

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

October Term 2024

ELDON GALE SAMUEL, III,
Petitioner,

v.

TEREMA CARLIN,
Respondent.

*On Petition for a Writ of Certiorari
to the United States Court of Appeals for the Ninth Circuit*

PETITION FOR A WRIT OF CERTIORARI

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QUESTIONS PRESENTED

This petition raises the following questions:

I.

Whether the state court unreasonably determined that 14-year-old Eldon Samuel knowingly, intelligently, and voluntarily waived his *Miranda* rights before speaking to police officers during a custodial interrogation.

II.

Whether the state court unreasonably determined that 14-year-old Eldon Samuel knowingly, intelligently, and voluntarily provided incriminating statements to police officers during their interrogation of him.

PARTIES TO THE PROCEEDING

The petitioner is Eldon Gale Samuel, III.

The respondent is Terema Carlin, the Warden of the Idaho State Correctional Center - Orofino.

STATEMENT OF RELATED PROCEEDINGS

State v. Eldon Gale Samuel, III, Kootenai County, Idaho, Criminal Case No. CR-2014-5178, Judgment entered April 5, 2016.

State v. Eldon Gale Samuel, III, 452 P.3d 768 (Idaho 2019).

Eldon Gale Samuel, III, v. Terema Carlin, United States District Court for the District of Idaho, 2:20-cv-00545-REP, judgment entered May 24, 2023.

Eldon Gale Samuel, III, v. Terema Carlin, Appeal No. 23-35408, United States Court of Appeals for the Ninth Circuit, rehearing denied March 14, 2025.

TABLE OF CONTENTS

QUESTION PRESENTED	i
PARTIES TO THE PROCEEDING	ii
TABLE OF CONTENTS.....	iv
TABLE OF AUTHORITIES	v
OPINIONS BELOW	1
JURISDICTION.....	1
PERTINENT CONSTITUTIONAL AND STATUTORY PROVISIONS	2
STATEMENT OF THE CASE.....	3
REASON FOR GRANTING THE PETITION	11
I. The Court should grant the writ to further clarify the constitutional standards governing juvenile interrogations.....	11
A. The state court unreasonably applied this Court's longstanding case law to conclude that 14-year-old Eldon Samuel had knowingly, intelligently, and voluntarily waived his Miranda rights before his custodial interrogation	14
B. The state court unreasonably applied this Court's longstanding case law to conclude that 14-year-old Eldon Samuel had knowingly, intelligently, and voluntarily provided incriminating statements to the police.....	18
CONCLUSION.....	20
APPENDIX	
Appendix A, Court of Appeals' Order Denying Petition for Rehearing En Banc.....	1a
Appendix B, Court of Appeals' Opinion	2a

Appendix C, District Court's Memorandum Decision and Order	8a
Appendix D, State Court Direct Appeal Opinion	37a

TABLE OF AUTHORITIES

Cases

<i>Arizona v. Fulminate</i> , 499 U.S. 279 (1991)	12
<i>Bellotti v. Baird</i> , 443 U.S. 622 (1979)	13
<i>Duckworth v. Eagan</i> , 492 U.S. 195 (1989)	12
<i>Fare v. Michael C.</i> , 442 U.S. 707 (1979)	12, 17
<i>Gallegos v. Colorado</i> , 370 U.S. 49 (1962)	11, 13, 18
<i>In re Gault</i> , 387 U.S. 1 (1967)	11
<i>Graham v. Florida</i> , 560 U.S. 48 (2010)	19
<i>Haley v. Ohio</i> , 332 U.S. 596 (1948)	11, 13
<i>J.D.B. v. North Carolina</i> , 564 U.S. 261 (2011)	13, 19
<i>Miller v. Alabama</i> , 567 U.S. 460 (2012)	19
<i>Miranda v. Arizona</i> , 384 U.S. 436 (1966)	<i>passim</i>
<i>Rogers v. Richmond</i> , 365 U.S. 534 (1961)	12
<i>Roper v. Simmons</i> , 543 U.S. 551 (2005)	13
<i>Schneckloth v. Bustamante</i> , 412 U.S. 218 (1973)	13

