

IN THE SUPREME COURT OF THE UNITED STATES

ORIGINAL

_____, TERM, 20__

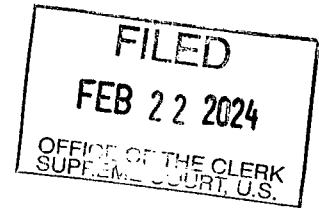
LAWRENCE E. MARTIN
PETITIONER

23-7008

VS.

NO. _____

DEXTER PAYNE
RESPONDENT



ON PETITION FOR A WRIT OF CERTIORARI TO
UNITED STATES COURT OF APPEALS FOR
THE EIGHTH CIRCUIT
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

LAWRENCE E. MARTIN

(YOUR NAME)

EAST ARKANSAS REGIONAL UNIT
P.O. BOX 970

(ADDRESS)

MARIANNA, ARKANSAS 72360
(CITY, STATE, ZIP CODE)

(PHONE NUMBER)

QUESTION(S) PRESENTED

1. FEDERAL QUESTION, DID THE SUPREME COURT OF THE UNITED STATES MAIL MARTIN DRUGS IN HIS 11/8/2022, AND 11/12/2022 LEGAL MAILS.
2. WAS MARTIN ENTITLED TO RULE 19 PRODUCTION OF DOCUMENTS.
3. DID A BRADY VIOLATION OCCUR WHEN FAVORABLE MATERIAL EVIDENCE WAS WITHHELD, DISCARDED.
4. WAS MARTIN ENTITLED TO A NEW TRIAL IN FEDERAL COURT FOR BRADY VIOLATION.
5. BECAUSE OF BRADY VIOLATION, DOES THE 14TH AMENDMENT PROVIDES MARTIN A MECHANISM FOR RELIEF.

~~REDACTED~~

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:

LAWRENCE E. MARTIN #106491, PETITIONER.

DEXTER PAYNE; TIM GRIFFIN; KAREN VIRGINIA WALLACE,
RESPONDENTS. NEW COUNSEL MICHAEL ZANGARI.

NOTE: MS. WALLACE SHOULD NOT HAVE BEEN RELIEVED,
BECAUSE IN DOCUMENT #24-1 THROUGH 24-4 MS. WALLACE,
TIM GRIFFIN, RESPONDENT PAYNE ALTERED THE RECORD,
CHANGED HEARING DATE TIMES, AND COMMITTED CLASS
C, D, FELONY'S SAID MARTIN WAVED HIS HEARING'S ON
11/17/2022 PER JURY AND FILED FALSE REPORTS, MS.
WALLACE WAS FIRED AND REPLACED BY NEW COUNSEL DISPUTE
MARTIN IN RECORDS DOCUMENT #31-0 IN SEVENTH OBJEC-
TION REQUESTED ~~THE~~ MAGISTRATE JUDGE BE RECUSED
FROM PRESIDING IN THE MATTER. AS IN DOCUMENT #40-
0 PAGE 2 OF 6 MARTIN REQUESTED BOTH MAGISTRATE AND
DISTRICT JUDGE BE RECUSED FROM ALL PROCEEDING'S.

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CONSTITUTION

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CONSTITUTIONAL AMENDMENTS

FOURTH AMENDMENT. PASSIM.

EIGHTH AMENDMENT PASSIM.

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RULES

RULE 19 PRODUCTION OF DOCUMENTS... PASSIM.

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RULE 403 10.

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AD 13-17 DRUG TESTING POLICY FOR INMATES AND
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IN THE SUPREME COURT OF THE UNITED STATES

_____ TERM, 20__

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 DID NOT RECEIVE 2/25/2024 JUDGMENT
SEE DOCKET SHEET IN APPENDIX IAD INQUIRING
☐ reported at _____; or, STATUS OF CASE.
☒ has been designed 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 MARTIN DID NOT CONSENT TO A MAGISTRATE JUDGE TO PRESIDE OVER HIS CASE - ALLEN V. MEYER, 4:22-cv-01271-KGB, or, 775 F.3d 866.
☒ reported at _____; or,
☐ has been designed 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 designed 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 designed 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 2/5/24.

