

NO.
IN THE
SUPREME COURT OF THE UNITED STATES

JUAN F. BLANCO
Petitioner,

-VS-

BRITTANY GREENE,
Respondent,

PETITION FOR WRIT OF CERTIORARI

On June 13, 2024, the U.S. Court of Appeal, for the Seventh Circuit, in Blanco v. Greene, No. 23-2667 denied Petitioner a certificate of appealability in his appeal from the denial of his 28 U.S.C. 2254 petition arising out of Blanco v. Greene, No. 19 C 1657 USDC NDIL WD.

It must be noted that in this instance, as in every instance since being charged, Petitioner has been relying on another individual to draft his pleading. This as petitioner is a Cuban National who does not read, write or comprehend english.

The individual drafting this complaint is doing so with only the reply filed in the district court and the request for a COA in the Seventh Circuit.

CLAIMS

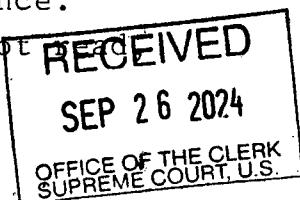
1.

WHETHER WHEN A CUBAN NATIONAL WHO DOES NOT READ, WRITE OR COMPREHEND ENGLISH IS DENIED THE NUMEROUS FEDERAL CONSTITUTIONAL RIGHTS AS ALLEGED IN THIS CASE FROM ARREST, PRETRIAL, TRIAL, POST-TRIAL, DIRECT APPEAL, COLLATERAL PROCEEDINGS, AND U.S.C. 2254 PROCEEDINGS, DOES THAT CONSTITUTE A DUE PROCESS VIOLATION WHICH EFFECTS THE LAND AS 70 MILLION LATINX INDIVIDUALS INHABIT IT.

As can be seen from Petitioner's request for a COA (Appendix A), he does not read, write, or comprehend English as he immigrated here from the Island of Cuba. The same will be gleaned from his reply/traverse (Appendix B) in the district court.

This case deals with multiple claims that are of the most serious nature: DNA testing, ineffective assistance of counsel, prosecutorial misconduct, and insufficiency of the evidence.

But because petitioner was a Cuban National who did not



write, nor comprehend English his most fundamental rights in the criminal justice system were denied.

And with the Latinx population being the largest minority demographic (70m) in the country this issue will/is effect the entire USA. So in order to prevent such a tragic racial discrimination in our nation's criminal justice system SCOTUS should grant cert on whether the proceedings throughout Mr. Blanco's case denied him Due Process and Equal Protection, and whether a remedy such as a mandatory interpreter, or some other remedy would suffice. An interpreter for every aspect of a case; arrest, pre-trial, trial, post-trial, direct appeal, collateral attack, and all federal proceedings.

This is one of the most important issues of our time and should be decided before many more people in this country are subjected to this travesty.

The Seventh Circuit denied Petitioner a COA (Appendix C) on 6/13/2024.

2.

WHETHER PETITIONER'S DUE PROCESS RIGHTS
WERE DENIED WHERE THE STATE FAILED TO
PROVE EVERY ELEMENT OF THE CRIME.

In the instant case, the State committed a total fraud on the court. And then to the jury at trial. They lied about every piece of evidence presented. And trial counsel never objected to any of these lies.

Additionally, the victim had a piece of blond hair clinched in his hand when found dead. The hair was never DNA tested. Even though a State witness stated it belonged to a male caucasian. See Appendix A & B.

3.

WHETHER PETITIONER WAS DENIED DUE PROCESS
A FAIR TRIAL, AND THE EFFECTIVE ASSISTANCE
OF COUNSEL.

In the instant case, the only evidence connecting Petitioner to the crime was an illegally obtained statement which was later

suppressed by the trial court. This was the only pleading ever filed by trial counsel. he never contested any of the evidence at trial even though it was obvious the State was deliberately misrepresenting it. He did not present petitioner's alibi defense or any defense at all.