State v. Samuel,
452 P.3d 768 (Idaho 2019). App. 37a – 39a 5, 16

United States v. Preston,
751 F.3d 1008 (9th Cir. 2014) 13

Statutes

28 U.S.C. § 1257(a) 1

28 U.S.C. § 2254(d) 2, 10

Other Authorities

Rule 13-3 of the Rules of the United States Supreme Court 1

U.S. Const. Amend V *passim*

U.S. Const. Amend. XIV 2, 3, 12

PETITION FOR A WRIT OF CERTIORARI

OPINIONS BELOW

The Court of Appeals' order denying Samuel's Petition for Rehearing En Banc is in Appendix A.

The Court of Appeals' unpublished opinion affirming the district court's denial of habeas corpus relief is in Appendix B.

The district court's Memorandum Decision and Order denying habeas corpus relief is in Appendix C.

The Idaho Supreme Court's published opinion affirming Samuel's convictions and sentences on direct appeal is in Appendix D.

JURISDICTION

The Court of Appeals denied Samuel's Petition for Rehearing En Banc on March 14, 2025. App. 1a He has filed this petition within 90 days of that denial. *See* Rule 13-3. The Court has jurisdiction under 28 U.S.C. § 1257(a).

PERTINENT CONSTITUTIONAL AND STATUTORY PROVISIONS

The Fifth Amendment to the United States Constitution provides, in relevant part: "No person ... shall be compelled in any criminal case to be a witness against himself ..."

The Fourteenth Amendment to the United States Constitution provides, in relevant part: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law ..."

* * *

Title 28 U.S.C. § 2254(d) provides:

(d) An application for a writ of habeas corpus on behalf of a person in custody pursuant to the judgment of a State court shall not be granted with respect to any claim that was adjudicated on the merits in State court proceedings unless the adjudication of the claim—

- (1) resulted in a decision that was contrary to, or involved an unreasonable application of, clearly established Federal law, as determined by the Supreme Court of the United States; or
- (2) resulted in a decision that was based on an unreasonable determination of the facts in light of the evidence presented in the State court proceeding.

STATEMENT OF THE CASE

A. Introduction

Eldon Samuel, now 25-years-old, has been in state custody on an adult charge since he was 14 years old. At that young age, after years of parental abuse and neglect, he shot and killed his father in the tiny rental home that they shared in Coeur d'Alene, Idaho. App. 37a – 39a. He also killed his younger brother during the same episode. *Id.* The State charged him with second-degree murder in his father's death and first-degree murder for the death of his brother. *Id.* At trial, he claimed self-defense as to his father and argued that he had killed his brother in a sudden rage, which would have been manslaughter, not murder. *Id.* He was convicted as charged. *Id.*

The State used Samuel's incriminating statements against him, which he had given to police officers during a custodial interrogation shortly after his arrest. The Idaho Supreme Court turned aside Samuel's argument that – due to his young age, immaturity, unstable background, and other unique factors – he had not knowingly and voluntarily waived his right to counsel and his right against self-incrimination before police questioned him (a *Miranda* violation). App. 54a – 55a. The state court further denied his claim that even if the State could prove that he had waived his *Miranda* rights, his statements were still involuntary, and their use at trial violated his rights under the Due Process Clause of the Fourteenth Amendment. App. 57a – 60a.

The Idaho Supreme Court affirmed. The federal district court denied habeas relief and the Court of Appeals for the Ninth Circuit, after granting a certificate of appealability, affirmed the district court. This Court should grant Samuel's petition for a writ of certiorari to further clarify the constitutional standards governing juvenile interrogations.

