

24-5011

No. _____

ORIGINAL

FILED
JUN 24 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

Brandon Collins — PETITIONER
(Your Name)

vs.

State of Illinois — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Illinois Appellate Court First Judicial District ^{No.} 1-22-0569
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Brandon Collins
(Your Name)

P.O. Box 1000
(Address)

Menard, IL, 62259
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

- 1.) Petitioner was denied his right to a speedy trial.
- 2.) The Circuit Court abused his discretion when it denied Petitioner's motion for a continuance.
- 3.) The State failed to prove Petitioner Guilty beyond a reasonable doubt of First Degree Murder and Aggravated Battery with a firearm because the eyewitness testimony was conflicting and not credible.

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:

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TABLE OF AUTHORITIES CITED

CASES: People v. Campbell, 146 Ill. 2d 363, 375 (1992); PAGE NUMBER

People v. Slim, 127 Ill. 2d 302, 307 (1989); People v. Mayfield, 2023 IL 128092;
People v. Walker, 232 Ill. 2d 113, 125 (2009) quoting People v. Lott, 66 Ill. 2d 290,
297 (1977); People v. Fountain, 2016 IL App (1st) 131474, ¶ 34; Walker, 232 Ill. 2d
¶ 177-18; Walker, 232 Ill. 2d at 125-126; People v. Jackson, 232 Ill. 2d 246,
280 (2009) *Id* at 81; Neil v. Biggers, 409 U.S. 188 (1972); Slim 127 Ill. 2d
at 307-308; People v. Smith, 185 Ill. 2d 532 (1999); People v. Herman, 407
Ill. App. 3d 688 (2011); People v. Brooks, 187 Ill. 2d 91, 133 (1999); People v.
Sullivan, 366 Ill. App. 3d 770, 782 (2006).

STATUTES AND RULES: 725 ILCS 5/103-5(b); 725 ILCS 5/103-5(a), 103

D; U.S. Const., Amend. VI, ~~XIV~~; Ill. Const. 1070, Art. I § 8;

OTHER

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 _____ 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 03/27/2024.
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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

• U.S. Const. Amend. VI, XIV; Ill. Const. 1070, Art. I § 8;
• 725 ILCS 5/103-5(b), 725 ILCS 5/103-5(a), 103-5(j)

STATEMENT OF THE CASE

Petitioner Brandon Collins was convicted by a Jury of First Degree Murder and two Counts of Aggravated Battery with a Firearm. Collins was sentenced to a Aggravate 65 years in prison: 15 years for First Degree Murder and 10 years for each Count of Aggravated Battery with a Firearm, the Sentence to be served Consecutively.

On Appeal, Collins argues his right to a speedy trial was violated. He was denied the right to a fair trial, And the State failed to prove him guilty beyond a reasonable doubt. The Appellate Court affirmed the jury Verdict.

REASONS FOR GRANTING THE PETITION

The Supreme Court Review is "Warranted" in this present case because petitioner's speedy Trial rights were clearly violated.

1) The petitioner requested a speedy trial pursuant to 725 ILCS 5/103-5 b) and was denied. Covid-19 Hit America in 2020. The petitioner was arrested on July 14, 2016 and demanded trial 4 years prior to Covid-19. The petitioner wasn't afford a speedy trial.

2) The Petitioner Clearly wasn't proven Guilty beyond a reasonable doubt when Two State eyewitnesses "Picked" "Out" "fillers" in a lineup conducted by the police also state eyewitness Admitted she picked out the wrong man in another lineup conducted by the police.

The fact that the State eyewitnesses picked out two fillers in a lineup conducted by the police (fillers are Individuals inside the police station used by the police to fill-up a lineup) should set off alarm for this Supreme Court. Picking out the two fillers by the State eyewitnesses clearly established that the eyewitnesses are not credible and reliable.

A conviction will not be reversed unless the evidence is "unreasonable, improbable, or so unsatisfactory as to justify a reasonable doubt of the defendant's guilt. see People v. Campbell, 146 Ill. 2d 363, 375 (1992).

The State has to prove beyond a reasonable doubt the Identity of person who committed the Crime. People v. Slim, 127 Ill. 2d 302, 307 (1989). The State eyewitnesses was not credible or reliable. They picked out two fillers in a lineup!!

3) Trial Court abused its discretion when it denied Petitioner Motion for a Continuance.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Brandon Collins

Date: 6/21/2024