

No. \_\_\_\_\_

23-7561

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED

MAY 20 2024

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

CHARLES HYDE

— PETITIONER

(Your Name)

Southern District of Georgia vs.

11th Cir Court of Appeals — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

11th Circuit Court of Appeals

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

CHARLES HYDE

(Your Name)

FCC-USF-1, P.O. BOX 1033

(Address)

Clemon, FL 33521

(City, State, Zip Code)

N/A

(Phone Number)

QUESTION(S) PRESENTED

1) WHETHER MY FIRST APPEAL WAS PROPERLY DENIED  
"FORCING" HYDE TO TAKE AN APPELLATE ATTORNEY?

A) WHICH THIS APPELLATE ATTORNEY NEVER ADDRESSED  
THE MOST EGREGIOUS CONDUCT BY PROSECUTORS;  
WITHHOLDING EXCULPATORY EVIDENCE, WHICH PREJUDICED  
HYDE IN GETTING A FAIR TRIAL (REMEDY: NEW TRIAL  
X EXCULPATORY EVIDENCE) "DISMISSED EXPERTS" (6th Amend, Confrontation Clause)

#2) APPEALS COURT NEVER ADDRESSED HYDE'S (PRO-SE) APPEAL?  
HYDE SENT IN PRO-SE APPEAL (3 COPIES) NO ANSWER?

#3) HYDE'S WHOLE DEFENSE WAS CENTERED ON "1 SHOT", PROSECUTORS  
NEVER PROVIDED THE BULLET THAT HYDE WAS SHOT WITH?

ANSWERS: DISMISSED THE EXPERT WHO WOULD TESTIFY - (1 SHOT)  
ALWAY WITHHOLD THE DNA BULLET THAT "IMPEACHES EVERYONE"?  
(6th Amendment Confrontation Clause) PROSECUTORS SUPPORTING PERJURY?

4) WHY WASN'T HYDE ALLOWED MORE THAN 1 PHONE CALL WITH  
"FORCED" APPELLATE ATTORNEY? (14th Amend, Due Process Error)

## 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:

AUSA JEN SOLARI  
AUSA RON HUBBARD } NOT PARTIES - OMIT  
JUDGE LISA GADBEY WOOD }  
LIBERTY CO. SHERIFF  
GBI

## RELATED CASES

BRADY V. MARYLAND 373 US 83 (1963) Withheld Exculpatory  
CONNICK V. THOMPSON, S. Ct. 131, 1350, 1360 (2011) DNA (kg Bullet)  
PYLE V. KANSAS, 317, U.S. 213 (1942) Deprivation  
KYLE V. WHITLEY, 514 US 419, 435 (1995) Controlling

## TABLE OF AUTHORITIES CITED

### CASES

PAGE NUMBER

- 1) *Brady v. Maryland* 373 US 83 (1963) withheld exculpatory evidence and dismissed expert (forensics) source of evidence
- 2) *Kyle v. Whitley* 514 US 419, 435 (1995) Controlling
- 3) *Connick v. Thompson* 5. US 131, 1350, 1360 (2011) withheld the source that would impeach & persuade a jury different

### STATUTES AND RULES

- 1) 6<sup>th</sup> Amendment violation Confrontation Clause (Dismissing Forensics Expert) ①
- 2) 14<sup>th</sup> Amendment violation - UNFAIR TRIAL - Controlling Evidence & Experts ①  
Dismissed a week before trial (Expert was on first witness list & (Expert whole defense)
- 3) APPEALS COURT NEVER RESPONDED TO FRASE APPEAL (DEPRIVATION, PREJUDICE)
- \* 4) Prosecutors Supporting Perjury & Withholding Exculpatory Evidence

### OTHER

Deprivation from Addressing violations of Constitutional & Human Rights that would allow a defendant to defend himself and access to mandatory evidence to prove innocence not complete innocence but enough to get 2 US attorneys to control the evidence that would impeach Govt testimony and tangible evidence of complete defense. Injustice and miscarriage of Justice see *Connick v. Thompson* 5. US 131 (2011)

