsel's duty to act with loyalty and honesty in a manner consistent with the best interests of his client was breached and he failed to bring the client's claims to fruition, when he failed to incorporate this newly found evidence into Walker's RCr. 11.42 claim that Detective Finch, who testified against him in trial and had introduced incriminating testimony against him, was in fact charged with Perjury and 53 charges of Official Misconduct and other charges in the next courtroom of Mr. Walker's trial, and that this witness had credibility issues. Perjury?

This deviation by counsel of all legal rules applicable to his performance in office constitutes defective representation which prejudicially affected Appellant's substantial rights.

This conduct can not be assumed to be within the meaning of KRS. 31.110, which in effect charges the D.P.A. with the representation of indigent defendants and is presumed to guarantee Equal representation of a reasonable objective standard.

Mr. Ronny Walker now appeals from the final judgment on his CR. 60.02 (d) (f), and final judgment from the trial court imposing a life sentence without the possibility of parole for twenty-five (25) years.

ARGUMENT 1

Trial Court erred when it defeated Appellant of his right to the privilege of all advantages secured under the U.S. Constitution, 5th, 6th, and 14th Amendments; when it accepted a layman's minimal understanding of law without counsel, and referring to all deficiencies in his pleadings, denied on those grounds, to discredit and dismiss his claim.

The fact is that the Court appointed Department of Public Advocacy counsel, the Honorable Mr. Christian Garrison, was contracted to represent Mr. Walker to perfect his RCr. 11.42 pleadings.

Counsel discovered an assortment of new evidence that corroborates and substantiates Walker's initial claim in his RCr. 11.42, that was unavailable to him at the time of the trial, of an extraordinary nature that justifies relief.

The Jefferson Circuit Court stated in their denial of Walker's CR. 60.02 motion, that his 60.02 is dismissed for failure to: (Exhibit TWO)

- 1) "set forth any proposed testimony which would have negated the testimony of these three (3) witnesses, (Officer Hill, Lisa Thomas and Det. Finch), who all testified ... at trial." and that Walker has failed to:
- 2) "set forth any proposed testimony which would have called his own confession into question."

Appellant also states that the Jefferson Circuit Court denied his CR. 60.02 (d) (f), claiming that Mr. Walker failed to: (Exhibit Two)

- 3) "explain how the instant CR. 60.02 Motion differs from the one he made under RCr. 11.42, and that he fails to:
- 4) "explain why the Court should address issues which would have been presented on appeal or RCr. 11.42.

On Appellant's RCr. 11.42, his Jefferson Circuit Court appointed Counsel FAILED to incorporate the "Newly Discovered Evidence" that would have served as:

- 1) "setting forth to NEGATE the testimony of two (2) of the witnesses against him, therewith, complying with the trial court's demand, and:
- 2) "demonstrated how the Detectives version of the events suggests the Detective's attitude toward defendant, which tainted defendant's credibility and were used to elicit a confession that was NEVER obtained, and now brings into question the credibility of an officer guilty of perjury in the adjacent court, and questioned the integrity of the questioning."

Had counsel submitted this "Newly Discovered Mitigating Evidence", Walker would have proved that:

- 1) Detective Finch's statements during the video interview/ interrogation, where he openly violated the Code of Ethics and Rules of Conduct for Officer of an Agency under the color of the State's Authority, his technique would have been deemed improper, and made over the border-line of what is permitted the conduct of an

officer of an agency under the color of the states authority must be, and would have substantiated Mr. Walker's claim to question Finch's credibility.

During the RCr. 11.42 proceeding, the Jefferson Circuit Court would have had to consider in light of the perjury charge and Official Misconduct charges, that the showing of a video interrogation by a questionable witness may in fact unconstitutionally have swayed the jurors, resulting in guaranteeing that the jury would not be able to separate this product from any other evidence the Prosecution may have mounted, and would have ruled pursuant to RCr. 10.26, that the admission of Finch's testimony so infected the trial as to make the resulting conviction a total denial of Due Process, which is grounds for reversal or "new trial".