B. A young life filled with abuse

It is an understatement to say that by the time Eldon Samuel was a young teenager, he had lived a transitory and unstable life:

Samuel was born in California in 1999. Samuel's parents had another son eleven months after Samuel was born. Samuel's younger brother was severely autistic and required significant attention. Both of Samuel's parents had prescription drug addictions which led to financial problems, criminal charges, and arrests. Throughout Samuel's childhood the family lived in shoddy, cockroach-infested residences and moved frequently, usually after they had been evicted for not paying rent. Samuel's mother started abusing pain pills following a car accident when Samuel was 4, became suicidal, and was hospitalized several times. Samuel's father became addicted to pain pills after he injured his shoulder at work. Samuel's father began to believe that a "zombie apocalypse" was inevitable. Samuel's mother testified that Samuel's father taught him how to kill zombies by playing violent video games, watching zombie-themed movies, and training Samuel to use knives and guns.

Samuel witnessed extreme violence growing up. When Samuel was four he watched his father pour lighter fluid on his mother and threaten to burn her alive because he wanted a settlement check she received from a car accident. When Samuel was six he watched his father intentionally drive over his mother, breaking her collar bone. When Samuel was ten his father pointed a gun at his mother's head, bound her with duct tape, and forced Samuel to urinate on her. Child Protective Services were repeatedly contacted in California but never intervened. By 2013, Samuel's mother had left and Samuel's father

moved to Idaho with Samuel and his brother. Samuel had frequent visits to the doctor for insomnia, nausea, migraines, blurred vision, and congestion.

State v. Samuel, 452 P.3d 768, 775 (Idaho 2019). App. 37a – 39a.

On March 24, 2014, only six months after they moved to Coeur d'Alene, Idaho, Eldon Samuel's father and his brother would be dead, and he would stand accused of killing them.

C. The interrogation: “You have a right to talk to me. Like I said, I have a right to talk to you.”

That March evening, Eldon called 911. App. 39a. He told the operator that his brother and his father had been shot. App. 47a. Officers arrived at the small and publicly subsidized rental home in Coeur d'Alene, where they found Eldon's father and brother both deceased. *Id.* They arrested Eldon. *Id.*

Officers put Eldon in a small interrogation room. There, in the presence of at least three adult male police officers, the boy was ordered to strip naked, one piece of clothing at a time, while the officers took pictures to preserve evidence, for about 35-40 minutes. App. 48a. They also swabbed parts of his body. *Id.* When they gave him jail-issued clothing, they did not give him underwear, socks, or shoes despite his repeated requests. *Id.*

The lead interviewer, Detective Wilhelm, was the school resource officer at Eldon's middle school. App. 48a. Eldon was still in the eighth grade, App. 57a, and Wilhelm was familiar to him. Sergeant McCormick also tagged-teamed questions during the interview.

When asked, Eldon could not provide his phone number or home address. App. 48a. He also did not know his mother's address or phone number or even how to spell her last name. 57a. When Wilhelm asked him if he was experiencing any discomfort, he replied that he "always hurts all over." App. 48a. He hadn't eaten for the last 12 hours, when he had a few hotdogs, but claimed he was not hungry. *Id.* He said he had only slept about two hours the previous night, which he said was "good enough" because he takes medication to help him sleep. *Id.*

After those initial discussions were done, Detective Wilhelm gave Eldon a form to waive his *Miranda* rights, which he explained to Eldon as follows (taken from the Idaho Supreme Court's opinion):

Detective Wilhelm: Alright. Well, if you're okay let's get down to why- why we're here to talk today. Is that okay with you?

Eldon Samuel: Yeah.

Detective Wilhelm: I'm gonna scoot forward a little bit so I can go over this with you, okay?

Samuel: Okay.