## TABLE OF CONTENTS

OPINIONS BELOW .....	1
JURISDICTION.....	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	3
STATEMENT OF THE CASE .....	4
REASONS FOR GRANTING THE WRIT .....	5
CONCLUSION.....	6

## INDEX TO APPENDICES

APPENDIX A	<u>PRO-SE APPEAL BRIEF - (IN FORMA PAUPERIS) (1st Brief)</u> <u>6th AMEND. CONFRONTATION CLAUSE - 14th AMEND DUE PROCESS</u>
APPENDIX B	<u>APPEAL BRIEF - (TOLD TO TRUST HER) / CONVERSATION (2nd Brief)</u> <u>"Different Argument &amp; Issues"</u>
APPENDIX C	
APPENDIX D	<u>BRIEF FOR EXTENSION OF TIME, BECAUSE HAD ONLY TAKEN 1 TIME</u> <u>AFTER THIS BRIEF WAS FILED - HOW IS THAT ADEQUATE REPRESENTATION?</u>
APPENDIX E	<u>SHE CHOSE MY ISSUES - I CHOSE DIFFERENT ISSUES</u> <u>UNFAIR</u>
APPENDIX F	

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 B 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 N/A 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.

## 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 \_\_\_\_\_.  
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).

P<sup>2</sup>

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- 1) The Right to appeal - Constitutional & Statutory violations that deprived Charles Hyde of a complete defense & fair trial [this 14th amendments to US Constitution.]
- 2) Trial - [this 14th amendments to US Constitution.]
- 3) Brady Rule: Withholding exculpatory evidence to impeach and source of info by dismissing forensic expert to allow case agent to testify as expert (No Jents or 3568)

- 4) Appeals Court ignored Hyde's appeal brief?
- 5) Due process violations to address Brady Rules and seek relief from prosecutors controlling experts, evidence and supporting persons... NOT ADVOCATORY functions

\* Pyle v Kansas 317 US 213 (1942) Prosecutors Supporting Person

\* Hyde presented appeal brief for Direct Appellate Review - Ignored - Hyde challenged prosecutor

\*\* Conduct on Direct Appeal Review - Deprived and prejudiced - The plain error is a miscarriage of Justice - Even w/o objecting from no exp. prose

1) U.S. v. Young 470 US 1, 15 (1985)

2) GA Code §§ 9-14-1 - 9-14-53 Title 9 Chap. 14 Art. 1 & 2

Impeachment - Giglio v US, 405 US 150 (1972)

3) Harvey v Zant 696 F.2d 940 (11th Cir 1983) Unfair Trial



## STATEMENT OF THE CASE

AN INEXPERIENCED PRO-SE SPENT 1 YEAR RESEARCHING AND COMMUNICATING WITH APPEALS COURT (E.G. IN FORMER PAPERS GRANTED BY CIRCUIT JUDGE) MR. HYDE WAS DEPRIVED OF A FAIR TRIAL BY AUSTIN SOUTHERN DISTRICT OF GEORGIA (BRUNSWICK) JEN SMITH. RON HUBBARD DOUBLE TEAMED A DEFENDANT (CHARLES HYDE) OUT OF HIS REALM OF EXPERIENCE / KNOWLEDGE, PROSECUTORS WITHHELD EXCULPATORY EVIDENCE OF IMPAIRING QUALITY X SUPPORTOR DEPTARY! HYDE SPENT A YEAR PREPARING APPEAL BRIEF. HYDE SUBMITTED APPEAL BRIEF - NEVER HEARING FROM COURT? UNTIL TIME WAS RUNNING OUT - THEN COURT CLERK SMITH SENT HYDE INFO ON HAVING TO CONTACT APPELLATE ATTORNEY - WHO HAS TRIAL TRANSCRIPT. HYDE CONTACTED HER THRU MAIL - CAUSE HER PHONE WOULDNT ACCEPT PHONE CALLS - ONLY MESSAGES... HYDE TALKED TO AHH Leigh Ann WEBSTER - ATLANTA GA. 30316 #404-590-7967. ONE ON PHONE - AND NEVER GOT TO EXPRESS HIS ISSUES. 846 IS "NOT A SERIOUS DRUG OFFENSE" BUT ONE DIDNT WANT TO HEAR IT. DUPREE V. U.S. NO. 19-13776 (11th CIR 2023). HYDE EXPRESSED HIS CONCERN ABOUT HIS SUBMITTED APPEAL BRIEF. SHE HAD NO KNOWLEDGE - EVEN AFTER CHECKING? X HYDE WAS DEPRIVED OF HIS RIGHT TO APPEAL THE DEPRIVATION OF PROSECUTORS CHEATING HIM OUT OF A FAIR TRIAL AND INFO TO A COMPLETE DEFENSE. THE APPEALS COURT IGNORED HIS BRIEF COMPLETELY. (DUE PROCESS DONT STOP AT DISTRICT COURT?) INEXPERIENCE DONT GIVE PROSECUTORS A RIGHT TO CHEAT - YOU CANT TELL PROSECUTORS INTENT THRU THEIR ACTS. (E.G. NOTICE) "AT TRIAL" (NO FORENSIC EXPERT X NO DNA BULLET) BUT (7/14) HYDES WHOLE CASE WAS (L5H0T) [DNA BULLET] OFFICERS SHOT UP HYDES HOUSE TO FABRICATE SCENARIO - "POINT" DIFFERENT CALIBER!! cops...