This evidence would have proved that:

- 1) Pursuant to KRS. 63.090 (5), Detective Finch was careless and intentionally failed to comply with rules of the expected exercise of reasonable behaviour in the examination and investigative process, through,
- 2) KRS. 63.090 (4), "willful neglect and such forms of misfeasance or malfeasance as involve a failure in the performance of the duties required by law, he performed:
- 3) KRS. 63.090 (7), gross ... misconduct in office amounting to neglect of duty;
- 4) 18 USC § 241, the U.S. Rev. St. §§ 1979 and 5508, and the Equal Protection of the Law Clause of the XIV Amendment speak to those acting under the color of a states authority. They state, in pertinent part:

"No one acting under the color of a states authority shall deny to any person within its jurisdiction the Equal Protection of the Law."

Where Detective Finch was indicted and charged for Perjury, 54 counts of Official Misconduct, violations to these statutes, this newly discovered evidence, which counsel failed to incorporate into Appellants RCr. 11.42 action, and which Appellant submitted in his CR. 60.02, demonstrates that, pursuant to 18 USC § 241, this officer had forfeited his authority, waived all his immunities, and was

thereafter ineligible to any trust created by the Constitution or laws of the U.S., therefore, unreliable to testify, or to have his participation in the investigation go without questioning the integrity of his investigation.

The fact that there was D.N.A. evidence that does not belong to Appellant, and belongs to an unidentified individual, demonstrates that the Detective disregarded the trail of an alternative person responsible for the murder of Dersk Scott, and his investigation is unreliable.

A showing has been made of conditions which establish that the original trial was tantamount to none at all, because of the miscarriage of justice. Mr. Walker was deprived of life and liberty without the Due Process of the Law, a protected guaranteed right.

The Commonwealth will allege that the errors were harmless, because, as they will attempt to persuade this Court that it appears Beyond A Reasonable Doubt that the errors complained about did not contribute to the verdict obtained, that the evidence of guilt was overwhelming in this case and that the errors in isolation may be considered harmless; however, the interest of the pursuit of justice can never be justified by suspending any protected rights that are guaranteed by the U.S. Constitution. To do so is to override Constitutional protections.

The fact remains that counsel's failure to incorporate the newly discovered evidence (Attachments 1 through 7), and counsel's failure to perfect the 11.42 pleadings, amounted to abandonment and incompetence under prevailing professional norms. Sufficient prejudice was the outcome of these specific deficiencies and ineffectiveness.

There is no reasonable basis for this Honorable Court to deny relief, when Appellant was shown that the earlier courts decisions were set on the deficiencies of his pleadings, which were submitted without the benefit of assistance of trained counsel, and his claims were discredited and denied in the light less favorable to him.

Counsel's representation was so Constitutionally ineffective, that it undermined the proper functioning of the adversarial process that our system counts on to produce "just" results. Reversal is required.

ARGUMENT 2

Appellant was denied Due Process and Equal Protection of the Law, in violation of his Federally protected rights under the V and XIV Amendments to the U.S. Constitution, and Sections 2, 7 and 11 of the Kentucky Constitution, when the Department of Public Advocacy **FAILED** to disclose to Appellant that they were not capable to efficiently and ethically represent him.

This issue was not raised at trial or to the trial court, however, Appellant proves that there has been deliberate indifference with reckless disregard to the risks of harm wherein Appellant has been defeated of his rights, by his counsel and by the Kentucky Department of Public Advocacy, and Appellant also proves the quality of representation was put at risk, affecting the entire judicial process by the adverse conditions imposed by this "State-Interference". (Attachment 9, page ¹~~3~~).

An Appellate Court, once having obtained jurisdiction of a cause of action, has, as an incidental to it's constitutional grant of power, inherent power to do all things necessary to the administration of justice before it.

The fact that these errors affected the fairness and integrity of the judicial proceedings and Appellant's substantial rights, regardless of whether the error was raised, Fed. R. Crim. P. 52 (b) leaves the decision to correct the error within the sound discretion of this Honorable Court, by vacating for a new trial or reversing outright. (only if it meets this criteria).

The Appellate Court must consider the error putative or real, in deciding whether the judgment below should be overturned, but cannot provide that remedy unless Rule 52 (b) applies (or unless some other provision authorizes the error's correction). Appellant raises this issue for another provision as well.

