

23-5482

No. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
AUG 25 2023
OFFICE OF THE CLERK
SUPREME COURT, U.S.

Timothy Allen Dray PETITIONER
(Your Name)

vs.

T.M.S.T. et al RESPONDENT(S)
Wm. S. Campbell, Dr.
ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Timothy Allen Dray
(Your Name)

#35385, T.M.S.T.
(Address)

P.O. Box 51 Base, ID, 83701
(City, State, Zip Code)

812-946-1190
(Phone Number)

QUESTION(S) PRESENTED

1. Whether the State of Idaho —
Idaho Maximum Security Institution,
— has the right under law — to keep
Peter Horvath as a Solitary,
thereby depriving him of access to
Mental Health Care.

2. Is the law — Idaho Code —
Section 19-2705(1) unconstitutional,

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:

I.M.S.T. (and) and
Dr. Campbell, et.al.

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	U.S. Court of Appeals
APPENDIX B	U.S. Court of Appeals
APPENDIX C	Idaho Code Section R-2205(1)
APPENDIX D	Mental Health Records
APPENDIX E	U.S. District Court
APPENDIX F	

TABLE OF AUTHORITIES CITED

CASES

J.S. vs. John Hudday Jr.

PAGE NUMBER

STATUTES AND RULES

Idaho Code - Section 19-2205(1).

OTHER

JURISDICTION

[] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was July 31, 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: August 3, 2023, and a copy of the order denying rehearing appears at Appendix B.

[] 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 _____. 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 _____.

[] 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).

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 _____; 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.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Idaho Code Section 19-2708(1)
8th Amend. U.S. Const. & Idaho

STATEMENT OF THE CASE

In 2003 the Idaho Senate
Created the death penalty
Statute - See Appendix 1 to
State Death Row Report below
Solitary confinement

In 2003 Petitioner was
moved to the Acute Mental
Health Unit (AMH), and
given a pass for the mental
health unit, where he remained
for 24/7, pending a resentence upon
his Capital Case, where in 2006 he
was resentenced to death.

In 2006 the Warden (inmate)
me sick, so I (He) redirected
Courtship with the law.

Continued from Statement of the Case

In 2019 Petitioner had a severe incident. He asked Dr. Walter Campbell, Massachusetts Chief Psychologist, for assistance from Death Row to the Acute mental Health Unit. He received no response. Subsequently he filed a lawsuit pursuant to Idaho Code Section 19-2705(1), to state Death Row need not be housed in solitary confinement. It is the law that Death Row can be housed anywhere with strict Idaho Maximum Security Institutional Violation in the building.

REASONS FOR GRANTING THE PETITION

Petitioner has no access to other medical treatment. Health condition, this is a violation of the law.

It could involve every other states (and) from right went death-row housed in Solitary.

With its violation of the law, has a crime been committed?

Who set to blame?

I was given a post — the law is clear, I'm supposed to be out of Solitary.

To rule death row should be housed in General population. Out of Solitary and with all the access to medical health care.

The Court should enter an order
accepting this case. In the very least,
Grant this motion to recover damages.
After the Court grants certiorari,
the Court can resolve,

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Date: August 9th, 2003,