☒ 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 _____. 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).

AND INVOKED UNDER UNITED STATES CONSTITUTION
ARTICAL 3 SECTION 2, TO ALL CASES AFFECTING
AMBASSADORS, OTHER PUBLIC MINISTERS AND CONSULS.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

UNITED STATES CONSTITUTION ARTICAL 3 SECTION 2,
MARTIN IS A PUBLIC MINISTER;

MINISTER'S CREDENTIALS

LAWRENCE E. MARTIN
HAS HIS CREDENTIALS ON FILE
IN THE COUNTY CLERK'S OFFICE
PULASKI COUNTY, ARKANSAS BOOK X,
PAGE 383 DATE 5/29/2019
CIRCUIT COUNTY CLERK PHONE NO.
501-340-8766.

THE CONTROVERSIE INVOLVES THIS COURT, FEDERAL QUESTION,
DID THE SUPREME COURT OF THE UNITED STATES RETURN
LEGAL MAILS DATED 11/8/2022, AND 11/12/2022 WITH DRUGS,
AND FORMS / RULE BOOK CONTAIN DRUGS?

A BRADY VIOLATION WAS DISCARDED BY DISTRICT COURT, THE
FRUIT OF THE POISONOUS TREE DOCTRINE ASSUMES THE EXIST-
ENCE OF A CONSTITUTIONAL VIOLATION.

VIOLATIONS OF THE EIGHTH AMENDMENT'S PROHIBITION AGA-
INST UNREASONABLE SEARCH/SEIZURE ARE CONSTITUTIONAL
VIOLATIONS. THE 11/8/2022, 11/12/2022 LEGAL MAILS AS WELL
AS 11/13/2022 DRUG TESTS MUST BE SUPRESSED FROM EVIDENCE
RULE 403 VIOLATION; GREER V. UNITED STATES, 141 S. CT.

2090. SENTENCE MUST BE REVERSED FROM ALL 3 DISCIPLINARIES.
11/15/2022, THE UNIT ON 11/15/2022 HAD ONE GUARD WATCHING
OVER 400 INMATES, LACK OF SECURITY, 8 BARRACKS, DEATH TRAPS.
SEE 18 U.S.C. CONSPIRACY TO MURDER SECTION 1111, 1114,
1116, 1119 OF THIS TITLE, WHEN MOVED ON 11/15/2022 THE -
MOVE WAS A HIT TO MURDER MARTIN. SEE DOCUMENT #
2-0. MAJOR T. ALLISON ORDERED ME MOVED ON 11/15/
2022. ~~REDACTED~~

STATEMENT OF THE CASE

MARTIN STATES, IN 2022 HE MAILED LEGAL DOCUMENTS FROM EAST ARKANSAS REGIONAL UNIT TO THE SUPREME COURT OF THE UNITED STATES. ON 11/8/2022 LEGAL MAIL WAS HELD, UNIT CHARGING OFFICER SAID, SAID MAIL TESTED POSITIVE FOR DRUGS.

ON 11/12/2022 THIS COURT RETURNED LEGAL MAIL WITH A COURTS RULE BOOK, AND FORMS EXPLAINING HOW TO PREPARE WRIT OF CERTIORARI. THE CHARGING OFFICER CAPTAIN T. MUNN SAID THE COURTS FORMS TESTED POSITIVE FOR DRUGS.

THEN ON 11/13/2022 MARTIN WAS ILLEGALLY DRUG TESTED ON CAMERA BY FEMALE CAPTAIN T. MUNN, AND STATED MARTIN TESTED POSITIVE FOR DRUGS.

IN 2022 MARTIN BEGAN PROCESSING A HABEAS CORPUS - PETITION ATTACKING THE SENTENCES HE RECEIVED AT DISCIPLINARY COURTS. IN 2022 ALL DRUG TESTS MUST GO TO RED WOOD LAB TOXICOLOGIES TO CONFIRM UNITS DRUG TESTS AD 13-17 DRUG TESTING POLICY FOR INMATES AND EMPLOYEES. IN NOVEMBER 2022 I WAS CEILED WITH INMATE CHARLES GOODWIN, HIS TEST CAME BACK FROM RED WOOD LAB TOXICOLOGIES DELUTED.

