

24-5618
No. _____

FILED
AUG 17 2024
OFFICE OF THE CLERK
SUPREME COURT US

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Western District of T.N.

Daramis Shurkey — PETITIONER
(Your Name)

vs.

James M. Holloway — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals For The Sixth Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Daramis Shurkey
(Your Name)

7575 Cockrill Bend Blvd.
(Address)

Nashville, TN 37209
(City, State, Zip Code)

615-350-3693x3667
(Phone Number)

QUESTION(S) PRESENTED

1. Is it true that actions of prosecutor in misrepresenting facts in evidence can amount to substantial error because, doing so may profoundly impress a jury and may have a significant impact on the jury's deliberations?
2. Is there also a denial of due process when state, though not soliciting false evidence, allows it to go uncorrected when it appears?

The issue I wish the Court to decide is the violation of the state prosecutors erroneous statement against petitioner without adequate basis.

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:

N/A

RELATED CASES

*Darawls Sharkey v. State of TENNESSEE
Nos. 12-02841-4 Judgment entered Nov. 12, 2014*

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TABLE OF AUTHORITIES CITED

CASES

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Agg. Rape. 12-02841
Agg. Rape. 12-02842
Agg. Rape 12-02843
Agg. Burglary 12-02844

P.(N/A)

STATUTES AND RULES

Agg. Rape 39-13-502 Rules (N/A)
79001135853

Agg. Burglary 39-14-103 Rules (N/A)

OTHER

N/A

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 N/A to the petition and is

- reported at N/A; 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 is unpublished.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 N/A to the petition and is

- reported at N/A; 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 is unpublished.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 N/A to the petition and is

- reported at N/A; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the N/A court appears at Appendix N/A to the petition and is

- reported at N/A; 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 N/A.

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: N/A, and a copy of the order denying rehearing appears at Appendix N/A.

An extension of time to file the petition for a writ of certiorari was granted to and including N/A (date) on N/A (date) in Application No. O A N/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 ~~5/10/24~~ 5/6/24.
A copy of that decision appears at Appendix A.

A timely petition for rehearing was thereafter denied on the following date: 7/3/24, and a copy of the order denying rehearing appears at Appendix B.

An extension of time to file the petition for a writ of certiorari was granted to and including N/A (date) on N/A (date) in Application No. O A N/A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

N/A

STATEMENT OF THE CASE

(N/A) I'm just trying to prove my innocence.

Catherian Logan lied in her victims impact statement and said that I raped her and used something (a weapon) inside her vagina with no mercy. But if you look at the rape kit/M.S.A.R.C., she dont even have any injuries. All I did was lick her ~~tit~~ ^{litterly} 3 or 4 times and someone pulled in the driveway, so I left without penetration. I did not even know what I was pleading to, for I received more of my discovery packet after I got sentenced and I still dont even have the full thing. When it comes to Ms. Hamilton and Crews, they consented fully and didnt even press charges. I got all this time because, I made a statement under duress and I unintentionally plead out because of ineffective assistance of counsel

REASONS FOR GRANTING THE PETITION

The reason this petition should be granted is because, the courts decisions were erroneous. (lower court), State prosecutors statement of facts were erroneous. Plus, prosecutor corrected herself on every other mistake but, when it was said that she made a mistake, or was mistaken as to a victim where petitioner reappeared on a scene and committed an assault, she did not correct herself making her statement sound true and making case more severe than what it is. If prosecutor was mistaken as to a certain victim, what/which victim did petitioner reappear on a scene and commit an assault on? Case should be remanded because prosecutor committed perjury intentionally "under oath"

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Darwin Markoff

Date: *8/17/24*