In fact, he never had the hair clutched in the victim's hand DNA tested although the State's witness stated it was a male caucasion's hair. He never had the shell casing discovered in this case, which the state lied about being the casing to the bullet that killed the victim, IBIS tested. Even though a case from 2011, which dealt with this issue, and which was prosecuted by the same State's Attorney as in Petitioner's case existed. See, People v. Pursley, 407 Ill. App. 3d 526, 943 N.E. 2d 98 (2d Dist 2011). See Appendix D.

The instant case is strikingly similiar to this Court's decision in Kimmelman v. Morrison.

Thus, as stated in claim 1, this court should grant cert.

4.

WHETHER PETITIONER WAS DENIED DUE PROCESS AND A FAIR TRIAL WHERE THE STATE'S ATTORNEY DURING TRIAL DELIBERATELY MISSTATED THE EVIDENCE AND COMPOUND THAT ERROR BY ARGUING IT IN CLOSING.

During closing in this case the State reiterated all of the falsehoods it presented to the jury at trial in this case.

The State at trial presented evidence that were not factually true. That the shoe print, shell casing, palm/fingerprint, etc., found in this case were linked to Petitioner.

All of this occurred without any objection from trial counsel or interjection from the trial court.

And certainly petitioner's earlier mentioned illiteracy prevented him from objecting. And with no interpreter present, Petitioner's fate was sealed.

Thus, as stated in claim 1, this court should grant cert.

5.

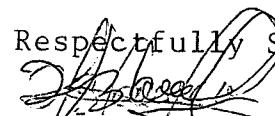
WHERE THE LOWER COURT'S DECISIONS WERE CONTRARY TO OR AN UNREASONABLE APPLICATION OF FEDERAL LAW AS DETERMINED BY THIS COURT, AND WERE BASED ON AN INCORRECT SET OF FACTS PETITIONER WAS DENIED

DUE PROCESS AND EQUAL PROTECTION.

See above claims.

Relief Requested: Grant certiorari or remand to the Seventh Circuit for full briefing on the claims set forth herein.

Respectfully Submitted,


Juan F. Blanco M26575
Western Il C.C.
2500 Rt 99 S
Mt. Sterling, Il 62353

Subscribed & sworn

10-15-2021

Scott G



No.

IN THE

SUPREME COURT OF THE UNITED STATES

JUAN F. BLANCO,

Petitioner,

v.

BRITTANY GREENE,

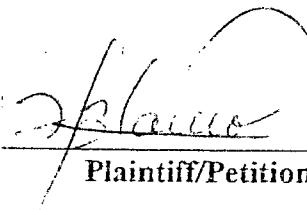
Respondent.

APPEAL NO. _____

PETITION FOR LEAVE TO FILE AND PROCEED ON APPEAL
IN FORMA PAUPERIS

I, Juan F. Blanco

plaintiff/petitioner do hereby move this Court for leave to file the above entitled cause in forma pauperis; said motion is supported by the attached affidavit of financial status.



Plaintiff/Petitioner

File this completed form with the:

No.

IN THE

SUPREME COURT OF THE UNITED STATES

Affidavit in Support of Motion

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

Signed: Juan Blanco

INSTRUCTIONS

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Date: 9-17-24

My issues on appeal are:

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

| Income source | Average monthly amount during the past 12 months | Amount expected next month |
|--|--|--|
| Employment | \$ <u>N/A</u> \$ | You <u>N/A</u> \$ Spouse <u>N/A</u> \$ |
| Self-employment | \$ <u>N/A</u> \$ | \$ <u>N/A</u> \$ |
| Income from real property (such as rental income) | \$ <u>N/A</u> \$ | \$ <u>N/A</u> \$ |
| Interest and dividends | \$ <u>N/A</u> \$ | \$ <u>N/A</u> \$ |
| Gifts | \$ <u>N/A</u> \$ | \$ <u>N/A</u> \$ |
| Alimony | \$ <u>N/A</u> \$ | \$ <u>N/A</u> \$ |
| Child support | \$ <u>N/A</u> \$ | \$ <u>N/A</u> \$ |
| Retirement (such as social security, pensions, annuities, insurance) | \$ <u>N/A</u> \$ | \$ <u>N/A</u> \$ |
| Disability (such as social security, insurance payments) | \$ <u>N/A</u> \$ | \$ <u>N/A</u> \$ |
| Unemployment payments | \$ <u>N/A</u> \$ | \$ <u>N/A</u> \$ |
| Public-assistance (such as welfare) | \$ <u>N/A</u> \$ | \$ <u>N/A</u> \$ |
| Other (specify): _____ | \$ <u>N/A</u> \$ | \$ <u>N/A</u> \$ |
| Total monthly income: | \$ <u>N/A</u> \$ | \$ <u>N/A</u> \$ |