In support of this claim, Appellant asserts the following:

The U.S. Constitution guarantees a "Fair Trial" through the Due Process Clause. A Fair Trial is one in which evidence subject to adversarial testing is presented to an impartial tribunal for resolution of issues defined in advance of the of the proceedings. (5th and 14th Amend. to the U.S. Const.)

Counsel for defense is needed to accord defendant the ample opportunity to meet the case of the prosecution, to which defendant is entitled. (6th Amend.); see Adams V. U.S. ex Rel McCann, 317 U.S. 269, 275, 276 (1942); see also Powell V. Alabama, 287 U.S. 45 at 68-69 (1932).

The Constitution guarantees a "Fair Trial" through the Equal Protection of the Law Clause. (14th Amend.)

OAG 82-96: Opinion of the Attorney General states: "This chapter (KRS. 31.110), reflects the policy of furnishing Counsel and Services to those unable to procure them as to place them in a nearly equal position with those who can pay." (Emphasis added).

The provisions of KRS. 31.010- KRS. 31.200, signal an unmistakeable message that the intent of the Legislative is to provide meaningful rather than nominal protection of the rights of the indigent.

Thereafter, the same Legislative Body turns around and takes away the resources needed for this contract to be upheld; an act equal to premeditated injustice.

This circumstance is of such magnitude, that the likelihood of even a competent lawyer to provide effective assistance is so small, that a presumption of prejudice is appropriate without inquiry into the actual conduct of the trial.

In Strickland V. Washington, 693 F. 2d 1243 (1982), the Court observed that in cases where "affirmative Government Interference in the representation process exists, that no special showing of prejudice need be made." id. 1258-1259, (Emphasis added).

The state has interfered with counsel's performance and representation, with

every demonstrable reduction and threat to those promised benefits and rights and has run afoul of the 6th Amendment rights, and unless addressed, it means that the vision of Gideon V. Wainwright, 372 U.S. 375 (1965), of equality of justice before a Court of Law, irrespective of economic resources, remains unachieved.

Principle # 8 of the American Bar Association 10 Principles of a Public Defense Delivery System (2002), is that, "There is PARITY between defense counsel and the prosecution with respect to RESOURCES." (Emphasis added). That principle is violated by the budget as enacted by the General Assembly, and signed by the Governor, in Fiscal Years 1998- 2015. (Attachment 15; Fiscal Reports 2003-2007).

In Fiscal Years 2004, 2005 and 2006, the Department of Public Advocacy (D.P.A.), Kentucky's Statewide Public Defender Program, saw overall caseloads rise, funding per case drop and cases for attorney's increase. With this crisis, D.P.A.'s attorney's are continually forced to represent clients, aware of the fact that representation will be deficient.

In Fiscal Year 2011, the Criminal Justice Budget distributed only 3.25% to the D.P.A.; meanwhile, the Prosecution received in excess of 6.33%, a dilemma that has gone unchanged in the past 20 year history.

Another example, is in Fiscal Year 2012, Prosecution received 5.85% and the D.P.A. received only 3.18%. This DISPARITY OF RESOURCES undermines the adversarial process, and thus deprived the Appellant in this case, of a "Fair Trial".

A balanced Criminal Justice Sysytem must include "Equal Resources on Both Sides", because Disparate Treatment is the initial element of an Equal Protection of the Law claim. Please see Glover V. Johnson, 478 F. Supp. 1075, 1079; and also Glover V. Johnson, 198 F. 3d 557, 561 (6th Circuit).

Appellant asks this Honorable Court, "How could the trial court, or any Court, indulge in the strong presumption that counsel's from the D.P.A.'s representation falls within the wide range of professional assistance, when the record proves the complete opposite. (Attachments 8 through 10).