Detective Wilhelm: We didn't go over this in the office, *but 99% of the kiddos in my office we give them this warning because sometimes we talk to the parents about what we're gonna talk about and sometimes we won't. Okay?* So, I've actually got two of these, so I'm gonna give you that, and then I've got one and I'm gonna explain it to you, okay? So this is a – I've got one for you too, sir.

Sergeant McCormick: Thanks.

Detective Wilhelm: This is a *Miranda* warning. You know how you see on TV, you see like these cop shows? *They're just TV shows. Let me tell ya, they're made up.* But they slam guys against the car.

Samuel: (Nods head yes).

Detective Wilhelm: They're slamming them up against the car and then they read these rights to them. And it's kind of at the same time, sometimes they slam up against the car, put them in jail, *then they read his rights. And so that's not anything like this.* Alright.

Samuel: (Nods head yes).

Detective Wilhelm: *These are just some rights that everyone is entitled to.* Like if I were to talk to my boss or, um, someone that came to my house and said, "Man, I need to talk to you about this." I probably wouldn't but I could pull out these *Miranda* rights and, "You know what, Officer Joe, I don't want to talk to you and this is why." Okay? Does that make sense?

Samuel: Yeah. (Nods head yes).

Detective Wilhelm: Okay, so I'm gonna read them to ya, and I'll just read them in order, okay? This is [sic] *Miranda* warning. It says first you have the right to remain silent. Number two. Anything you say can and will be used against you in a court of law. Third. You have the right to talk to a lawyer and have them present with you while you're being questioned. Good so far?

Samuel: (Nods head yes) Um-hum.

Detective Wilhelm: Okay. So fourth [sic]. If you can't afford to hire a lawyer one will be appointed to represent you before any questioning if you wish on [sic]. So in full print there it says – you're a smart guy. So do you understand each of these rights as I've explained them to you?

Samuel: (Nods head yes).

Detective Wilhelm: Do you understand those rights?

Samuel: Um-hum.

Detective Wilhelm: One through four?

Samuel: Um-hum.

Detective Wilhelm: Okay. Would you mind signing right there?

Samuel: (Grabs pen)

Detective Wilhelm: You sure?

Samuel: Yeah.

Detective Wilhelm: Eldon, can you circle yes for me too, if you don't mind?

Samuel: Yes.

Detective Wilhelm: *I didn't know you were a lefty.*

Samuel: A lefty?

Detective Wilhelm: Yeah. Did you have left-handed handcuffs? I'm just teasing you.

Sergeant McCormick: (Laughs)

Samuel: I screwed up.

Detective Wilhelm: *I messed you up didn't I?* Go ahead and sign. I'm sorry, I'll keep my mouth shut. Can you do me another favor? How about on the date? Can you date it for me? It is still 3/24/14 or it's March 24th 2014, however you wanna write.

Samuel: 3/24?

Detective Wilhelm: 14. 2014.

Samuel: (Signing paper).

Detective Wilhelm: Okay. So hang on to that for just a second okay. Now, that was the tough part. So you said that you understood each of those rights ...

Samuel: ... yeah ...

Detective Wilhelm: ... as I explained them to you, okay? It's because I did such a great job. Secondly, this, it says having these rights in mind, do you wish to talk to us right now? Do you want to talk to me and my boss about what's going on tonight?

Samuel: *Right now?*

Detective Wilhelm: Yeah. That's why we're here. Do you wanna talk?

Samuel: Like, *where will I, where will I stay?*

Detective Wilhelm: Just right here. We'll just chat right here.

Sergeant McCormick: Yeah, we're just gonna chat in this room.

Detective Wilhelm: No, we're not gonna keep you all night. We'll just chat right now. *So, this is just – because you have, you have the right to talk to me. Like I said, I have the right to talk to you, so this is just saying having these rights in mind do you want to talk to me right now?*

Samuel: *Right now?*

Detective Wilhelm: Yeah.

Samuel: Like how much time will it take?

Detective Wilhelm: It won't take long.

Sergeant McCormick: Thirty minutes to an hour tops is what I imagine.

