

No. _____

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

JEROME L. PRINGLE — PETITIONER
(Your Name)

VS.

CHARLES L. RYAN ET AL — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

JEROME LEE PRINGLE
(Your Name)

ASPC-TUCSON/SANTA RITA UNIT.
(Address)

P.O. Box 24406, Tucson, AZ 85734
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

(1).

Was Prosecutor (Andrew Thomas) legally justified to use my case as his political platform to become the next Attorney General?

(2).

Did I have a constitutional right to be charged based on the evidence presented, rather than on the campaign pledges of a prosecutor seeking a higher political office?

(3).

Was prosecutor (Andrew Thomas) legally justified to threaten and intimidate any judge or defense attorney who refused to process a case as he (Thomas) saw fit?

(4).

Did I have a constitutional right to have my court proceedings held within a judiciary system that was not enmeshed in a political war with the prosecuting county attorney?

(5).

Did I have a constitutional right to have my case presided over by a judge who did not have to be concerned with death threats if his ruling went against the wishes of Thomas?

1
2 (6).

3 Did I have a constitutional right to have counsel who did
4 not have to fear reprisal and intimidation from the county attorney
5 if he strove for the correct charge of 2nd degree?
6

7 (7).

8 Were my 5th, 6th, 8th and 14th constitutional rights, as well
9 as my due process, violated due to the on-going political war
10 that was raging within the county judiciary system and its
11 prosecuting county attorney? during my proceedings.

12 (8).

13 Were the lower courts legally justified when they completely
14 ignored the statement made by the presiding judge when he stated
15 that Thomas main goal is to "protect the rich and white and
16 prosecute the poor and Black" with me being a black man he's
17 prosecuting?
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19 (9).

20 Was it right that I was forced to sign a plea under duress
21 because my attorney (who is white), firmly stated to me that
22 "a black man will not get a fair trial in the state of Arizona?"
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(10).

Was it right that I was forced to sign a plea under duress,

due to the fact that judges and my own counsel feared

repeal and withdrawal from homes if they were against his

Campaign pledges to the voters?

(11).

Was my due process violated because the Arizona Judiciary did

not postpone my court proceedings until the political war it was

embroiled in with the county prosecutor over, thereby giving me the

chance for a fair and unbiased ruling?

(12).

During the grand jury indictment, is it legal for the prosecutors

office to tell the panel that "this is a first degree murder" and then

proceed to instruct them to ignore all lesser included charges?

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:

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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 (A) 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 _____ 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 10-18-17.

☒ 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).

1
2 **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

3 CONSTITUTION OF THE UNITED STATES:

4 AMENDMENT V.

5 No person shall be held to answer for a capital, or otherwise
6 infamous crime without due process of law.
7

8
9 AMENDMENT I.

10 Congress shall make no law prohibiting the free exercise
11 to petition the Government for a redress of a grievance.
12

13 AMENDMENT VI.

14 In all criminal prosecutions, the accused shall enjoy the right
15 to a speedy and public trial, by an impartial jury of the
16 state wherein the crime shall have been committed.
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19 AMENDMENT IX.

20 The enumeration in the constitution, of certain rights,
21 shall not be construed to deny or disparage others retained
22 by the people.
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2 AMENDMENT XIV. SECTION 1.

3 ALL PERSONS BORN OR NATURALIZED IN THE UNITED STATES AND
4 SUBJECT TO THE JURISDICTION THEREOF, ARE CITIZENS OF THE
5 UNITED STATES AND OF THE STATE WHEREIN THEY RESIDE.

6 NO STATE SHALL MAKE OR ENFORCE ANY LAW WHICH SHALL
7 ABRIDGE THE PRIVILEGES OR IMMUNITIES OF CITIZENS OF THE
8 UNITED STATES; NOR SHALL ANY STATE DEPRIVE ANY PERSON
9 OF LIFE, LIBERTY, OR PROPERTY, WITHOUT DUE PROCESS OF LAW;
10 NOR DENY TO ANY PERSON WITHIN ITS JURISDICTION THE EQUAL
11 PROTECTION OF THE LAWS.

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14 ARIZONA CONSTITUTION:

15 THE ARIZONA CODE OF JUDICIAL CONDUCT, CANON 2, 3(b)(2)
16 THE ARIZONA CODE OF JUDICIAL CONDUCT REQUIRES THAT THE
17 COURT SHOW NOT EVEN A HINT OF IMPROPRIETY IN THE
18 HANDLING OF CASES. (CANON 2.) THEY STATE AN EVEN MORE
19 PERTINENT PRINCIPLE "WHERE A JUDGE SHALL BE FAITHFUL TO THE
20 LAW AND MAINTAIN PROFESSIONAL COMPETENCE IN IT. A
21 JUDGE SHALL NOT BE SWAYED BY PARTISAN INTERESTS,
22 PUBLIC CLAMOR OR FEAR OF CRITICISM" (CANON 3(b)(2).