CLAIMS

Appellant claims that the D.P.A. :

- 1) did not disclose to him that their counsel's were forced to provide deficient representation, as the explicit language of KRS. 31.110 et seq., sets forth "PROMISES" to be performed that are NON-NEGOTIABLE", which SHALL be performed regardless of where all requirements must be met.
- 2) This NON-DISCLOSURE constitutes "FRAUD".
- 3) D.P.A. and Counsel were in Breach of Contract when they proceeded to fraudulently mislead Appellant to accept as true their "PROMISE" to fully represent him, throwing him off-guard as to the truth of their "PROMISES", and lulled him to a false-security and inaction, which resulted in disadvantage and injustice to the outcome of all the proceedings.

Mr. Walker claims that the judgment rendered in this case was Unconstitutional, for that there was Government Interference in the representation process, and according to the Court ruling in Strickland V. Washington, (supra), "no special showing of prejudice need be made".

The evidence presented demonstrates that the Appellant, Mr. Walker was deprived of adequate representation during trial, during the submission of his RCr. 11.42, during the Direct Appeals, and that the "Newly Discovered Evidence was of such Extraordinary Nature to justify relief sought, that the Court abused it's discretion when it denied his CR. 60.02 referring to his deficiencies as a layman as grounds to discredit and dismiss his claim.

~~The fact is~~ that the D.P.A. counsels failed to observe procedures adequate to protect Appellant's rights, and in total disregard to the outcome of all proceedings, did not disclose these truths, that D.P.A. has been rendered incompetent and deficient and has been forced to violate his 6th , 5th and 14th Amendment rights, when they willfully accepted to negligently represent him.

WHEREFORE, Appellant prays this Honorable Court to enter an ORDER granting relief sought, to reverse sentence and judgment and remand for re-trial, or in the alternative, to render this judgment a violation of Due Process and VOID AB INITIO.

Supplement, defendant never had evidentiary hearing "Show Cause Hearing" in which "Due Process was violated.

In which the following issues were never addressed:

- 1) Det. Finch's charges of misconduct and perjury were never addressed.
- 2) States witness Lisa Thomas record (credability of witness statement)
- 3) Newspaper Articles of Fraudulent Arrest by LM PD Detectives.
- 4) Lack of funds afforded to D.P.A. to adequately represent defendant (Disparity of Resources)
- 5) Det Finch's coercive tactics for a confession was unconstitutional (In which Mr Walkers, didn't admittance to the crime he didn't commit) Video recording/DVD recordings were defective where audio sound was not available so transcript was issued with out certainty of caption.
- 6) Counsel was ineffective due to not bringing forth Newly Discovered evidence. Which should have been presented.
- 7) DNA which did not match defendant nor deceased could have lead to real person responsible for this murder.
- 8) Lisa Thomas left crime scene and approached with another male, Defendant's daughter which is Precious Walker states in the transcript that her mom brought due? someone back she didn't know to the home. She was creditable witness who wasn't allowed to testify.

REASONS FOR GRANTING THE PETITION

Walker's petition for writ of habeas corpus pursuant to 28 U.S.C.*2254 in Walker v.Litteral,3:17-cv-541-DJH-CHL.In that case,Judge Hale,the presiding judge,referred the matter to Magistrate Judge Lindsay pursuant to 28 U.S.C.*636(b)(1)(A) & (B) for rulings on all non-dispositive motions; for appropriate hearings,if necessary; and for findings of fact, conclusions, and recommendations on any dispositive matter.Walker v. Litteral,at DN 18. The Magistrate judge.Hale entered Findings of Fact and Concluions of Law and recommended that the habeas matter.Upon preliminary consideration of the * 2254 habeas petition (DN6) pursuant to Rule 4 of the Rules Governing Section 2254 Proceedings for the United States District Court,IT IS ORDERED as follows:(1) The Clerk of Court shall forward by certified mail,receipt requested,return? One copy of the petition and its attachments(DN6)and this Order to Respodent and the Attorney General for the Commonwealth of Kentucky.(2) Respondent shall file an answer herein within 40 days from the date of entry of this Order(Entered: 03/05/2018) Mr.Walker,This letter hes been wirren to request an investigion.Motion for Default Judgment,Walker v.Litteral, at DN 18.Date of entry this Order (03/05/2018):(09/26/17):attachments (DN6)and this Order to Respondent and the Attorey General for the Commonwealth of Kentucky.Answer due w/in 40 days.This matter is refeffed to Magistrate Judge Colin H. Lindsay pursuant to 28 U.S.C.*636(b)(1)(a)&(B) For rulings on all non-dispositive motions;Default for appropriate hearings,if necessary;and for findings of fact,concluions,and recommendattions on any dispositive matter.cc:Petitioner,Resp.,Atty.