2. List your employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

| Employer | Address | Dates of Employment | Gross monthly pay |
|----------|---------|---------------------|-------------------|
| N/A | N/A | N/A | N/A |
| | | | |
| | | | |

3. List your spouse's employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

| Employer | Address | Dates of Employment | Gross monthly pay |
|----------|---------|---------------------|-------------------|
| N/A | N/A | N/A | N/A |
| | | | |
| | | | |

4. How much cash do you and your spouse have? \$ ✓/✓

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

| Financial Institution | Type of Account | Amount you have | Amount your spouse has |
|-----------------------|-----------------|-----------------|------------------------|
| N/A | N/A | N/A | |
| | | | |
| | | | |

If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

| | | |
|--------------|---------------------------|--------------------------|
| Home (Value) | Other real estate (Value) | Motor Vehicle #1 (Value) |
| N/A | N/A | N/A |
| N/A | N/A | N/A |
| N/A | N/A | N/A |
| | | |
| | | |

| | | |
|--------------------------|----------------------|----------------------|
| Motor Vehicle #2 (Value) | Other assets (Value) | Other assets (Value) |
| N/A | N/A | N/A |
| N/A | N/A | N/A |
| N/A | N/A | N/A |
| | | |
| | | |

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

| Person owing you or your spouse money | Amount owed to you | Amount owed to your spouse |
|---------------------------------------|--------------------|----------------------------|
| <u>N/A</u> | <u>N/A</u> | <u>N/A</u> |
| | | |
| | | |
| | | |

7. State the persons who rely on you or your spouse for support.

| Name | Relationship | Age |
|------------|--------------|------------|
| <u>N/A</u> | <u>N/A</u> | <u>N/A</u> |
| | | |
| | | |
| | | |

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by you and your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

Rent or home-mortgage payment (including lot rented for mobile home)

Are real estate taxes included? Yes No

Is property insurance included? Yes No

Utilities (electricity, heating fuel, water, sewer, and telephone)

| You | Your spouse |
|------------|-------------|
| <u>N/A</u> | <u>N/A</u> |

Home maintenance (repairs and upkeep)

| | |
|------------|------------|
| <u>N/A</u> | <u>N/A</u> |
|------------|------------|

Food

| | |
|------------|------------|
| <u>N/A</u> | <u>N/A</u> |
|------------|------------|

Clothing

| | |
|------------|------------|
| <u>N/A</u> | <u>N/A</u> |
|------------|------------|

Laundry and dry-cleaning

| | |
|------------|------------|
| <u>N/A</u> | <u>N/A</u> |
|------------|------------|

Medical and dental expenses

| | |
|------------|------------|
| <u>N/A</u> | <u>N/A</u> |
|------------|------------|

Transportation (not including motor vehicle expenses)

| | |
|------------|------------|
| <u>N/A</u> | <u>N/A</u> |
|------------|------------|

Recreation, entertainment, newspapers, magazines, etc.

| | |
|------------|------------|
| <u>N/A</u> | <u>N/A</u> |
|------------|------------|

Insurance (not deducted from wages or included in mortgage payments)
Homeowner's or renter's

| | |
|------------|------------|
| <u>N/A</u> | <u>N/A</u> |
|------------|------------|

Life

\$ N/A \$ N/A

Health

\$ N/A \$ N/A

Motor vehicle

\$ N/A \$ N/A

Other: N/A

\$ N/A \$ N/A

Taxes (not deducted from wages or included in mortgage payments)
(specify):

