

23-7009

No. _____

FILED

OCT 23 2023

OFFICE OF THE CLERK
SUPREME COURT U.S.

ORIGINAL

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IN THE

SUPREME COURT OF THE UNITED STATES

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WARREN SIMPSON - PETITIONER

VS.

ARIZONA COURT OF APPEALS, DIVISION 2 - RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI TO

Court of Appeals Division 2, State of Arizona

PETITION FOR WRIT OF CERTIORARI

Warren Simpson

P.O.B. 17764

Tucson Arizona 85731

520 312-7193

QUESTION(S) PRESENTED

- 1) Should every US citizen, on the defensive side of any adverse legal issue, be provided council if they wish such and cannot afford or find; and community legal services cannot help? In the minimal, be provided an appropriate adviser?
- 2) Without experienced representation, is it possible to be deprived of guaranteed constitutional rights; of the equal protection and due process ordained in our laws?
- 3) Is it ethical, moral, and fair to require a layperson FORCED into self-representation to; handle themselves and be as knowledgeable as a university trained; seasoned; professional attorney? Should leniency & help be given to them?
- 4) Should a claim of using the court to block justice be addressed or over looked?
- 5) Is a liberty removed if not allowed to administer, as trustee, the deceased parents trust to their wishes? If so, should a trial and counsel be required?

LIST OF PARTIES

Denice Shepherd, P.C. 2424 E. Speedway, Tucson Arizona 85711

Court of Appeals Division 2, 400 W. Congress, Tucson Arizona 85701

RELATED CASES

NONE KNOWN BY PETITIONER.

TABLE OF CONTENTS

Rule 14c states a table of contents and authorities is not required providing the contents of this Writ does not exceed 5 pages.

INDEX TO APPENDICES

APPENDIX A Ruling • Pima County Superior Court 4/2/22. PB20211970

APPENDIX B Affirmed • Arizona Court of Appeals D2. CA-CV 22-0094

APPENDIX C Review Denied • Supreme Court, State of Arizona. CV-23-0045-PR

APPENDIX D Closing • Arizona Court of Appeals D2.

TABLE OF AUTHORITIES CITED

Gideon v. Wainwright, 372 U.S. 335

Argersinger V. Hamlin, 236 So. 2d 442, 444 (Fla, 1970), rev'd, 407 U.S. (1972),

The court did not rely on the "fundamental" right theory it had enunciated in Gideon. Instead, the Court discussed the assistance of counsel in terms of the right to a fair trial.

Blake v. Municipal Court, 242 Cal. App 2d 731, 51 Cal. Rptr. 771 (1st Dist. 1966).

California, required the appointment of counsel for traffic violations.

Lassiter v. Dept of Social Services of Durham County, 425 U.S. 18 (1981),

The ABA urged the U.S. Supreme Court to rule that counsel must be appointed for indigent parents in civil proceeding that could terminate their parental rights, "[I]n order to minimize [the risk of error] and ensure a fair hearing." The ABA noted that...

"Skilled counsel is needed to execute basic advocacy functions: to delineate the issues, investigate and conduct discovery, present factual contentions in an orderly manner, cross-examine witnesses, make objections and preserve a record for appeal.... Pro se litigants cannot adequately perform any of these tasks."

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner Warren Simpson respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☒ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix B to the petition and is

☒ is unpublished.

The opinion of the Superior court appears at Appendix A to the petition and is

☒ is unpublished.

JURISDICTION

☒ For cases from **state courts**:

The date on which the highest state court decided my case was 8/3/2023. A copy of that decision appears at Appendix C.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

In the courts 04/22/22 ruling, four constitutional rights were denied.

The 5th Amendment guarantees to not be deprived of life, liberty, or property, without due process of law.

The 6th Have the assistance of counsel for defense.

The 7th In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved.

The 14th Nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws

STATEMENT OF THE CASE

[Short and to the point / without confusing legal rhetoric / just the facts]

1) Petitioner, as a trustee, had begun the process of having the return of two residential properties, suspected to have been stolen by family members from the vulnerable 98-year-old senior trustor.

2) An "issue" (son of a suspected swindler) filed an unjust lawsuit to remove this petitioner as trustee. [Speculated intent to **block** legal investigation and property return.] Reason for the suit was a claim of not

getting trust information. However, in over 2 years the 3 issues had **never** provided contact information to the trust to receive information.

3) After interviews with approximately 100 attorneys, Petitioner was **FORCED** into forma poperus and without assistance, prematurely filed a motion for Summer Judgment. Opposition mirrored motion and pointed out construction errors in this petitioners fileing.

4) Court sided with the opposition and their derogatory and uncontested allegations to the level of bias prejudice. While ignoring a claim that the court was being used to block justice.

5) Stays were denied. The Appeals Court agreed with the hearing court, that no errors existed and no rights deprived, also denying stays.

6) Arizona Supreme Court denied review.

REASONS FOR GRANTING THE PETITION

Nothing can be as paramount as equal fairness in a court room. Without balance fairness in the court, there is no justice and our courts and freedom are only an illusion. There is a growing inequality in accessing some inalienable rights to our freedoms. An injustice being committed on the poor and uneducated. This respected court must correct these barbaric injustices.

Conclusion

Every person needs help and advice when life changing circumstances arise. From job changes, city moves, to buying a car, but nothing more so than in our confusing and life changing judicial system. It is requested of this highly respected court to review the events and circumstances involved, and with balance and fairness, decided what's moral, ethical, and fair for ALL the citizens of our great country. This petition for a writ of certiorari must be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Warren Simpson". The signature is fluid and cursive, with a large initial "W" and a stylized "S".

Date: October 20, 2023