SUPREME COURT OF THE UNITED STATES

Mr. RON D.M'C. WALKER SR., 237044; a prisoner confined at, Western Kentucky Corrections Complex, In assessing whether a Party's neglect is excusable, the factors to be considered are? its Potential impact of Judicial PROCEEDINGS. WHEREFORE, Mr. Walker pray's that the court undo its ruling, Principles Business administration and the cases filed on a judge He being sues the Hon Judge, Benjamin Beaton. But the JUDGE's have Immunity wrongful conduct both Case No. 3:21-cv-00225-BJB; Case No. 22-5401, Ronny Walker v. Amy Robey, et al. Opportunity to present your issues to the court in your own words. The same thing, Civil Criminal Action No. 0:16-cr-126-HRW: Henry R. Wilhoit jr. RON D.M'C. WALKER; Miscategorized register civil Action in United States District Court Eastern District of Kentucky, Northern Division at Ashland On November 22, 2016. The documents Walker filed with his amended complaint strongly suggest that his appeal from the denial of relief under RCr 11.42, remains pending before the Kentucky Court of Appeals. See also Walker v. Litteral, No. 16-CI-47 (Morgan Cir. Ct. 2016). Walker must await that court's review of any denial of necessary, the Kentucky Supreme Court discretionary review of any denial of relief, before he seek federal habeas review of his criminal convictions: On ORDER DENYING DISCRETIONARY REVIEW-February 08, 2023: FRANKLIN COURT, MR. RONNY D. WALKER SR. V. KATHLEEN KENNEY No. 2022-SC-0440-D; Supreme Court of Kentucky: Other Orders/Judgments, 5:23-cv-00031-BJB: Walker v. Kenney et al; U.S. District Court Western District of Kentucky. ORDER OF REASSIGNMENT by Chief Judge Greg N. Stivers; IT IS HEREBY ORDERED that, pursuant to GO 23-06, this matter is reassigned to the docket of Judge Joseph H. McKinley, Jr. for all further proceedings. Entered on 5/10/2023.

Hon: KETANJI BROWN JACKSON; JUSTICE,
Attorney General,
Act of Congress:
United States, Room 5614,
Department of Justice,
950 Pennsylvania Ave., N.W.,
Washington, DC. 20530-0001.

"Patents*** ** -4240:"

Vice President: And Husband;
Kamala Harris/Attorney.
@kamalaHarris, White House:
From: rondmc.walkersr@gmail.com
LC Copyrights: 0 042 654 683 8;

~~XXXXX, 2023~~

In such a proceeding from any court of the United States,
as defined by 28 U.S.C. * 451, the initial document also shall state
whether that court, pursuant to 28 U.S.C. *2403(a), certified to the
Attorney General the fact that the constitutionality of an Act of
Congress was drawn into question. See Rule 14.1(e)(v). On September 9, 22.
Court of Appeals of Kentucky No. 2021-CA-0101-MR; RONNY D. WALKER SR.,
APPELLANT V. KATHLEEN KENNEY APPELLEE: Ron Walker is a prisoner confined
at Western Kentucky. On April 18, 2023. Walker filed a pro se civil con-
plaint and motion to proceed in forma pauperis. The Court granted his
fee motion application (DNs 2 and 3). Pursuant to 28 U.S.C. * 1915(b)(1).
However, Plaintiff is required to pay the statutory filing fee under an
installment plan. As the Court noted in its prior Order, Civil/Criminal
Action No. 0:16-cr-126-HRW; Henry R. Wilhit jr., RON D.M'C. WALKER, PLAIN-
TIF V. S. HON: RUPERT WILHOIT, Sued as Defamation Law suit (1-GS54PO).
U.S. COPYRIGHT OFFICE CORRESP ID: 1-38WNOA3. RE: Gentleman V. 1N.40 9/11/
2017. Library of Congress. KO Buscaglia, COP? LIT. Division Reply: 101 Inde-
pendence AVE SE., Washington DC. 20559. Civil Complaint filed in Court of
Morgan County Judicial Center 261 Court ST. West Liberty. KY. 41472.
Location D-District Courtroom. 10:00AM Thursday, July 28, 2015. Case Number.
#15-S-00007; LC Copyright. RON D.M'C., President Red, the creation of the
records presse's? Ron slide the tape. DJ. RON G., the first one made CD's
Go! Platinum. Miscategorized register his music with the Licensing Divi-
sion of the United States Copyright office. Ms. Janet Damita jo Jackson:

Sincerely, *My Ron D. Walker Sr.*

THE KING OF HIP-HOP, RON D.M'C.,The Story Teller,Untold truth!

Today,we begin to answer that question of who killed Jason Mizell, and we're confident that we can prove those charges beyond a reasonable doubt.Ron Walker,who had reportedly been known the star Jam Master Jay. This is a case about a murder that for nearly two decades had gone unanswered.Ron Walker,who is imprisoned in Kentucky.Will be arraigned later this week,prosecutors said Ron Walkerwas publicly named as a possible suspect or witness as farback as 2007.Prosecutor allege he waved a handgun and ordered another person at the recording studio to lie on the ground while Jordan shot Jay in the head or Washing Washington. Jordan pleaded not guilty at an arraigned held Monday by teleconference because of coronavirus related precautions.His lawyer declined comment. Ron Walker and Ronald Washington in the same imprisoned in Kentucky. This murder case about murder,more than \$60,000 in rewards was offered but witnesses refused to come forward and the case languished. Jam Master Jay 2002 death,following the long unsolved slayings of rappers Tupac Shakur in Las Vegas in 1996 and Christopher "Biggie Smalls Wallace in New York City in 1997,The message on the record's player, In the Name is Ronny B.K.A. DJ.Ron G.,Headed for self construction built city onrock in roll.129 St.In New York,N.Y. People didn't know my name the hosted,bring all the star together again,all around Celebrity. Like Janet Jackson on track with Heavy D,and the Boy's.Head for self constuction DJ.Ron G.,i was on the street in New York 129 St.Hosts the show famous people fame.The story was about Unsolved Murder Cases like, jam master jay.At this time it was about, Tupac Shakur and Big Smalls Christopher Wallace.That Shook the whole World my World(1996-1997). Ron R/W Walker; Two letters of my name,why shouldi explained to them my name or my Certain how i Roc the World,DJ.Ron G.and the five M'C. RON D.M'C.,Everybody's talk about the story teller.

MEMORANDUM OPINION AND ORDER,

Ron Walker, as RON D.M'C. WALKER SR.237044; is a prisoner confined at Eastern Kentucky Correctional Facility in West Liberty, Kentucky. On October 13, 2016, Walker filed a pro se civil complaint (Doc.# 1) and a motion to proceed in for a pauperis (Doc.# 3). The Court granted his fee motion by prior Order. (Doc.# 8). Civil Criminal Action No.0:16-cr-126-HRW; Henry R. Wilhoit jr., RON D.M'C. WALKER, PLAINTIFF V. HON. Henry R. Wilhit jr, et al., DEFENDANTS, Sued as Defamation Law suit Copyright office, small business which is a part of the Library of Congress. He also mentioned two prior cases in the Morgan Circuit Court, one a civil case involving the Copyright Office, the other related to the criminal prosecution against him for murder. (Doc.# 1 at 2-4). Walker named as defendants the Copyright Office, Defamed Claims required to pay the statutory filing fee. That i had pay. Register his music with the Licensing Division of the United States Copyright Office the cases in the Morgan Circuit Court(1-GS54PO)(Case number#15-S-00007;LC Copyright). Morgan County Judicial Center 261 Court St., West Liberty. KY.41472. Location D-District Courtroom.10:00 Am Thurday, July 28, 2015. Documents, Morgan County Circuit Court: Judge Rupert Wilhoit, Civil complaint in United States District Court Eastern District of Kentucky, Northern Division at Ashland On November 22, 2016. Miscategorized register Civil Action No.(REASSIGNMENT GO.16-126-DLB). Defamed Claims Author Former, President Red, Over the records player. Porfile records, Ownership. CEO. The King Of Hip-Hop, RON D.M'C., The Untold truth. When we was Married in Reno Las Vegas. I'M the first man to marry "Janet Jackson, it's was a Secrecy Marriage Ceremony wedding. We had that no one saw, because the Video camera had been tured off. Sorewind back come up to the altar, Ron and Janet. Going up to the altar before the camera was turned off, at the Ceremony. Ms. Janet Foxy Walker, Jakson if you miss her Entering the chapel?