MARTIN'S TESTS FROM 11/8/2022, 11/12/2022 AND 11/13/2022 WERE NOT SENT TO RED WOOD LAB TOXICOLOGIES TO CONFIRM UNITS FAKE DRUG TESTS. VIOLATED MARTIN'S 4TH, 8TH, AND 14TH - AMENDMENT RIGHTS. 5-53-102 PERJURY; 5-54-122 FILING FALSE REPORTS.

WHAT OCCURED WAS, KENYON V. RANDLE, AND CAPTAIN T. MUNN SAW OLD TRANSCRIPT DOCUMENTS, RETALIATED AGAINST MARTIN FOR FILING LAW SUIT, GRIEVANCES. EXPOSING KENYON V. RANDLE, WHEN A DUFFEL BAG FELL OUT OF HIS OFFICE - SEALING CONTAINING K-2, CELL PHONES, OTHER CONTRA-BAND. SEE DOCUMENT # 2 PAGE ~~34~~ 35 OF 43 DEFENDANT KENYON V. RANDLE ~~EXHIBIT C~~ EXHIBIT C 1 OF 2.

SEE ALSO U.S. V. COTE, 544 F.3d 88 91 2d CIR. 2008 DUE PROCESS VIOLATION WHERE OFFICER FABRICATED CHARGE AGAINST PRETRIAL DETAINEE BECAUSE OFFICER KNEW THAT THE

STATEMENT OF CASE

CHARGE MIGHT LEAD TO SENTENCE IN SEGREGATION, WHICH CONSTITUTED PUNISHMENT, HERE, CAPTAIN T. MUNN FAISIFIED DOCUMENTS ON MARTIN AND REFUSED TO SEND MARTIN'S TESTS TO REDWOOD LAB TO CONFIRM UNITS FAKE TESTS. ALL OTHER INMATES AND EMPLOYEES TESTS IN 2022 WENT TO RED WOOD LAB TOXICOLOGIES TO CONFIRM UNITS TESTS BUT MARTIN'S TESTS TO SENTENCE MARTIN TO RESTRICTIVE HOUSING, ISO 2 38 PUNITIVE AS WELL AS 6-MONTHS RESTRICTION. VIOLATING AD 13-17 DRUG TESTING POLICY FOR INMATES AND EMPLOYEES, CAPTAIN T. MUNN ALSO VIOLATED AD 2022-12 INMATE DISCIPLINARY MANUAL SEE APPENDIX [H] DID NOT SIGN THE DISCIPLI-

STATEMENT OF CASE

NARYS, I MUST] SIGN TO CONFIRM WHATS WRITTEN IN THE BODY
OF DISCIPLINARYS. THE MANUAL WILL ALSO SHOW THAT THE
ADMINISTRATION, DHD, MAJORS, WARDEN, A.H.D, KNEW
POLICY WAS VIOLATED, KNEW "FELONY'S" WERE COMMITTED
BY CHARGEING OFFICER, PEERS WHO PARTICIPATED IN
ILLEGALLY SENTENCEING MARTIN TO TSD 2 38 AND RESTRICTIVE
HOUSEING FOR TWO YEARS.

MAJOR T. ALLISON TOLD MARTIN IN 2022 DONT WORRY
ABOUT YOUR TESTS GOING TO REWOOD LAB TOXICOLOGIES, HE
AND WARDEN RICHARDSON SENTENCED MARTIN TO TWO YEARS
RESTRIVE HOUSEING.