Detective Wilhelm: Yeah, I've got stuff to do, so. Do you want to chat?

Samuel: Sure.

Detective Wilhelm: Okay. Do you want to do that [sic] same? Do you want to circle yes for me? And then can you put the date?

Samuel: Yeah.

Sergeant McCormick: Lefty, man, I love it.

Detective Wilhelm: I know, and did you see how good I did? I-I kept my mouth shut while you were signing. Okay, so I'm gonna take this real quick, okay? And so I'm gonna sign the bottom.

App 48a – 50a. (Emphasis added.)

Meanwhile, the public defender for Kootenai County had arrived at the police station and demanded to see Samuel. App. 57a. Officers denied that request. *Id.*

The interrogation lasted about four and a half hours, during which Samuel admitted to shooting his father and, after additional cajoling, to shooting and repeatedly stabbing his brother. App. 51a.

Those statements were used against him at his criminal trial, over his objection on Fifth Amendment grounds. On appeal, the Idaho Supreme Court affirmed in a published opinion. App. 37a – 80a. Samuel filed a petition for writ of habeas corpus in federal court, raising two claims under the Fifth Amendment. App. 11a. The district court eventually denied relief after concluding that the Idaho Supreme Court’s decision was not contrary to or an unreasonable application of clearly established federal law, as required by 28 U.S.C. § 2254(d). App. 35a – 36a. The Ninth Circuit granted a certificate of appealability but later affirmed the district court and then denied rehearing en banc. App. 1a, 2a – 7a.

REASON FOR GRANTING THE PETITION

The Court should grant the writ to further clarify the constitutional standards governing juvenile interrogations.

A persistent line of authority from this Court recognizes that “admissions and confessions of juveniles require special caution.” *In re Gault*, 387 U.S. 1, 45 (1967). When “a mere child—an easy victim of the law—is before us, special care in scrutinizing the record must be used.” *Haley v. Ohio*, 332 U.S. 596, 599–600 (1948)(noting that “age 15 is a tender and difficult age for a boy of any race ... [and] he cannot be judged by the more exacting standards of maturity.”). That is, “no matter how sophisticated,” a juvenile subject of police interrogation “cannot be compared” to an adult subject. *Gallegos v. Colorado*, 370 U.S. 49, 54 (1962).

This case implicates the constitutional rules surrounding *Miranda* warnings and waivers for juvenile suspects and the rules governing voluntariness of any subsequent confession.

Before police question an in-custody suspect, they must warn him that “he has a right to remain silent, that any statement he does make may be used as evidence against him, and that he has a right to the presence of an attorney, either retained or appointed.” *Miranda v. Arizona*, 384 U.S. 436, 444 (1966). Although this Court has never required that interrogators use magic words, the warnings must still “adequately and effectively” advise suspects of their choice under the Fifth Amendment, meaning that the warnings must clearly inform suspects of their

rights. *Id.*, at 467; *see also Duckworth v. Eagan*, 492 U.S. 195, 203 (1989) (noting that warnings must “reasonably convey” the suspect’s rights).

If a suspect makes a statement during custodial interrogation, the burden is on the prosecution to show that the defendant voluntarily, knowingly, and intelligently waived his rights. *Miranda*, 384 U.S., at 444, 475–476. The test for reviewing a juvenile’s purported waiver, like an adult’s waiver, is based on the totality of the circumstances. *Fare v. Michael C.*, 442 U.S. 707, 725 (1979). But, for a juvenile, those circumstances include an “evaluation of the juvenile’s age, experience, education, background, and intelligence, and ... whether he has the capacity to understand the warnings given him, the nature of his Fifth Amendment rights, and the consequences of waiving those rights.” *Id.*

Even if a juvenile has validly waived his or her rights under *Miranda*, any confession must still be voluntary. A criminal defendant is deprived of due process of law under the Fourteenth Amendment if his conviction is founded on a confession that was the product of coercion, either physical or psychological, regardless of the truth or falsity of the confession. *Rogers v. Richmond*, 365 U.S. 534, 540 (1961). This rule exists “not because such confessions are unlikely to be true but because the methods used to extract them offend an underlying principle of our criminal law.” *Id.* at 540-41 (citations omitted).