Morgan Circuit Court, case involving the Copyright Office. A Sued as, Defamation Law suit small business which RON D.M'C. WALKER SR., is a part of the Library of Congress. Register his music with the Licensing Division of the United States Copyright Office the cases in the Morgan Circuit Court (1-GS54PO)(Case Number # 15-S-00007)(0 042 654 683 8 LC-Coprights): Initial Documents Patents ***-**-4240: Profile records INC. RON D.M'C. or, D.J. RON G., CIVIL ACTION NO. 16-126-DLB; United States District court Court Eastern District Of Kentucky Northern Division At Ashland; November 22, 2016. He also mentioned two label, JANET JACKSON, Rhythm Nation Records/Profile records.LLC-(LIMITED LIABILITY COMPANY): Already on file, October 18, 2018. Reviewed by Amy McRay, i sent a copies of the papers of Manufactured and Distributed by Profile record's Inc. 1775 Broadway, New York. N.Y. 10019. AND TO THE COPYRIGHT OFFICE. PAPERS, K. Buscaglia LC COPYRIGHT.COM: Alison Lunergan Grimes, Secretary of State, of Kentucky. Commonwealth of Kentucky Cases involving the Copyright. Hon. Rupert Wilhoit RECUSES His self he wrote this cases wrong under, CRIMINAL ACTION LAW Sued. On November 22, 2016. Decided Opinions by: David L. Sunning, footnotes STRICKEN from the active docket.

Mary j. Blige, Be Happy. (Feat. D.J. RON G., Remixes): Hosted by: DjRon G. The Album's A Tribute To Janet Jackson, Feat. DjRon G., Cruise Control: Like a high broke, my swag. My swag is so Serious. I got a body like a CO5, I want test Ride. Let's go, a thriller you Can't forgets. My swag so dangerous. The producer online, The host D.J. RON G., App.GMAIL.COM dj.rong.d.mc@gmail.com: The manager/RON D.M'C. WALKER SR., United States District Court, Western District of Kentucky at Paducah: DATE: 5/10/2023. Ronny Deviod Walker Sr v. Walker v. Kenney et al. Complaints.

RELIEF

Walker is serving a life sentence for murder. See Walker v. Commonwealth, 349 S.W.3d 307 (Ky.2011). In 2020, the district court denied Walker's 28 U.S.C. *2254 habeas petition, and they dismissed his appeal corruption. Which indicates that in my Notice of Appeal, Ronny Deviod Walk, a pro se Kentucky prisoner. Walker moves the court for Two motions to alter judgment by neglected under Rule 60 (b)(2). The control of the institutions mail, Mr. Walker have on of received mail. July 2, 2019. Entered 3/05/2018. before July 2, 2019. Walker's appellate brief, we conclude that the Court has not developed any argument demonstrating that the district erred in district court's order. On September 26, 2017, Walker filed a federal habeas corpus petition pursuant to 28 U.S.C. * 2254 (R.6), challenging his convictions of murder, first-degree burglary, tampering with physical evidence, tampering with a witness, intimidating a participant in the legal process, and being a first-degree persistent felony offender. The petition set forth seven (7) claims for habeas relief (Id.). On March 5, 2018, Judge Hale ordered the petition Mr. Walker's served on the Attorney General of the Commonwealth of Kentucky, ordered respondent to answer the petition within forty (40) days, and referred the case to Magistrate Judge Lindsay (R 3). WHEREFORE, the Respondent, Kathy Litteral, warden, respectfully requests that this Court enter an order granting an extension of thirty (30) days from April 14, 2018, to and including May 14, 2018, to file his answer to Mr. Walker petition and produce the relevant portions of the state court record in this matter. Ask a warden, Kathy Litteral resign from the cases. (60 (b)(2)). Respondent didn't answer to Mr. Walker, challenging his claims. And the perpetrator's Judge's didn't answer to this Motion Default Judgment. On December 2, 2021. For the following reasons, Mr. Walker petition v. Litteral, at D.N. 18.