## REASONS FOR GRANTING THE PETITION

THE APPEAL BRIEF FILED BY CHARLES HYDE SHOWS THE REAL CONSTITUTIONAL VIOLATIONS BY PROSECUTORS DEPRIVING HYDE OF A CHANCE TO PRESENT EVIDENCE OF TRUTH & DEPRIVING HYDE OF FAIR TRIAL. IF PROSECUTORS WEREN'T AFRAID OF FACTS - WHY WITHHOLD THE SCIENCE (eg CONNICK VS. THOMPSON S. CT. 131, 1350, 1364 (2011) REASONABLE OPPORTUNITY TO PRESENT EVIDENCE - COURT GAVE HYDE POTENTIAL LIFE SENTENCE X CHEATED HYDE OUT OF TRUTH (HYDE WAS THERE)

- 1) GRANT HYDE A NEW TRIAL - COURT EVINCE HYDE FOR OBSTRUCTION (TWICE) - AND HYDE WAS ARGUING EVIDENCE (eg WITHHOLD)
- 2) WITHHOLDING HYDES EXCULPATORY EVIDENCE IS REASON WHY ALSPS CAN'T EXPLAIN WHY - IF HYDE WAS ATTEMPTING TO SHOOT AT OFFICER WHY NO CHARGES X NO FORENSICS X "NO PROOF" (ONLY FALSE TESTIMONY)
- 3) 6TH AMEND. CONFRONTATION CLAUSE (DISMISSED THE EXPERT THAT WOULD COOPERATE HYDES DEFENSE - WITHHELD EVIDENCE X DISMISSED EXPERT HOW CAN HYDE GET A FAIR TRIAL w/ DEPRIVATION OF MATERIAL E WITNESS? (6TH AMEND, 14TH AMEND, VIOLATIONS U.S. CONSTITUTION)
- X 4) APPEALS COURT NEVER RULED ON HYDES (PROSE) APPEAL BRIEF?

\* GOVT must RESPECT the DUE PROCESS GUARANTEES.

NOT REVIEWING (PROSE) Appellate Brief - MANDATORY EXCULPATORY EVIDENCE  
MISSING FROM RECORD - PROOF THAT IT WAS "WITHHELD" Simple "DNA Bullet"  
CONCLUSION  
BECAUSE 11th CIR. Appeals Court - NEVER ADDRESS THE EXTREME  
VIOLATIONS OF CONSTITUTION AND HUMAN RIGHTS - THUS ENABLING  
THE DISTRICT CT TO SUPPORT PERJURY DEPRIVE HYDE OF FAIR TRIAL  
The petition for a writ of certiorari should be granted.

Respectfully submitted,

Charles F. Hyde II

Date: 5-17-2024

(pg 6)