The test for determining voluntariness is to examine the totality of the circumstances and to ask whether the defendant’s will was overborne by police conduct. *Arizona v. Fulminate*, 499 U.S. 279, 287 (1991). A reviewing court must

examine the characteristics of the accused and the details of the interrogation, including factors such as: (1) whether the defendant was Mirandized; (2) the age of the accused; (3) the accused's level of education; (4) the length of the detention; (5) whether the questioning was repeated and prolonged; and (6) deprivation of food or sleep. *Schneckloth v. Bustamante*, 412 U.S. 218, 226 (1973). Because there is no single controlling criterion, "no single factor, such as length of interrogation, is dispositive." *United States v. Preston*, 751 F.3d 1008, 1017 (9th Cir. 2014).

As for juveniles, "[t]he application of these principles involves close scrutiny of the facts of individual cases," and the young age of the accused is a "crucial factor." *Gallegos*, 370 U.S. at 52 (citing *Haley*, 332 U.S. at 599-600). An interrogation that "would leave a man cold and unimpressed can overawe and overwhelm a lad in his early teens." *Haley*, 332 U.S. at 599.

This is so because "a child's age is far more than a chronological fact." See *J.D.B. v. North Carolina*, 564 U.S. 261, 272-73 (2011). In *J.D.B.*, the Court reaffirmed that, "time and again," it has held that children are not miniature adults under the law; they are influenced by peer pressure, more impulsive than adults, less mature, and less able to withstand questioning from authority figures. 564 U.S. at 272 (citing *Eddings v. Oklahoma*, 455 U.S. 104, 115-116 (1982)(holding that young age and a poor upbringing must be considered as mitigating circumstances at a capital sentencing); *Bellotti v. Baird*, 443 U.S. 622, 635 (1979) (noting that youth "are more vulnerable or susceptible to ... outside pressures" than adults); *Roper v.*

Simmons, 543 U.S. 551, 569 (2005)(relying on the unique and transitory attributes of youth to find that the death penalty is unconstitutional for juvenile offenders).

A. The state court unreasonably applied this Court's longstanding case law to conclude that 14-year-old Eldon Samuel had knowingly, intelligently, and voluntarily waived his *Miranda* rights before his custodial interrogation.

This case is not just about a child's lessened ability, compared to an adult, to understand difficult concepts about legal rights and to make voluntary decisions to give up those rights under the coercive pressure of custodial interrogation, though it is at least that. It is also about a child's ability to understand those difficult concepts and to make voluntary decisions when that child has lived a life full of deprivation and instability in the long shadow of an abusive father. In turning aside Samuel's claim in the state court, the Idaho Supreme Court noted that a suspect's young age was a factor in its analysis, but its opinion discounts precisely what makes youth and Samuel's *particular* characteristics such critical factors in this case.

The undisputed facts – indeed the facts recited by the Idaho Supreme Court at the very beginning of its opinion – reveal that Samuel's young life had been marked with turmoil and upheaval. App. 37a – 39a. His family moved from place to place after landlords evicted them for not paying rent. *Id.* He witnessed his father point a gun to his mother's head, tie her up, and run her over, all on different occasions. *Id.* She attempted suicide and was in and out of hospitals before leaving the family. *Id.* As both his parents struggled with addiction, Samuel was often tasked with taking care of his severely disabled brother. *Id.* As icing on this

particularly sour cake, Samuel’s father prepared him for an imaginary zombie apocalypse. *Id.* Intimidation, control, and violence were constants in his young life.

