

23-6465  
No. ....

IN THE  
SUPREME COURT OF THE UNITED STATES

LEWIS SLAUGHTER, PRO-SE,  
PETITIONER,

VS.

NEW YORK STATE COURT OF APPEALS,  
RESPONDENTS.

ON PETITION FOR A WRIT OF CERTIORARI TO  
THE NEW YORK STATE COURT OF APPEALS

FILED

NOV 09 2023

OFFICE OF THE CLERK  
SUPREME COURT US

ORIGINAL

PETITION FOR WRIT OF CERTIORARI

LEWIS SLAUGHTER # 87-T-1099 (PRO-SE)

GREENHAVEN Correctional Facility

594 Route 216

Stormville, New York 12582

## QUESTIONS PRESENTED

1. WHETHER DEFENDANT HAVE A NON-WAIVABLE RIGHT TO APPEAL A CRIMINAL CONVICTION?
2. WHETHER DEFENDANT WAS DEPRIVED OF HIS RIGHT TO A FULL AND IMPARTIAL DETERMINATION OF HIS MENTAL CAPACITY TO STAND TRIAL?
3. WHETHER DEFENDANT IS ENTITLED TO A GRANT FOR LATE NOTICE OF APPEAL REGARDING SELF-REPRESENTED DEFENDANT'S AND COURT ASSIGNED ATTORNEY'S FAILURE TO FILE NOTICE OF APPEAL?
4. WHETHER DEFENDANT'S CLAIMS REPRESENT PREVIOUS REVIEWING COURTS DECISIONS THAT SHOW, ON AND OFF, THE RECORD FACTS WHICH ARE MIXED CLAIMS AND AS SUCH IS NOT PRECLUDED FROM THIS COURT'S REVIEW?

## LIST OF PARTIES

ALL PARTIES APPEAR IN THE CAPTION  
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## RELATED CASES

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ID.

(10 continues)

## STATEMENT OF THE CASE

PETITIONER'S APPEAL WAS DEPRIVED OF A DIRECT APPEAL BECAUSE ATTORNEY ASSIGNED AS ASSISTANT ATTORNEY TO DEFENSE, FAILED TO FILE A TIMELY NOTICE OF APPEAL. PETITIONER FURTHER STATES THAT HE HAVE BEEN STONEWALLED IN ALL AVAILABLE STATE RELIEF IN HIS LABORS TO GRANT OF PERMISSION TO FILE LATE NOTICE OF APPEAL.

PETITIONER IS BEING UNLAWFULLY PENALIZED FOR SELF-REPRESENTING AT A CRIMINAL TRIAL AND IS BEING HELD TO ERROR OF LAW THAT SHOULD BE IMPUTED TO ASSIGNED ASSISTANT ATTORNEY.

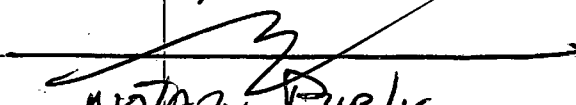
FAILURE TO FILE TIMELY NOTICE OF APPEAL MAY BE REMEDIED BY GRANT OF LATE LEAVE TO APPEAL. APPEAL DOES NOT LACK AN ARGUABLE BASIS OF LAW AND FACT, (NETZKE v. Williams, 490 U.S. 319, 325 (1989); 28 USC 19(5)(C))

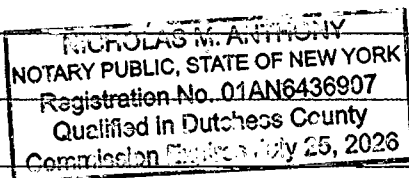
Conclusion:

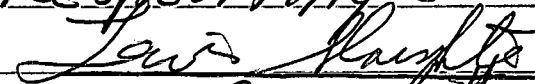
PRO-SE pleadings REPRESENT DUE DILIGENCE ON THE PART OF DEFENDANT MOVING WITHOUT THE ASSISTANCE OF ATTORNEY REPRESENTATION WHICH AMOUNTS TO DEFENDANT-PETITIONER'S DEPRIVATION OF ATTORNEY ASSISTANCE FOR HIS FIRST TIME RIGHT TO APPEAL ON DIRECT APPEAL. (SEE APPENDICES "A-B-C")

THE PETITION FOR A WRIT OF CERTIORARI SHOULD BE GRANTED

SUBSCRIBED TO BEFORE ME THIS  
12 DAY OF Dec 2023

  
Notary Public



Respectfully Submitted,  
  
Lewis Slaughter 87-T-1099  
594 Route 216  
Stormville, N.Y. 12582