IN THE PROCEEDINGS ON 12/27/2022 MARTIN FILED
ED DOCUMENTS # 3-D AND # 25-D PRODUCTION OF DOCUMENTS

STATEMENT OF CASE

RULE 19 THE COURT DISCARDED IT. THEN IN DOCUMENT

20 ORDERED RESPONDENT TO ANSWER MARTIN'S PET-

ITION WITHOUT PROVIDING MARTIN HIS RULE 19 PROD-

UCTION OF DOCUMENTS, MATERIAL EVIDENCE FAVORABLE TO

MARTIN THAT CAUSED A BRADY VIOLATION, A STRUCTUR-

AL DISCOVERY ERROR, AN UNCONSTITUTIONAL ERROR, THAT

THE COURT REFUSE TO ADDRESS. THUS, A STRUCTURAL

ERROR, DISCOVERY ERROR, OCCURED WHEN THE COURT

ALLOWED THE GOVERNMENT, RESPONDENT, TO WITHHOLD -

MATERIAL EVIDENCE FAVORABLE TO MARTIN BRADY V. Md.,

373 U.S. 83, 87 1963; THE EVIDENCE IS MATERIAL AND

REQUIRES REVERSAL OF 11/8/2022, 11/12/2022, 11/15/

STATEMENT OF CASE

~~000~~ 2022 CONVICTIONS AT DISCIPLINARY COURT, REINSTATE-

~~REIN~~ING CLASS STATUS, CUSTODY SCORE LEVEL, REINS-

TATEING MARTIN TO PAL PROGRAM. U.S. V. BAGLEY,

473 U.S. 667, 682 1985. IN SUCH CIRCUMSTANCES,

A FINDING THAT THE ERROR WAS HARMLESS IS PRE-

CLUDED. KYLES V. WHITLEY, 514 U.S. 419, 435 -

1995, ONCE UNCONSTITUTIONAL SUPPRESSION WAS

FOUND, NO NEED FOR HARMLESS ERROR REVIEW. U.S.

V. KOHRING, 637 F. 3d 895, 902 9TH CIR. 2011.

THE NEW TRIAL MOTION FILED, BASED ON BRADY -

VIOLATION ON EVIDENCE WITH HELD CAN NOT BE -

DENIED ON BASES THAT NEW TRIAL WOULD NOT -

PRODUCE A DIFFERANT RESULT, SUCH VIOLATIONS

STATEMENT OF CASE

ARE NOT SUBJECT TO HARMLESS ERROR ANALYSIS.

THE RESPONSE TO AMENDED PETITION, THE
RESPONDENT, HIS TEAM, ATTORNEY GENERALS GOT -
CAUGHT FALSIFYING DOCUMENTS IN THIS OFFICIAL
PROCEEDING, DOCUMENT # 24. GREER V. UNITED S-
TATES, 141 S. CT. 2090. MARTIN MOVE THE COURT
FOR THEIR IMPEACHMENTS SEE DOCUMENTS NUM-
BERS: 31 THROUGH 38 THE COURT IGNORED, DIS-
CARDED EVERY ISSUE AND NOW IN DOCUMENT 38 HAS
ORDERED MARTIN TO CONSENT TO VIOLATING MART-
IN CONSTITUTIONAL RIGHTS, DISCARDING MARTIN'S -
DUE PROCESS AND EQUAL PROTECTION RIGHTS; CON-
FRONTATION RIGHTS. BARBER V. PAGE, 88 S. CT.

STATEMENT OF CASE

1318. A PLAIN ERROR IS THAT AFFECTED MARTIN'S
SUBSTANTIAL RIGHTS MAY BE CONSIDERED EVEN THO-
UGH IT WAS NOT BROUGHT TO THE COURTS ATTENTI-
ON. FED. RULES. CRIM. P. 52 [B].

DESPITE PRISON OFFICIALS INTEREST IN DIS-
CRETION AND FLEXIBILITY, COURT CONSIDERED -
WHETHER STATE INTERFERED WITH LIBERTY INTEREST
AND WHETHER DEPRIVATION PROCEDURES WERE -
CONSTITUTIONALLY SUFFICIENT. WILLIAMS V. HOBBS,
662 F. 3d 869, 872 9TH CIR. 2009. A MISCARRAGE
OF JUSTICE HAS OCCURED TO MARTIN.

ON 6/20/2023 RESTRICTIVE HOUSING PLAN TO HAVE
MARTIN MURDERED ON SOUTH / EAST HALLS.