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ARTICLE II. DECLARATION OF RIGHTS:

SECTION 2. POLITICAL POWER.

ALL political power is inherent in the people, and Governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.

SECTION 3. SUPREME LAW OF THE LAND.

The Constitution of the United States is the Supreme Law of the Land.

SECTION 4. DUE PROCESS OF LAW.

NO person shall be deprived of life, liberty, or property without due process of law.

SECTION 24. RIGHTS OF ACCUSED IN CRIMINAL PROSECUTIONS.

IN criminal prosecutions, the accused shall have the right to appear and defend in person, and by counsel, to demand the NATURE and CAUSE of the accusation against him.

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STATEMENT OF THE CASE AND FACTS

FROM THE OUTSET OF THIS CASE Mr, PRINGLE WAS UNAWARE OF THE WAR THAT WAS RAGING WITHIN THE JUDICIAL SYSTEM OF MARICOPA COUNTY BETWEEN FORMER COUNTY ATTORNEY (ANDREW, THOMAS) AND ANY JUDGE OR DEFENSE ATTORNEY WHO DISAGREED WITH THE WAY THOMAS PRESENTED HIMSELF IN A "GOD LIKE IMAGE" AS HE HANDED OUT SENTENCES OF 1st DEGREE MURDER AND THE DEATH PENALTY WITHOUT EVIDENCE OR THE GROUNDS TO SUPPORT THESE CHARGES AS HE DEEMS HIMSELF THE SOLE AUTHORITY ON WHO LIVES, DIES OR RECEIVES A CHARGE OF 1st DEGREE. ADDING FUEL TO THIS MISCARRIAGE OF JUSTICE IS DETECTIVE (JOSE CISNEROS) WHO ON THE NIGHT OF MY INTERROGATION PROCEEDED TO INTERROGATE ME WITHOUT FIRST SOBRIETY OR DRUG TESTING ME TO SEE IF I WAS CAPABLE OF FULLY UNDERSTANDING THE QUESTIONS POSED TO ME AND HAD THE ABILITY TO CLEARLY ANSWER THEM. CISNEROS THEN PRESENTED THEM TO THE STATE AS EVIDENCE IN SUPPORTING ITS CHARGE OF 1st DEGREE MURDER, AND THEREBY AIDING COUNTY ATTORNEY THOMAS IN REACHING HIS GOAL ^{TO} INDICT IN THE 1st DEGREE. AT THIS POINT IN TIME MY TRIAL COUNSEL FOLLOWED THE LEAD OF SEVERAL OTHER DEFENSE ATTORNEYS WHO KNEW THE CHARGES OF 1st DEGREE MURDER IMPOSED UPON THEIR CLIENTS BY ANDREW THOMAS WAS WRONG AND HE PROMPTLY FILED cont-

