

24-7420  
No. \_\_\_\_\_

ORIGINAL

Supreme Court, U.S.  
FILED

MAY 27 2025

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

BENAJI OLABAMIDELE — PETITIONER  
(Your Name)

vs.

STATE OF MINNESOTA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

STATE OF MINNESOTA, SUPREME COURT  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

BENAJI OLABAMIDELE  
(Your Name)

1101 LINDEN LANE  
(Address)

FARIBAUT, MN 55021  
(City, State, Zip Code)

\_\_\_\_\_  
(Phone Number)

QUESTION(S) PRESENTED

1. WAS LOWER COURT DECISION VALID FOLLOWING SEVERAL INSTANCES OF PROSECUTORIAL MISCONDUCT DURING TRIAL IN CRIMINAL CASE.
2. DID STATE SUPREME COURT CORRECTLY STATE THAT "THERE IS NO REQUEST FOR A REHEARING ON A PETITION FOR FURTHER REVIEW?"

## 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

STATE OF MINNESOTA VS ~~BEWATI~~ DLABAMDELE OLMUDE  
BEWATI

A23-1398 12/23/2024

## 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	Decision of State Court of Appeals.
APPENDIX B	Decision of State Supreme Court denying Petition For Further Review.
APPENDIX C	Letter from Petitioner's Counsel notifying of state remedies exhaustion.
APPENDIX D	Letter from Clerk of State Court of Appeals notifying of no request for rehearing on a petition for further review.
APPENDIX E	Motion to/for Extension of Time, Petition for Rehearing & Memorandum in Support of.
<del>APPENDIX F</del>	

**TABLE OF AUTHORITIES CITED**

**CASES**

**PAGE NUMBER**

N/A

**STATUTES AND RULES**

N/A

**OTHER**

N/A

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☐ is unpublished.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 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 State of Minnesota Court of Appeals court appears at Appendix A 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 12/17/2024.  
A copy of that decision appears at Appendix B.

☐ 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

Appendix A Page 11 A. "Bewaji has established two instances of prosecutorial misconduct."

This is decidedly a 5<sup>th</sup>, 6<sup>th</sup>, and 14<sup>th</sup> Amendment violation to the United States Constitution.

Other instances of prosecutorial misconduct exist within Appendix A which were not accepted by the Courts as egregious etcetera.

The State did not produce evidence outside of third-party statements of the existence of a power of attorney that was discussed in other trials which were considered mistrials from State not presenting other evidence.



## STATEMENT OF THE CASE

Petitioner accused of criminal sexual conduct against a woman 30 years his senior. State committed several instances of prosecutorial misconduct. State never produced alleged victim for questioning. State accepted alleged victim's son's alleged power of attorney over affairs yet never produced said document as evidence. These events culminated in a decision of guilt and on appeal affirmed with denial by State Supreme Court for Further Review. Attempt to have excusable untimely filing Rehearing refused by State Supreme Court under premise that "there is not request for a rehearing on a petition for further review".

#### REASONS FOR GRANTING THE PETITION

Discovery of evidence and the States production of said evidence is essential to trial proceedings. Failure of the State to produce substantiating evidence with hearsay testimony erodes the legitimacy of Due Process. A fair trial can not be had without equal protection. To allow prosecutorial misconduct to occur with no re-trial runs in the face of justice when combined in the totality of circumstances. The State standard must be held in highest regard when criminal charges may be held.

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

As Ewaji

Date: 5/17/2025