Walker's petition for writ of habeas corpus pursuant pursuant to 28 U.S.C. * 2254 in Walker v. Litteral, 3:17-cv-541-DJH-CHL. In that case, Judge Hale, the presiding judge, referred the matter to Magistrate Judge Lindsay pursuant to 28 U.S.C. * 636(b)(1)(A)&(B) for rulings on all non-dispositive motions; for appropriate hearings, if necessary, and for findings of fact, conclusions, and recommendations on any dispositive matter. Walker v. Litteral, at 18. The Magistrate Judge entered Findings of Fact and Conclusions of Law and recommended.

Judge Hale, How the cases reassign to, Honorable: Hale, REFUSES, from his mistaken the cases now changed to. Honorable: Benjamin Beaton, District, Judge, that the habeas petition be denied and that a certificate of appealability (COA) be denied. Id. at 40. Judge Hale adopted in full the Magistrate Judge's Findings and Recommendation and entered Judgment on November 13, 2019. Id. at 43. The perpetrator's is the Judge, wrongdoing. The Court enter an order granting Findings of Fact and Conclusions of Law recommended, how can you go backwards from May 14, 2018. to file answer to Mr. Walker's to produce the relevant portions of the statement of the record's in this matter, to adopted mail default erred judgment indicated delivery deposited i didn't get a letter from the court on July 2, 2019. Now newly discovered evidence that respondent, Andy Beshear, Assistant Attorney General Office Of Criminal Appeals, Jason B. Moore. Should had response to a petition for writ of prohibition in a capital of the case's, Workload, court record in this matter. Previously scheduled vacation. Out of the office the week of April 2, 2018, through April 6, 2018. On March 5, 2018. to extension of thirty (30) days from April 14, 2018. to and including May 14, 2018, to file his answer. Could not have been discovered in time to move for a new trial under rule 59, ~~68~~:60 (b)(2). DEFAULT JUDGEMENT:

CONCLUSION

Conclusion that the court adopted twice been claim upon mail fraud, which relief may be granted. A REVIEW OF THE DOCKET of Mr.Walker's. How to appropriate method to seek a reviews the mail,currently come out of District court judges decision in a habeas cases custody housed. Mr.Walker,claims against Judges Hale and Lindsay failed to mail-out? Which relief may be granted. Those claims they are being dismissed acting in bad faith corruption (B) Warden Amy Robey who was Warden at the time,But the Warden Scott Jordan specific i conduct a complaints Open Records LLCC-Offender Records Katrina Durham i have attachment(2). On incoming legal mail i haven't received on July 1st or July 2nd. I am providing a copy of the July incoming legal mail log in the Case in the United States District Courts Western District of Kentucky of Louisville,the letter i sented to the Clerk Court Of Appeals On January 10,2020. Which i indicates that in my Notice of Appeal, But they said, which they said they have not received any such filing a conversation i had over the phone. I ask him to send me a letter for my records. Attachment (4 of 1 and 2).On January 23,2020. By J.Phares,Deputy Clerk. Petitionr's Direct appeal Claims! Attachment (3) March 5,2018.Judge, Hale ordered the petition served on the Attorney General of the Commonwealth of Kentucky,ordered the respondent to answer the petition Mr.Walker,within forty (40)days,and referred of the case to Magistratr, Jindday (R3).(MOTION DEFAULT JUDGMENT).Attachment (1).DECEMBER 2,2021.

The petition for a writ of certiorari be, granted.

Respectfully submitted,

Mr. Ron D. Walker Jr.

07/14/2023

Date: