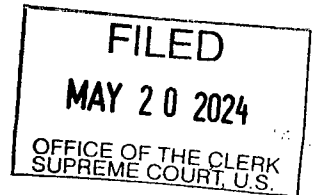


IN THE SUPREME COURT OF THE UNITED STATES

24-5265 TERM, 2024



Fred Lee Williams
PETITIONER

VS.

NO. CR-14-1088

State of Arkansas
RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

Fred Lee Williams - ADC 093355
(YOUR NAME)

P.O. Box 970
(ADDRESS)

Marianna, Ar 72360
(CITY, STATE, ZIP CODE)

(PHONE NUMBER)

QUESTION(S) PRESENTED

- 1) Did state purposely misrepresent and submit, misleading and false identity of name or person evidence inhered in verdict against defendant?
- 2) Did Arkansas Supreme Court err, failing to find Brady v. Maryland supra., due-process violation in present case? or Napue violation? Carran v. Delaware^{supra} or Miller v. Pate violation?
- 3) Did state further, prejudice defendant by being relieved of its burden of proof resulting from false evidence use and uncorrected, to obtain conviction?
- 4) Does mitigation evidence excluded meet chambers-test and can be raised anytime where court erred?
- 5) Did state err failing to find material fact of identity "beyond a reasonable doubt" incurring same in verdict?
- 6) Does judgment conform to verdict in this case?

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:

- 1) Fred Lee Williams
ADC-093355
P.O. Box 970
Marianna, Ar 72360
- 2) State of Arkansas
323 Center Street - Suite 200
Little Rock, Ar 72201
- 3) Criminal Justice Coordinator
Supreme Court of State Arkansas
Justice Building, Suite 1300
625 Marshall Street
Little Rock, Ark 72201

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IN THE SUPREME COURT OF THE UNITED STATES

_____ TERM, 20 24

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 designed 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☐ is unpublished.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 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 A to the petition and is

- ☐ reported at _____; or,
☒ has been designed for publication but is not yet reported; or,
☐ is unpublished.

*Ask Sup Ct
May 16, 2024 order*

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 _____.

☐ 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 May 16, 2024. A copy of that decision appears at Appendix A.

☐ 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. Constitution 6 and 14 amendments

STATEMENT OF THE CASE

In 2014, Fred Lee Williams charged by information of First-degree murder and abuse of a corpse, in the death of Tangelia Watton was tried by a Drew County, Arkansas jury whom found guilty, under the habitual felon statute, the trial court imposed an aggregate life sentence, twenty-years. He appealed, however, the Arkansas Supreme Court affirmed, *Williams v. State*, 2015 Ark 316, 468 S.W. 3d 776.

Later, Williams filed a petition for Writ of Error Coram Nobis, he argued that, the State misrepresented and submit, misleading and false identity of name or person evidence inhered in the verdict against him. The Arkansas Supreme Court denied his petition on May 16, 2024. It is from that order, he seeks discretionary review of the Arkansas Court's decision,

Fred Lee Williams
ADC 093355
P.O. Box 970
Marian, AR 72360

REASONS FOR GRANTING THE PETITION

Fred Lee Williams argues, the state of Arkansas "purposely" misrepresented and submit, misleading and false identity of name or person evidence inhered in the verdict against him.

That, this misconduct violated *Brady v. Maryland*, 373 U.S. 83 (1963); *Mooney v. Holohan*, 295 U.S. 103 (1935); *Curran v. Delaware*, 259 F.2d 707, 713 (3d Cir. 1958) (finding a violation of the 14th amend. when a police officer perjured himself at trial, regardless of whether the prosecutor was aware of the perjury) and, *Miller v. Pate*, 386 U.S. 1 (1967) where prosecutor argued erroneously paint stains on shorts were blood. The state, in this case, charged "Fred Lee Williams" of both alleged offenses. The name of a party is necessary to the description of the offense.

At trial, T.R. 209-16 and T.R. 717, ARCI 2d 8301-VF's and AMCI 2d 9312 stage two verdict forms, the state assert that "Fred Williams" was the defendant and, his right name, Fred Lee Williams is not known by, nor the same as 'Fred Williams'. The state introduce no additional evidence on this point. Williams contends (Beasley supra) prejudice - the identity evidence was controverted during the guilt and sentencing phase by the state, although state introduced a prior conviction document. *Davis v. Zant*, 36 F.3d 1538, 1548 n.15

(11 Cir. 1994) erroneously. The State were relieved of its burden of proof, where court, jury and defense were mislead and not fully apprised of defendant's identity or state's allegations. Williams argues, this misconduct result in a "split verdict", one part right, another ineffective. Clearly the error influence the verdict, evidence were uncorrected - *Napue v. Illinois*, 360 U.S. 264 (1959) furthering due process and unfair trial violation, thus, defendant presents his petition for review of Arkansas Supreme Court's decision, U.S. Const. 6 and 14 amend. violation

State omit finding beyond a reasonable doubt full friendship.
Additionally, the Perry evidence passes, the chambers test and
manipulation of mitigation evidence were error and can be raised
anytime.

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Jafel Williams ADC 093355 P.O. Box 970 Matsigay Ar 172360

Date: May 19, 2024