

24-7446

ORIGINAL

Supreme Court, U.S.
FILED

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In the Supreme Court of the United States

Commonwealth of Pennsylvania v Royster, No. 1906 EDA 2016

On Petition for Writ of Certiorari to the United States
Court of Appeals for the Third Circuit

To the Honorable Justices of the Supreme Court:

Petitioner: Telly Royster EL2245
SCI Phoenix
1200 Mokychia Drive
Collegeville PA 19426

Respondent: Commonwealth of Pennsylvania

Questions Presented

1. Whether the failure to consider trial counsel's mental health issues in evaluating the effectiveness of counsel constitutes a violation of the Sixth Amendment right to effective assistance of counsel.
2. Whether the dismissal of Mr. Royster's second PCRA petition without a hearing on the merits or timeliness violates the Due Process Clause of the Fourteenth Amendment.
3. Whether the procedural bars imposed by the state courts unjustly preclude a fair examination of Mr. Royster's claims, impacting the standards for effective legal representation in capital cases.

List of Parties

Petitioner: Telly Royster

Respondent: Commonwealth of Pennsylvania

List of Proceedings

Trial Court: Court of Common Pleas of Philadelphia County,
Case No. CP-51-CR-0001234-1999

First PCRA Petition: Dismissed by the Court of Common Pleas,
affirmed by the Pennsylvania Superior Court

Second PCRA Petition: Filed January 23, 2015, dismissed by
the Court of Common Pleas on May 20, 2016, affirmed by the
Pennsylvania Superior Court on June 6, 2016 and reargument
denied on November 22, 2017

Petition for Allowance of Appeal: Denied by the Pennsylvania
Supreme Court on July 10, 2018

Petition for Writ of Habeas Corpus: Filed May 18, 2019, denied
by the U.S. District Court for the Eastern District of
Pennsylvania on December 14, 2022 certificate of appealability
denied on August 7, 2024, and rehearing denied on
September 25, 2024

Citations of Official and Unofficial Reports

Commonwealth v Royster, No. 1906 EDA 2016, 2017 Pa Super Unpub
LEXIS 3482, 2017 WL 4150580

Commonwealth v Royster, 647 Pa 319, 189 A3d 381 (Pa 2018)

Royster v Lawrence Mahally, 2020 US Dist. LEXIS 89339
(E.D. Pa., May 19, 2020)

Royster v Superintendent Phoenix SCI, et al., No. 19-CV-2126,
2024 WL 4150580 (E.D. Pa.)

Concise Statement of the Basis for Jurisdiction

a) The judgment sought to be reviewed was entered on December 14, 2022, by the US District Court for the Eastern District of Pennsylvania. b) The order respecting rehearing was denied on September 25, 2024. c) The statutory provisions believed to confer jurisdiction on this Court are 28 U.S.C. § 1254(1) and 28 U.S.C. § 2254.

Concise Statement of the Case

Mr. Royster was convicted of first-degree murder and sentenced to life without parole. His first PCRA petition was dismissed due to ineffective assistance of counsel. In 2015, he filed a second PCRA petition, citing newly discovered evidence/facts of his trial counsel's mental illness. The PCRA court dismissed this petition as untimely without a hearing. The Pennsylvania Superior Court affirmed the dismissal, and the Pennsylvania Supreme Court denied further review. Mr. Royster then filed a petition for writ of habeas corpus, which was denied by the U.S. District Court. His request for a certificate of appealability and rehearing were also denied.

Argument

Ineffective Assistance of Counsel: The failure to consider trial counsel's mental health issues in evaluating effectiveness raises substantial questions about the integrity of the representation provided to Mr. Royster. The Court must address whether the state court adequately assessed the implications of counsel's mental illness on trial's outcome (*Strickland v Washington*, 466 US 668 (1984)). Additionally, in *United States v Cronk*, 466 US 648 (1984), the Supreme Court recognized that certain circumstances, such as abandonment of counsel due to mental illness, can lead to a presumption of ineffectiveness without the need for detailed inquiry into counsel's actual performance. This precedent underscores the necessity of considering counsel's mental health in evaluating the effectiveness of representation.

4) Due Process and Fairness: The dismissal of Mr. Royster's second PCRA petition without a hearing on the merits or timeliness contravenes principles of due process. The Court should consider whether the procedural bars imposed by the state court unjustly preclude a fair examination of Mr. Royster's claim (*Gideon v Wainwright*, 372 US 335 (1963)).

5) Impact of Capital Sentencing: Given the gravity of a life sentence without parole, particularly in a capital context, the Court should evaluate the broader implications of this case on the standards for effective legal representation and the necessity of hearings in PCRA proceedings (*Miller v Alabama*, 567 US 460 (2012)).

Conclusion

The issues presented in this case are of profound significance, not only for Mr. Royster but for the integrity of the judicial process in capital cases across the nation. The failure to provide a fair hearing on the merits of Mr. Royster's claim undermines the fundamental principles of justice. The precedent set in *United States v Cronk* 466 US 648

(1984), highlights the critical importance of addressing counsel's mental health issues to ensure effective representation. Therefore, Petitioner respectfully request that this Court grant the writ of certiorari to ensure that the rights of defendants are upheld and that the judicial system remains a bastion of fairness and due process.

Respectfully submitted,

Dated: 3/12/25



Corrections made: 5/25/25

Telly Royoter