

No. _____

**In the
Supreme Court of the United States**
October Term, 2017

BARRY SPENCER,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent

*PETITION FOR A WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE FIRST CIRCUIT*

**PETITION FOR WRIT OF CERTIORARI
AND APPENDIX**

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QUESTIONS PRESENTED

1. Whether this Court should grant Mr. Spencer's petition because the First Circuit's failure to order a new trial on an established *Brady* violation violates Mr. Spencer's Fifth Amendment rights;
2. Whether this Court should grant Mr. Spencer's petition to address a circuit split as to whether law enforcement officers can testify as "experts" without being qualified as such; and
3. Whether this Court should grant Mr. Spencer's petition to clarify the showing a criminal defendant must make when seeking discovery on a vindictive prosecution claim.

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