1 Cont-

2 A MOTION FOR "THE DISQUALIFICATION OF THE MARICOPA COUNTY
3 ATTORNEY, CHANGE OF VENUE AND MOTION TO STRIKE THE DEATH
4 PENALTY". ** UPON MY TRIAL COUNSEL HEARING THAT AT LEAST
5 ONE JUDGE HAS ADMITTED TO BEING INTIMIDATED BY THE ACTIONS
6 OF THE COUNTY ATTORNEY AND HEARING THAT ANOTHER JUDGE
7 TOLD JUDGE RYAN THAT IT WOULD BE "POLITICAL SUICIDE TO SET
8 A HEARING ON THE DEFENDANTS MOTION TO STRIKE THE DEATH
9 PENALTY" TRIAL COUNSEL PROMPTLY DISMISSED HIS MOTION TO
10 DISQUALIFY THE COUNTY ATTORNEY BECAUSE AS HE HIMSELF
11 STATED IN THE MOTION TO DISQUALIFY THOMAS ("Mr, PRINGLES
12 COUNSEL AND INVESTIGATORS ARE LIGITIMATELY CONCERNED
13 THAT THEY WILL BECOME TARGETS FOR INVESTIGATION FOR
14 BRINGING THIS MOTION, THIS IS NOT A FANTASTICAL FIGMENT
15 OF THE IMAGINATION"). AFTER TRIAL COUNSEL DISMISSED THE
16 MOTION HE STOPPED MAKING ANY ATTEMPTS TO PREPARE A
17 DEFENSE FOR ME AND INSTEAD STARTED TO CONSTANTLY
18 PRESSURE, ADVISE AND COERCE ME INTO JUST SIGNING A PLEA
19 WHICH I FOUND UNJUST AND REFUSED TO SIGN. TRIAL COUNSEL
20 AND I ARGUED VEHEMENTLY BECAUSE I STILL INSISTED ON GOING
21 TO TRIAL AND FIGHTING FOR THE CORRECT CHARGE OF 2nd DEGREE,
22 A CHARGE THAT ALL OF THE EVIDENCE IN MY CASE SUPPORTED.
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2 I DEMANDED THAT HE FILE MOTIONS TO CHALLENGE THE STATES
3 GROUNDS FOR 1ST DEGREE AND THE DEATH PENALTY , THAT HE
4 CHALLENGE THE INDICTMENT BECAUSE IT WAS BASED ON FALSE
5 INFORMATION PROVIDED BY THE STATE. HE REFUSED TO BUDGE AND
6 WE CONTINUED TO ARGUE UNTIL HE TOLD ME STRAIGHT TO MY
7 FACE "THAT IF I CONTINUED TO INSIST ON GOING TO TRIAL
8 THAT I WOULD SURELY LOSE . BECAUSE A BLACK MAN WILL
9 NOT / COULD NOT GET A FAIR TRIAL IN THE STATE OF ARIZONA,
10 IT.S NOT FAIR BUT THAT'S THE WAY IT IS. THIS STATE WILL
11 NEVER ALLOW YOU TO WIN, IT WILL KILL YOU, SO SIGN THE
12 PLEA BECAUSE ARIZONA WILL NOT GIVE YOU ANOTHER CHANCE".
13 THE PLEA DEADLINE WAS THE NEXT MORNING, SO I SIGNED UNDER
14 DURESS BECAUSE I FELT I HAD NO CHOICE AND TRIAL COUNSEL
15 WAS ADAMANT IN HIS STRONG CONVICTIONS THAT A MAN OF
16 AFRICAN DECENT WOULD NOT WIN AT TRIAL IN ARIZONA.
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REASONS FOR GRANTING THE PETITION

1 This Country has laws and a Judiciary system set in place to
2 protect its citizens and to fairly and accurately prosecute the
3 guilty based on the evidence presented in the case. The defendant
4 is appointed representation, who by law is supposed to prepare
5 a defense for his or her client without fear of intimidation from
6 the prosecution to the best of his or her ability. More importantly,
7 the defendant should not have had to be illegally coerced
8 into signing an unjust plea just because the state has
9 crime was committed in does not view a person of color
10 with equanimity within the law. Nor should the
11 defendant automatically be charged with 1st degree murder
12 without the evidence to support said charge simply because
13 the head counsel attorney, in his bid to become the next
14 Attorney General, has vowed to the citizenry of
15 Mississippi County that all crimes of murder would be
16 charged in the first degree as a deterrent to future crime.
17 (evidence be damned).
18 This Prosecutor, (ANDREW, THOMAS), waged war on any
19 Judge or defense attorney who did not agree with his
20 wish to simply hand out charges of 1st degree and intent
21 to seek the death penalty on their cases or clients
22 without the required evidence to support the charge. County

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2 cont → (SEE Appendix B pg# 6) up to and including FARE
3 bomb threats to disrupt court proceedings. (SEE Appendix
4 B pg# 5). It was this very same Prosecutor (Andrew,
5 Thomas), who personally made the decision to seek the
6 death penalty and first degree murder on me, for his own
7 political gains, and not that of seeking justice.

8
9 (SEE Appendix B pg# 7, 8, 9). This petition should be
10 granted because in this country I should have had the
11 opportunity to be charged according to the crime, and
12 the evidence supporting that charge presented before a
13 Judge who was free to make his judgement without fear
14 from death threats if his ruling went against the wishes
15 of Andrew Thomas, as happened to Judge RYAN among
16 other Judges. (SEE Appendix B pg# 14, 15). I should
17 have had the opportunity to be represented by counsel
18 who did not fear bogus investigations and intimidation
19 from Andrew Thomas as was my appointed counsel.

