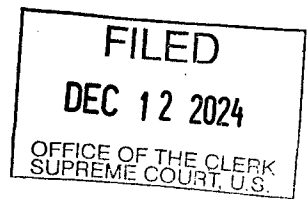


24 - 6662



No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

Fred lee Williams — PETITIONER
(Your Name)

vs.

State of Arkansas — RESPONDENT(S)

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 the State of Arkansas's withholding of exculpatory or impeachment evidence in defendant's case violate his 14th amendment right to due process by hindering his preparation and presentment of a defense Brqued Dec 12, 2024,
2. Did undisclosed evidence, (i.e., whether Dr. Craig is or not board certified in any field of pathology) limit or restrict defendant's ability to rebut professional expertise credibility of ~~Craig~~ as an expert thus the 6th amendment, warrant reversal of Supreme court Dec 12, 2024 decision?
3. Is undisclosed evidence, board certification material to impeachment by contradiction, where Dr. Craig assert on page (1) one of his Autopsy report, he was "Pathologist of record", giving firmest impression he was a pathologist. Then at trial testifying, he work as a forensic pathologist. Thereby violating Brady, because it misled jury, altogether deceive court and defendant. Thus, Supreme Court Arkansas Dec 12, 2024 decision is 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:

RELATED CASES

None

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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☐ is unpublished.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 A to the petition and is

☒ reported at Arkansas Supreme Court-CR-14-1088; or, Dec 12, 2024
☐ 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 12-12-2024.
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

*The sixth amendment and fourteenth amendment
of United States Constitution.*

STATEMENT OF THE CASE

In 2014 a Drew Co. Arkansas jury found Fred Lee Williams guilty of Murder in the first degree and Abuse of Corpse, for which he was sentenced to life and twenty years, respectively. See Williams v. State, 2015 Ark 316, 468 S.W.3d 776 - He appealed, however the Arkansas Supreme Court affirmed below.

After numerous post-conviction efforts - all denied, Williams on Oct 15, 2024 found where the State had withheld exculpatory or impeachment evidence at his trial. On Oct 25, 2024 he filed a Writ of Error Coram Nobis motion for relief, arguing State withheld evidence at his trial, a key state witness, Dr Adam Craig credibility would have been rebut, but for withholding and other impeachment by contradiction - Craig's report and testimony. The Arkansas Supreme Court denied the Writ, here Williams seeks discretionary review, arguing violation of his sixth and fourteenth amendment right and Brady supra, because, the trial was unfair.

REASONS FOR GRANTING THE PETITION

Williams objects, to the Arkansas Supreme Court denial of his petition. He seeks discretionary review from this Court, pointing to violations of Brady *supra* and its progeny, also, his sixth and fourteenth amendment rights under the United States Constitution. Here, he argues, the State-prosecution withheld exculpatory or impeachment evidence at his trial. The State is suppose to give a list of all expert witnesses the prosecution intends to call at trial, along with each experts qualifications, the subject and a description of his or her contemplated testimony and the expert's report. A.C.A. 12-12-313(b); A.R.E. 17.1, 17.3, 17.4; Brady. Dr. Adam Craig - medical examiner proffered by State, whom conducted decedent-Watton's autopsy and report testified, T.R. 605-145 - failing to mention, as State failed discover obligation that, Craig was not board certified in any field of pathology April 2013, when he conducted examination and report. Kinser v. ElKadi, 674 *supra*. Brady obligation comprehends evidence which provides some significant aid to the defendant's case, whether it furnishes corroboration of the defendant's story, calls into question a material, although not indispensable element of the State's version of the events, or challenges the credibility of a key state witness. Commonwealth v. Ellison, 376 Mass. 1, 22, 379 N.E. 2d 560 (1978); Howard v. State 2012 Ark *supra*. Craig was not board certified in any field of pathology. See Nichols v. State, 2015 Ark 274, 465 S.W. 3d 846 (Ark 2015) Williams found this information Oct 15, 2024 after much research and State prolong effort of litigation, hiding or withholding the evidence, which Williams would have used to rebut Craig's professional expertise credibility as an expert. Kinser *supra*; Califi v. Trombetta *supra*; U.S. Const. 6, 14 and, Williams alleges, he was prejudice. The State's withholding limited preparation and presentment of his defense, denied him evidence corroborating his story, Watton died from his slump seizure weight and,

tending to impeach, Craig's credibility. *Commonwealth v. Collins*, 386 Mass. 1, 8, 434, N.E. 2d 964 (1982). Craig had testified, 623-645 he determined the decedent's death, a homicide based on the number of bruises found, he admit uncertainty recognizing bruises - found by biopsies, excisions, skin things of anatomical pathology. See *Horn v. Stephenson* 11 F.4th, 163 (2nd Cir. 2021) citing why board certification was relevant to state's version of events and Craig's credibility, *Russell*, 2021 Ark. 119, 623 S.W. 3d 117. Williams argues, Craig's lack of credentials - when effectively questioned, corroborates his story, that no altercation happen between him and Walton, which is further corroborated by healing found in her injury at page (3) three (c) of Craig's report. The trial was unfair, it rested on Craig's unreliable evidence and testimony. Moreover, impeachment by contradiction is found. Where Craig, on page (1) one of his Autopsy report, assert that, he is "Pathologist of record". The firmest impression suggest by this phrase, is that Craig assert he is a pathologist. Then, at trial TR 606 he testified, that he work as a forensic pathologist, See - *Simmons Inc. v. Pinkerton's Inc.* 762 F.2d at 604; Rule 613; 801 A.R.E. Both of these assertions cannot be true. The undisclosed evidence, whether Craig is or not board certified displays this knowledge. *Brady supra*, U.S. Const. 6, 14 and *Brady*. In both instance, below the withheld evidence was "material", it shows Craig is bias, favoring the state's case, that, he is generally unbelievable or shows he has a specific motive to live, inference by change of conclusion, or probatory status - *Davis v. Alaska supra*, U.S. v. *Bagley*, 473, U.S. 667 (1985) Williams conviction rest upon Craig's crucial evidence - testimony. Due process requires disclosure of any evidence that can be used to impeach the credibility of a prosecution witness. Here, Craig and the state withheld such evidence. Second, Craig lied - his prior statement assert in his report, differed his trial testimony on the point or issue of being a pathologist, rather than just saying, I don't know how she incurred the bruising - then, later some grab her arm or

it possibly choking Tr R 610-637 - See Autopsy Report at page(1) one
as medical examiner. Williams was prejudice - his compulsory
and confrontation rights were restricted, the overall course of
the state's misconduct, prejudice sentencing, he was imposed
maximum sentencing under, a withholding of evidence scenario -
pretense of due process. Had the evidence been disclosed it tend
to indicate the defendant is not guilty of Murder - Abuse of
corpse and tend to show that if not acquitted, a lesser
conviction or sentence would be appropriate. [152 N.E.2d 76]
There is a reasonable probability of a different outcome, Craig's
autopsy and report cannot be said to connect defendant to
any crime, *U.S. v. Bagley supra.*, his entire report and testimony
is called into serious question of doubt and untruth.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Inf Lee Williams

Date: 12-14-2024