It is not a stretch to say that Samuel had been primed by his upbringing to fear and obey adult authority figures like his father. And the actions of law enforcement fed into that tendency. Before the interview began, Samuel had been in custody for nearly an hour. App. 55a. Officers exercised control over him and his body in a way that would make him feel vulnerable. They put him in a small interrogation room with at least three other adult male officers. App. 48a. They stripped him naked and took photographs. *Id.* They swabbed him for evidence. *Id.* They did not give him underwear, socks, or shoes, presumably because he was so small relative to the normal jail population. *Id.* It was clear who was fully in control. Samuel was taking medication for mental health issues, and he was always in pain from various physical ailments. App. 48a. He saw doctors frequently. *Id.* He had slept only a few hours the previous night and had not eaten for about 12 hours. *Id.* This set the stage.

In a coercive push and pull of law enforcement tactics, a purportedly friendly face was introduced into the mix. Detective Wilhelm was the school resource officer at Samuel’s middle school. App. 48a. Sergeant McCormick intentionally chose Wilhelm as the lead interviewer because he was known to Samuel, who had never been in trouble with the law before. But Wilhelm’s job was not to help Samuel; it was to extract a confession from him. Wilhelm played on his status as Samuel’s school resource officer. He displayed a jocular and friendly disposition. Detective

Wilhelm gave *Samuel* a copy of a *Miranda* waiver form and tried to interpret it verbally for *Samuel*, downplaying his rights and mangling them badly in the process. App. 48a – 50a.

He told *Samuel* that “we didn’t go over these in the office” – meaning when they had met before in his office at the school – but “99% of the kiddos in my office we give them this warning because sometimes we talk to parents about what we’re gonna talk about and sometimes we won’t.” App. 48a

This confusing introduction suggested that these rights were just routine (“99% of the kiddos we give them this warning …”) and even implied that the form was necessary when officers might want to speak with a kid without telling his or her parents, or something along those lines. He then explained that the form was a “*Miranda* warning,” but that it was not like television shows where “sometimes they slam up against the car, put them in jail, read them their rights. And so that’s not anything like that.” App. 49a. Again, the detective was implying that *Samuel*’s situation was not anywhere near that grave. And if there were any ambiguity about that, Wilhelm followed up that “[t]hese are just some rights that everyone is entitled to.” *Id.*

Wilhelm then read the form out loud and asked *Samuel* if he understood. *Samuel* nodded. Wilhelm asked him to sign, but while *Samuel* was trying to do that, Wilhelm distracted him by saying “I didn’t know you were a lefty?” *Samuel* didn’t seem to understand and responded, “a lefty?” 3-ER-173-74. Because of Wilhelm’s comment, he made a mistake in signing and dating the form. *Id.*

Samuel's responses after he signed further prove that he did not understand the nature of the rights he would be giving up. When Wilhelm asked him if he wanted to talk to him and "his boss" about "what's going on tonight," he said, "right now?" App. 49a. When Wilhelm told him, "that's why we're here. Do you wanna talk?" *Id.* Samuel asked, "like, where will I, where will I stay?" *Id.*

When Wilhelm tried to clarify things, he only made them worse. He told Samuel "[s]o, this is just – because you have, you have the right to talk to me. Like I said, I have the right to talk to you, so this is just saying having these rights in mind do you want to talk to me right now?" App. 49a (emphasis added). In this critical statement, Wilhelm turned the Fifth Amendment on its head. He, of course, had no right at all to speak to Samuel absent Samuel's waiver of his privilege against self-incrimination, and Samuel's right was one to be silent, not a right to speak to the officer.

The Idaho Supreme Court brushed aside Detective Wilhelm's statements as "perhaps too casual." App. 56a. They were much worse than that. They were affirmative misstatements of the law. He had no "right" to talk to Eldon Samuel about anything. This comment vitiated any correct explanation he may have previously provided.

