

No. 23-6271 ORIGINAL

FILED
DEC 05 2023

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE
SUPREME COURT OF THE UNITED STATES

Tyrone Maddox — PETITIONER
(Your Name)

vs.

State of Illinois — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Appellate Court of Illinois Fourth District
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Tyrone Maddox
(Your Name)

3820 East Main Street
5835 State Route 154

(Address)
Danville, Illinois 61834

Pinckneyville Illinois, 62274

(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

T The trial court should not have allowed the introduction of Tyrone Maddox's 20 year old prior Indiana Conviction for delivery of Narcotics on the issue of intent where the prior conviction was not similar to the intent charge, and the prejudice of the prior conviction outweighed it's probative value.

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:

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION.....	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	3
STATEMENT OF THE CASE	3
REASONS FOR GRANTING THE WRIT	3
CONCLUSION.....	4

INDEX TO APPENDICES

APPENDIX A Illinois Appellate Court Order (4th) District.

APPENDIX B Illinois Supreme Court decision.

APPENDIX C

APPENDIX D

APPENDIX E

APPENDIX F

TABLE OF AUTHORITIES CITED

CASES

	14 PAGE NUMBER
People v. Burtall, 98 Ill, 2d 294 (1983)	16
People v. Blue 189 Ill, 2d 99 (2000)	14
People v. Kilmer 185 Ill, 2d 81 (1998)	15
People v. Lewis, 165 Ill. 2d 305(1995)	14-15
People v. Lingren 79 Ill. 2d 129(1980)	18
People v. McLaurin 235 Ill. 2d 478(2009)	14
People v. Patrick, 233 Ill. 2d 62 (2009)	15
People v. Robinson 167 Ill. 2d 53 (1995)	14
People v. Wilson, 214 Ill. 2d 127(2005)	15
People v. Brown 319 Ill. app. 3d 89 (4th Dist.2001)	18
People v. Donahue, 2014 Ill.(1st)120163	15
People v. Gregory 2016 Ill. app (2d) 140294	17
People v. Hanson 313 Ill. app.3d 491 (2000)	15
People v. Moore, 2012 Ill. app(1st) 100857	17-19
STATUTES AND RULES	
People v. Richee, 355 Ill, app 3d 43 (1st dist, 2005)	19
People v. Strong 316 Ill. app 3d 807(3rd dist,2005)	19

Ill. Rules of evidence 404(b)

US. Const. Amend. XIV.

OTHER

People v. Watkins, 2015 Ill,app (3d) 120882...17
 United States v. Hernandez, 84 F. 3d 931(7th cir.1996)

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 _____ 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 _____ 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 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 Illinois Appellate Court (4th dist.) court 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.

JURISDICTION

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

The date on which the United States Court of Appeals decided my case was _____.

[] 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 9/27/23. A copy of that decision appears at Appendix 8.

[] 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

U.S. 1. All persons U.S Const. Amend XIV.

Section 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. no State shall make or enforce any law which shall abridge the privilege or immunities of citizens of the United States, nor shall any state deprive any person of life, liberty or property, without due process of law, nor deny any person within due it's jurisdiction the equal protection of the laws.

STATE OF THE CASE

Tyrone Maddox was charged with simple possession and possession of cocaine with the intent to deliver. Prior to trial, the state sought the introduction of Maddox's 20 year old conviction for delivery of a controlled substance from 1999. The purported reason for the introduction of the prior conviction was to show Maddox's intent in this 2019 possession prosecution. The trial court ruled in the states favor. The admission of the prior drug was error based on it's age and dissimilarity to the instant case. Thus the only possible use for such evidence was for propensity to argue that Maddox was a drug dealer who was likely to commit another drug offense.

REASON FOR GRANTING THE PETITION

Because the Illinois appellate court affirmed the trial court ruling by seeming to sanction or illegal standard, this court should allow this petition to confirm that propensity is not a valid consideration when determining the admissibility of other crimes evidence and to grant Tyrone Maddox a fair trial based only on proper evidence.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jim Madley", is written over a horizontal line.

Date: 12/10/23