20
21 (SEE Appendix B pg# 12). This petition should be
22 granted because I should not have had to be in fear
23 of fighting for the correct charge of 2nd degree simply
24 because of my attorneys adamant belief that "a black
25 man would not get a fair trial in the state of Arizona"
26 (SEE Appendix B pg# 21). My counsel was legally
27 bound to fight for me, instead he simply gave up over

1
2 out of fear of Andrew Thomas, and started pushing
3 me to just take an unjust plea. (SEE Appendix B,
4 pg # 27-31). * It must be noted that my attorneys
5 were Caucasian, with successful practices of their own.
6 They knew the pulse or mind set of the Arizona Judiciary,
7 as is shown by the statement made by one Judge against
8 Andrew Thomas and his office, when the Judge stated that
9 Thomas and the Maricopa County attorneys offices main
10 goal is to "Protect the rich and white and to prosecute
11 the poor and black", and this is coming from a Judge.
12 (SEE Appendix B pg 14). This violates both my 6th and
13 14th amendment rights as well as my due process.
14 (SEE Appendix B pg # 22. STRAUDE vs. WEST VIRGINIA)
15 (SEE Appendix B pg # 27). This petition should be
16 granted because in this great country no one prosecutor
17 and his office should be able to use my case as a
18 test subject for his own political gain. Nor should a
19 prosecutor be allowed to bend the will of the
20 Judiciary to his way of thinking in order to keep his
21 campaign pledges to the voters of Maricopa County in
22 his bid to gain a higher political office. (SEE Appendix
23 B pg # 13).

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2 CONT: AS STATED BY SHEILA POIK (A YAVAPAI COUNTY
3 ATTORNEY) "THE ACTIONS OF ALPAIO AND THOMAS ARE A
4 DISSERVICE TO THE HUNDREDS OF DEDICATED MEN AND
5 WOMEN WHO WORK IN THEIR OFFICES, AND A THREAT TO
6 THE ENTIRE CRIMINAL-JUSTICE SYSTEM. WE MUST RESPECT
7 THE RULE OF LAW AND THE PROTECTIONS SET FORTH IN OUR
8 CONSTITUTION. ANDREW THOMAS HAS DERIVED FROM HIS
9 CONSTITUTIONAL DUTIES AND EVERY CITIZEN SHOULD BE
10 CONCERNED ABOUT THE ONGOING DAMAGE TO THE RULE
11 OF LAW." (SEE APPENDIX B pg# 17). ERNIE BAIRD
12 (ATTORNEY AND FORMER REPUBLICAN MAJORITY LEADER OF THE
13 ARIZONA HOUSE AND FORMER CHAIRMAN OF ITS JUDICIARY
14 COMMITTEE) AS WELL AS JAMES WAISH (PINAL COUNTY
15 ATTORNEY), BOTH MAKE SIMILAR STATEMENTS AGAINST THE
16 ACTIONS OF ANDREW THOMAS. (SEE APPENDIX B pg# 18, 20).
17 THE U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT, NOR THE
18 LOWER STATE COURTS TOOK INTO CONSIDERATION OF THE ACTIONS
19 PERPETRATED UPON ME BY THE COUNTY ATTORNEY. THOSE COURTS
20 FOCUSED ONLY ON THE CLAIM OF INEFFECTIVE ASSISTANCE OF COUNSEL,
21 FAILING TO FULLY UNDERSTAND, ^{that} WITHOUT THE ACTIONS OF ANDREW
22 THOMAS AND THE WAR HE WAS WAGING IN MARICOPA COUNTY AT
23 THE TIME OF MY COURT PROCEEDINGS, THE FEAR OF JUDGES TO
24 RULE ON CASES BASED ON EVIDENCE OF THE LACK THEREOF, AND
25 DEFENSE ATTORNEYS (INCLUDING MY OWN) WHO FEARED TO CONT

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2. Only opportunity to start a new life. I too should have

3. had the opportunity for a new start, yet I was denied

4. the chance because my case was enmeshed in political

5. war games that had nothing to do with actual

6. fact finding. I truly believe that in a case such as

7. mine, that the 8th Amendment is correct in requiring

8. a greater degree of accuracy and fact finding than

9. would be true in a non-capital case. It is my belief that

10. this is the court that will apply that greater degree,

11. because the miscarriage of justice that was prevalent

12. in my case and the greed of political gain should have

13. no place in the criminal-justice system in this country.

14. I called and turned myself into the police for the crime

15. that my hands had done, knowing full well that justice

16. must be served. For me, it was the right and only

17. thing to do. I only ask to be charged according to the

18. crime and the evidence supporting that crime, and not

19. given a charge based solely on the whims of one man

20. seeking a higher political office. It appears to me that

21. to Arizona and Andrew Thomas, my case was nothing more

22. than a game piece on a political chess board. If this

23. petition is granted, this court will receive my brief,

24. which contains a more in-depth accounting of the

25. actions which bear place in my case. Thank you.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Jerome Lee Pringle

Date: 12/12/17