In turning aside Samuel's claim, the Idaho Supreme Court cited the correct constitutional totality of the circumstances test from *Fare v. Michael C.* Yet it applied that test in an objectively unreasonable manner. Nowhere in its opinion did the Idaho Supreme Court acknowledge the special caution that this Court has held

must attend juvenile interrogations. *See, generally*, App. 47a – 60a. Although the Idaho Supreme Court initially acknowledged that young age was a factor in its analysis, it wholly failed to apply youth in the way that the United States Supreme Court has held it should be applied. Youth puts an interpretive gloss over the entire endeavor. That is so because the United States Supreme Court has held that, in the eyes of the law, children are less mature than adults and are more prone to influence and pressure from authority figures. *See, e.g.*, *Gallegos*, 370 U.S. at 52.

No fair-minded jurist could agree that these circumstances, when assessed and weighed cumulatively, demonstrated that Eldon Samuel understood the nature of the rights that he had or that he knowingly, intelligently, and voluntarily gave up those rights.

B. The state court unreasonably applied this Court's longstanding case law to conclude that 14-year-old Eldon Samuel had knowingly, intelligently, and voluntarily provided incriminating statements to the police.

The Idaho Supreme Court did not cite any of this Court's landmark cases holding that a reviewing court must exercise special caution when assessing the voluntariness of a juvenile's confession. *See, generally*, App. 57a – 60a. While the state court acknowledged that aspects of Samuel's education and background were relevant, its analysis reveals that it was, at best, attempting to compare those factors with other youths of a similar age rather than comparing them to the maturity and capacity of an adult who faces a police interrogation. It noted that Samuel "was able to work independently on schoolwork and had no trouble

communicating.” App. 57a. It wrote that “Samuel was at least of average intelligence, particularly for written and oral communication.” *Id.*

Nowhere did the Idaho Supreme Court identify the traits of children that this Court has repeatedly emphasized make them more vulnerable as a class, including their immaturity, susceptibility to influence and coercion, impulsiveness, and disadvantages in dealing with the police or authority figures. *See, e.g., J.D.B.*, 564 U.S. at 274 (collecting cases); *see also Miller v. Alabama*, 567 U.S. 460, 477-78 (2012) (defining “the incompetencies associated with youth” as including an “inability to deal with police officers or prosecutors ...”); *Graham v. Florida*, 560 U.S. 48, 78 (2010) (“[T]he features that distinguish juveniles from adults also put them at a significant disadvantage in criminal proceedings.”).

Nor did the Idaho Supreme Court consider Eldon Samuel’s own background that went well beyond the types of challenges that a child in the criminal justice system might have endured. Although he may have been of “average intelligence” and had “no trouble communicating,” he had lived a peripatetic young life filled with violence, neglect, and despair. He had moved dozens of times. He was absent nearly half of the brief part of the school year that he was enrolled in middle school, and he was failing his classes. His father had been a controlling and dominant figure for him, inculcating in him a belief in zombies. Whatever disadvantages a typical 14-year-old might have when facing police officers, Eldon Samuel had them in spades.

Remarkably, the state court dismissed the absence of a parental figure or other “friendly adult” as unimportant because “Samuel’s father had been killed earlier that evening, and the officers did not know how or where to contact Samuel’s mother during the interrogation.” App. 56a. But the import of this factor is not whether a friendly adult was readily available; it is that the absence of an adult in the child’s corner makes involuntariness more likely.

In any case, the officers did not try. They flipped the “friendly adult” script and portrayed Detective Wilhelm as a trusting source on his side, when nothing could be further from the truth.

No fair-minded jurist could agree that Eldon Samuel knowingly, intelligently, and voluntarily gave a confession to these police officers.

CONCLUSION

Eldon Gale Samuel, III, asks this Court to grant this petition and reverse the judgment of the Court of Appeals for the Ninth Circuit.

DATED this 12th day of June, 2025.

Respectfully submitted,

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