\$ N/A \$ N/A

Installment payments

\$ N/A \$ N/A

Motor Vehicle

\$ N/A \$ N/A

Credit card (name): N/A

\$ N/A \$ N/A

Department store (name): N/A

\$ N/A \$ N/A

Other: N/A

\$ N/A \$ N/A

Alimony, maintenance, and support paid to others

\$ N/A \$ N/A

Regular expenses for operation of business, profession, or farm (attach detail)

\$ N/A \$ N/A

Other (specify): N/A

\$ N/A \$ N/A

Total monthly expenses:

\$ N/A \$ N/A

\$ N/A \$ N/A

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

[] Yes [] No If yes, describe on an attached sheet

10. Have you paid-or will you be paying-an attorney any money for services in connection with this case, including the completion of this form?

[] Yes [] No If yes, how much? \$ N/M

If yes, state the attorney's name, address, and telephone number:

N/A

11. Have you paid-or will you be paying-anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

[] Yes [] No If yes, how much? \$ N/A

If yes, state the person's name, address, and telephone number:

N/A

12. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

I FROM CUBA NO SUPPORT IN U.S.A.

13. State the address of your legal residence.

Wester Center 2500 N 99 S.

MT. STERLING RD. 62353

Your daytime phone number: () N/A

Your age: 60 Your years of schooling: 12⁰

Your social-security number: 589-41-3721

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Juan Fe Blanco — PETITIONER
(Your Name)

VS.

Brittany Greene — RESPONDENT(S)

PROOF OF SERVICE

I, Juan Fe Blanco, do swear or declare that on this date, _____, 2024, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

Western Center 2500 12 99 S.

MT. STERLING IL. 62353.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 9-17, 2024


(Signature)

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

Juan F. Blanco. — PETITIONER
(Your Name)

vs.

Ms. Greene — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. COURT OF APPEAL FOR THE SEVENTH CIRCUIT.
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Juan F. Blanco.
(Your Name)

WESTERN CENTER 2500 R 99-S.
(Address)

MT. STERLING, IL 62353
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

1.

WHETHER WHEN A CUBAN NATIONAL WHO DOES NOT READ, WRITE OR COMPREHEND ENGLISH IS DENIED THE NUMEROUS FEDERAL CONSTITUTIONAL RIGHTS AS ALLEGED IN THIS CASE FROM ARREST, PRETRIAL, POST-TRIAL, DIRECT APPEAL COLATERNAL PROCEEDING, AND USA...2254 PROCEEDING DOES THAT CONSTITUTE A DUE PROCESS VIOLATION WHICH AFFECTS THE LAND AS 70 MILLION LATINX INDIVIDUALS INHABIT IT.

-2-

WHETHER PETITIONER'S DUE PROCESS RIGHTS WERE DENIED WHERE THE STATE FAILED TO PROVE EVERY ELEMENT OF THE CRIME.

-3-

WHETHER PETITIONER WAS DENIED DUE PROCESS OF TRIAL, AND THE EFFECTIVE ASSISTANCE OF COUNSEL.

-4-

WHETHER PETITIONER WAS DENIED DUE PROCESS AND A FAIR TRIAL WHERE THE STATE'S ATTORNEY DURING TRIAL DELIBERATELY MISSTATED THE EVIDENCE AND COMPOUND THE ERROR BY ARGUING IT IN CLOSING.

-5-

WHERE THE LOWER COURT'S DECISIONS WERE CONTRARY AS DETERMINATED BY THIS COURT, AND WHERE BASED ON AN INCORRECT SET OF FACTS PETITIONER WAS DENIED.

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

- 1- People v. BLANCO, 2018 IL App. (2d) 150618 u
- 2- People v. BLANCO, 2014 IL App. (2d) 120104 u
- 3- People v. BLANCO, 187 NE (3d) 698
- 4- People v. BLANCO, 108, NE, (3d) 860
- 5- People v. BLANCO, 2 NE, (3d) 1257.

