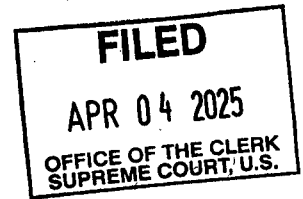


No. _____

ORIGINAL

24-7504



IN THE

SUPREME COURT OF THE UNITED STATES

Pro se DANIEL RAY GARCIA — PETITIONER
(Your Name)

vs.

MATTHEW JOSEPH KHESIMARYK, U.S. DISTRICT JUDGE;

UNITED STATES MARSHAL CHRISTOPHER — RESPONDENT(S)

FORBIS, SHERIFF; LEE ANN RENO, U.S. Magistrate Judge

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals the Fifth Circuit (No. 24-10774)

United States District Court for the Northern District of Texas

(No. 2:24-CV-153) out of case (No. 5:23-CR-100-Z-BR

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

PETITION FOR WRIT OF CERTIORARI

DANIEL RAY GARCIA ^{Inmate #} 101883
(Your Name)

9100 S. Georgia St
(Address)

Amarillo, Texas 79118
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

Can the United States District Court of the Northern District of Texas put a time limit on the 6th Amendment right to The United States Constitution.

Can the United States District Court of The Northern District of Texas ~~at~~ Force a pro se Defendant to take a plea By not wanting to give expert for his trial and not hearing motion Requesting Experts in a Racial and prejudice way.

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:

Daniel Ray Garcia Pro Se petitioner
Matthew Joseph Kacsmayk Respondent U.S. District Judge
United States Marshal Respondent
Christopher Forbis Sheriff Respondent
Lee Ann Reno Respondent U.S. magistrate Judge

RELATED CASES

Faretta v. California 422 U.S. 806, 45,
L. Ed. 2d. 562, 95 S. Ct. 2525 (1975)

—
Ake v. Oklahoma 470 U.S. 68 105 S. Ct. 1087,
84 L. Ed. 2d. 53 (1985)

—
Tennessee v. E.D. Johnson (1906)

—
United States v. Shipp No. 5 original (1909)

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TABLE OF AUTHORITIES CITED

CASES

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Faretta v. California (1975)
Ake v. Oklahoma (1988)

8.

STATUTES AND RULES

OTHER

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 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 United States district 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.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits 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 _____ 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 February 17 2025.

☒ 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 _____.
A copy of that decision appears at Appendix _____.

☐ 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 United States magistrate Lee Ann Reno of
The United States District Court of the Northern District
of Texas violated my 6th Amendment Right to the
United States Constitution under

Foretta v. California 422 U.S. 806, 45, L.Ed.
2d. 562, 92, S.Ct. 2525 (1975).

The United States District Judge Matthew Joseph
Kacsmayk violated my 5th, 6th and 14th Amendment Right
to the United States Constitution under

Foretta v. California 422 U.S. 806, 45, L.Ed. 2d.
562, 92 S.Ct. 2525 (1975)

Ake v. Oklahoma 470 U.S. 68 105 S.Ct 1087, 84,
L.Ed. 2d. 53 (1985)

STATEMENT OF THE CASE

On November 9 2023 Defendants first appearance in The United States District Court of The Northern District of Texas, Amarillo Division see Dkt.(7) Petitioner was violated his 6th Amendment Right Petitioner wanted to represent his self under The United States Constitution But his right was violated. The magistrate Judge states on the record on Dkt(7) that at that time she was violating Petitioners right to The 6th Amendment And forced a unwanted Attorney on Petitioner. And forced The 2nd Attorney on June 17 2024 see Dkt(48) it all on the minute in said proceedings.

And The United States District Judge of said Court also violated my 5th, 6th, 14th Amendment By stalling all motion The pro se Defendant submitted and rushing said case to trial without having expert appointed and forcing Pro Se Defendant to plea guilty and not allowing The Petitioner to with Draw his plea The plea was signed on August 27, 2024 skipping The Magistrates hearing and on August 29, 2024 plead guilty in front of The U.S. District Judge 2 Day later to not allow The pro se Defendant to with Draw his plea in a prejudice manner see all Record from Nov. 9 2023 through May 21 2025. please

REASONS FOR GRANTING THE PETITION

The reason for Granting said Petition for a pro se Defendant to have a fair trial and not be forced to take a plea in a Racial prejudice may be has the same right to a Attorney in any case. The Courts expects the pro se Defendant to follow the rules But Does not want the pro se Defendant to use the tools that his has the right to use under his 6th Amendment right to the United States Constitution and 5th, 14th to open the Doors to the Court house Does not mean the pro se Defendant had a chance to Defend him self. the United States Constitution state every person in the United States will have a fair trial and with witnesses and experts at trial

CONCLUSION

The petition for a writ of certiorari should be granted. *Under the United States Constitution with out prejudice in all things.*

Respectfully submitted,

A handwritten signature in black ink, consisting of a series of loops and curves, written over a horizontal line.

Date: May 15 2025