

No. 23 - 5863

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

IN THE  
SUPREME COURT OF THE UNITED STATES

Katherine Woitaszewski PETITIONER  
(Your Name)

vs.

US Supreme Court — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

Katherine Woitaszewski  
(Your Name)

PO Box 6000  
(Address)

Greenville, IL 62246  
(City, State, Zip Code)

N/A  
(Phone Number)

QUESTION(S) PRESENTED

My motion to suppress the evidence against me was improperly denied. The decision made was in direct violation of my of my fifth and Fourteenth amendment rights.

## 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

- United States of America vs. Katherine Woitaszewski, No. 8:20-cr-00308, US District Court for the District of Nebraska. Judgment entered 14 February 2022
- United States of America v. Katherine Woitaszewski, No. 22-2704, US Court of Appeals for the eighth Circuit. Judgment entered 4 May 2023

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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 is unpublished.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 \_\_\_\_\_; 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 is unpublished.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 is unpublished.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 is unpublished.

1.

## JURISDICTION

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

The date on which the United States Court of Appeals decided my case was 4 May 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: 10 July 2023, and a copy of the order denying rehearing appears at Appendix E.

[ ] 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).

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

## STATEMENT OF THE CASE

Dear Sirs & Madams,

I am filing a petition for a writ of certiorari because I do not agree with the decision of the US District Court or the Court of Appeals. The facts of this case are as follows: I did make an incriminating statement because I was subject to custodial interrogation & I was never given my Miranda rights, verbally or in writing. DUSM Potter asked me several questions after he had me exit the pickup truck, including: "Did I have any weapons?; Where is Daniel Rojas? Who is John Hernandez & why is he repeatedly calling my phone?" After I was put in the back of the police car I remembered there was a weapon in the pickup truck. At that time I was asked to speak to DUSM Potter & waited to speak to him specifically. I was answering his previous question as to whether or not I had any weapons. That is why I asked to speak to him directly & waited for him to speak to me. I informed him that I had remembered there was a weapon in the pickup truck. Therefore, it was not a voluntary statement. It was an incriminating statement due to being subjected to custodial interrogation directly prior. The fact that time elapsed is not relevant to the matter since indeed I was still answering DUSM Potter's previous question. If I was simply making a voluntary statement I could have spoken with any officer on the scene. There were many officers readily available. However, since I was responding to DUSM Potter's question I waited to speak directly to him. Had I been aware of my Miranda rights the outcome would have been entirely different.

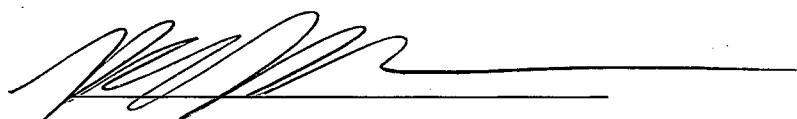
## REASONS FOR GRANTING THE PETITION

Due to the violation of my Fifth & Fourteenth Amendment rights I am requesting that the petition be granted. I was subjected to custodial interrogation without being made aware of my Miranda rights which led to me making an incriminating statement. I am asking that the suppression of evidence against me be granted in the case referred to the US District Court for further proceedings.

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Doe".

Date: 25 September 2023