TABLE OF CONTENTS

| | |
|--|---|
| OPINIONS BELOW..... | 1 |
| JURISDICTION..... | |
| CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED | |
| STATEMENT OF THE CASE | |
| REASONS FOR GRANTING THE WRIT | |
| CONCLUSION..... | |

INDEX TO APPENDICES

| | |
|------------|--|
| APPENDIX A | PETITIONER'S REPLY/TRAVERSE AFFIDAVIT. |
| APPENDIX B | PETITIONER'S REQUEST FOR CERTIFICATE OF APPELABILITY |
| APPENDIX C | U.S. COURT OF APPEAL FOR THE SEVENTH CIRCUIT, CHICAGO IL. 60604 |
| APPENDIX D | PEOPLE V. PORSELEY, 403 U.S. App. 3d. 526 (2011). |
| APPENDIX E | |
| APPENDIX F | |

TABLE OF AUTHORITIES CITED

| CASES | PAGE NUMBER |
|---|-------------|
| People v. Pursey, Kimm Glou. Garrison. 28 U.S.C. 2254 | 3 |
| | 3 |
| | |

STATUTES AND RULES
28 U.S.C 2254

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 4 to the petition and is

reported at 7-9-24. ORDER 6-13-24; 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 _____ 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 4-27-2022 6-13-2024

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 SEPTEMBER 24, 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 INEFFECTIVE ASSISTANCE OF COUNSEL WAS NOT HIS ONLY CLAIM, A SINGLE GROUND FOR WHICH RELIEF CAN BE GRANTED, NO MATTER HOW MANY OTHER FAILINGS THE LAWYER MAY HAVE DISPLAYED; OR MAY HAVE OCCURRED IN THE STATE COURT.

*THE SIX AMENDMENT GUARANTEES THE RIGHT TO THE EFFECTIVE ASSISTANCE OF COUNSEL, APPLICABLE TO THE STATES THROUGH THE FOURTEENTH AMENDMENT.

STATEMENT OF THE CASE

In 2011, Following a jury trial in the circuit court of Winnebago County, petitioner was convicted of First degree murder and concealment of a homicidal death for shooting his brother-in-Law, Felix Rojas, and hiding the body in the backseat of car?

REASONS FOR GRANTING THE PETITION

This U.S.A. SUPREME COURT OF THE UNITED STATES should grant the petitioner because the trial court should have allowed petitioner's request to have post-conviction' INTEGRATED Ballistics Identification System (IBIS). TESTING done on multiple items that were never tested, but was submitted into evidence in this case. SECTION 116-3(a)(1) provides that a defendant may move for testing if the evidence "was not subject to testing which is now requested at the time of the trial" 725 ILCS 5/116-3(a)(1); People v. Pursley 407 ICC.App. 3d 526 (2011) petitioner maintains that he has satisfied the statutory requirements of section 116-3 by demonstrating that the result of the testing has the scientific potential to produce new non-cumulative evidence materially relevant to his assertion of actual innocence.

I TOLL every official for the viewing I NOT
due STOP I say That in my Life. THANK you.



CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Juan F. Blanco.

Date: 9-17-24

United States Court of Appeals
For the Seventh Circuit
Chicago, Illinois 60604

Submitted June 6, 2024
Decided June 13, 2024

Before

FRANK H. EASTERBROOK, *Circuit Judge*

DAVID F. HAMILTON, *Circuit Judge*

No. 23-2667

JUAN F. BLANCO,
Petitioner-Appellant,

v.

BRITTANY GREENE,
Respondent-Appellee.

Appeal from the United States District
Court for the Northern District of
Illinois, Western Division.

No. 19 C 1657

Philip G. Reinhard,
Judge.

O R D E R

Juan Blanco has filed a notice of appeal from the denial of his petition under 28 U.S.C. § 2254, which we construe as an application for a certificate of appealability. This court has reviewed the final order of the district court and the record on appeal. We find no substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2).

Accordingly, the request for a certificate of appealability is DENIED.

**Additional material
from this filing is
available in the
Clerk's Office.**