REASONS FOR GRANTING THE PETITION

1. NO; CHARGING OFFICER T. MUNN FALSIFIED DOCUMENTS SEE U.S. V. COTE, 544 F.3d 88 912d CIR. DUE PROCESS VIOLATION WHERE OFFICER FABRICATED CHARGE AGAINST PRETRIAL DETAINEE - BECAUSE OFFICER KNEW THAT CHARGE MIGHT SENTENCE HIM TO PLACE MENT IN SEGREGATION, WHICH CONSTITUTED PUNISHMENT; ILLAL SENTENCEING.

IN 2022 AD-13-17 DRUG TESTING POLICY FOR INMATES AND EMPLOYEES WERE VIOLATED; AD 2022-12 INMATE - DISCIPLINARY MANUAL VIOLATED CHARGING OFFICER DID NOT SIGN 11/8/2022, 11/12/2022 DISCIPLINARYS. MUST "SIGN TO CONFIRM CONTENTS IN BODY OF DISCIPLINARYS."
2. MARTIN WAS ENTITLED TO RULE 19 PRODUCTION OF - DOCUMENTS & DUE PROCESS CLAUSES PROHIBIT GOVERNMENT FROM INFRINGING IN MARTIN'S LIBERTY INTERESTS WITHOUT DUE PROCESS OF LAW, E.G., SURPRENANT V. RIVIS, 424 F.3d 5, 16 1ST CIRCUIT 2005;

ABILITY TO CALL WITNESSES, PRESENT EVIDENCE. NEWTON V. CITY OF NEW YORK, 779 F.3d 140, 151 2d CIR. 2015;

DUE PROCESS PROTECTIONS REQUIRE ADEQUATE AND ACCURATE MANAGEMENT OF EVIDENCE THAT IS ACCESSIBLE TO MARTIN FOR PURPOSES OF DEMONSTRATING MARTIN IS NOT GUILTY. RENCHENSKI V. WILLIAMS, 622 F.3d 315, 331 3d CIR. 2010;

DUE PROCESS PROTECTIONS REQUIRE MARTIN BE ALLOWED TO REFUTE TESTIMONY THAT CONFLICTS WITH OTHER EVIDENCE. SHINAULT V. HAWKS, 782 F.3d 1053, 1058 9TH CIR. 2015; DUE PROCESS VIOLATION -

REASONS FOR GRANTING THE PETITION

BECAUSE PRISON OFFICIALS FAILED TO CALL WITNESSES REQUESTED BY MARTIN, AND BASED DISCUSSION UPON INCOMPLETE RECORD. SERRANO V. FRANCIS, 345 F. 3d 1071, 1079-80 9TH CIR. 2003; DUE PROCESS VIOLATION.

3. THE COURT CAUSED THE BRADY VIOLATION, MARTIN WAS ENTITLED ~~TO~~ TO RULE 19 PRODUCTION OF DOCUMENTS, DOCUMENT # 3-D. BRADY V. Md., 373 U.S. 83, 87 1963.

4. YES, MARTIN WAS ENTITLED TO A NEW TRIAL. NEW TRIAL MOTION BASED ON EVIDENCE WITHHELD IN VIOLATION OF BRADY CAN NOT BE DENIED ON BASIS THAT NEW TRIAL WOULD NOT HAVE PRODUCED DIFFERENT OUTCOME, SUCH VIOLATIONS ARE NOT SUBJECTED TO ~~THE~~ HARMLESS ERROR ANALYSIS. U.S. V. LLOYD, 71 F. 3d 408 411 D.C. CIR. 1995.

5. YES, A MECHANISM FOR RELIEF IS MANDATORY, WHEN A COURT ADMITS EVIDENCE THAT IS SO UNDOUBTLY PREJUDICIAL THAT IT RENDERS THE TRIAL FUNDAMENTAL UNFAIR / THE DUE PROCESS CLAUSE OF 14TH AMENDMENT PROVIDES A MECHANISM FOR RELIEF. PAYNE V. TENN., 501 U.S. 808, 825. 1991. SEE DOCUMENT # 40-D RESPONSE TO ORDER DOCUMENT # 38-D BY LAWRENCE EDWARD-MARTIN, OBJECTION TO DOCUMENT # 38-D. SEE DOCUMENT 43-D.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Lawrence E. Martin

Date: 2/20/2024.