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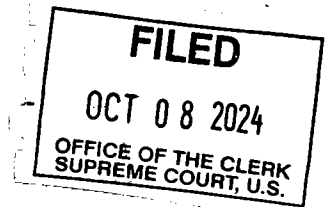
ORIGINAL

24-7016

IN THE

SUPREME COURT OF THE UNITED STATES

Clerk of the Court



Juan C. Garibay PETITIONER
(Your Name)

vs.

people of the state of — RESPONDENT(S)
ILLINOIS

ON PETITION FOR A WRIT OF CERTIORARI TO

from Sep. 25-2025

Illinois Supreme Court case No. 130668
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Juan C. Garibay
(Your Name)

Menard C. C.
(Address)

P.O. Box 1000
(City, State, Zip Code)

N/A
(Phone Number)

Juan C. Garibay
#7
3/04/25

TABLE OF AUTHORITIES CITED

CASES	Page Number
<i>People v. People</i> 2015 ILL. APP. (25 th) 121717	16-18
<i>People v. Alexander</i> 2017 ILL. APP. (25 th) 142170	16-18
<i>People v. Marquis</i> (1974) 24 App. 3d 653; 321 N.E.2d 28 48	76-18
<i>People v. McIntosh</i> , 70 ILL. APP. 3d 188, 26 ILL. Dec. 117 Dec. 518, 388 N.E.2d 142 (2 nd Dist. 7)	16-18
<i>Evans</i> , 209 Ill. 2d at 220 <i>People v. Evans</i>	16-18
<i>People v. Williams</i> , 333 Ill. App. 3d 204, 214, 775, N.E.2d 104, 266 Ill. Dec. 542 (2002)	16-18
<i>People v. Sebbey</i> , 217 Ill. 119445, 9167	16-18
See <i>Piatkowski</i> , 225 Ill. 2d at 588	16-18

STATUTES AND RULES

Under Pursuant To:

735 ILLCS. 5/1409

735 ILLCS. 5/111-3(a)(e)

Rules

801, 803, § 1621 § 1746

18 U.S.C.A § 621 § 241

735 ILLCS. 5/2-21 (a)

725 ILLCS 5/114-a-(9)

OTHER	Page
<i>People v. Johnson</i> , 208 Ill. 2d 53, 64, 65 (2003)	16-18
<i>People v. Young</i> 347 ILL. App 3d 909, 924 (2 nd Dist. 2004)	16-18
<i>People v. Herron</i> , 215 ILL. 2d. 9178, 294, ILL. Dec. 7-55-830 N.E.2d. 464 ILL. Dec. 55 (2005)	16-18

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The United States and Illinois Constitution
6th Amendment Right ... to be process according to
the law from all Criminal Criminal Prosecutions.

U.S. Const. Amend 14th Impertinent part:

... nor shall any States deprive any person of life and
liberty nor property without due process of law

U.S. Constitution Equal Protection of law 14th
Amendment Right All defendants in Criminal
Proceedings as for The 5th 6th Amendment Rights
To Confront its Accuser for due Process of law and
Proceedings without any Complainant for Complaint
The Prosecutor had violated defendant Petitioner Rights
4th 5th 6th 14th Amend Right of the United States and
Illinois ~~prosecutor~~ Constitution where there is
no Complainant for Complaint the Judgement
Could not stand if it does not have no respect wants
So ever. According to § 735-5/1109 Civil Procedure
or under article § 1621. of the 1993.

03-04-25
Juan C. Garibay
Juan C. Garibay
Claimant at law
#14

3/04/28-
Juan C. Garibay

The due process Clause of both the Illinois and United States Constitution guaranteed the Right to a Fair and Impartial TRIAL, U.S. Const. Amend. VI; Ill. Const. of 1970, art. § 2 and U.S. Constitution XIV. This includes the Right to be free from a pervasive pattern of unfairness prejudice engendered by the prosecution, People v. Johnson, 208 Ill. 2d 53, 64, 65 (2003) People v. Young 347 Ill. App. 3d, 909, 924 (1st Dist. 2004).

The plain error doctrine, See: United States v. Young ⁴⁷⁰ ~~470~~ U.S. 1, 33 n.16, 105 S. Ct. 1038, 1055 n.16, 84 L. Ed. 2d 1, 24 n.16 (1985) See: People v. Moss, 205 Ill. 2d 139, 189 [275 Ill. Dec. 444, 792 N.E. 2d 1217] (2001) Concern over the cumulative effect of errors that created a pervasive pattern of unfair prejudice, much to attributable to misconduct of the prosecution, is what drove this Court's analysis in [People v. Blue 189 Ill. 2d 99, 138-40 [244 Ill. Dec. 32, 724 N.E. 2d 920] (2000)] This Court recognized in Blue the synergistic effect that multiple errors of this kind can have in a trial.

Petitioner Juan C. Garibay is entitled to a new Trial, where the states violated due process of the law VI and XIV U.S. Const. Also the trial Court failed in allowing the states to introduce a massive of inconsistent statements from all "witnesses" presented and impeachments on front of the jury at trial.

Dean C. Gurnaby
3/04/05

The error is serious regardless of the closeness of the evidence, People v. Heron, 215 Ill.2d at 178, 294 Ill. Dec. 55,830 N.E.2d 467. However, the analysis first requires that there be an error that the error be plain, and that the error affected substantial rights. Id., at 184-85-294 Ill. Dec. 55,830 N.E.2d 467; People v. Nicholas, 218 Ill.2d 104, 121, 299, Ill. Dec. 637,842, N.E.2d 674 (2005) As there was no error here, defendant claims remain forfeited.

Petitioner was violated the due process when the trial court ruled them admissible, defense counsel argued that the statement inconsistent with identification.

no identification was present but was on all officers

lies under oath among other extrajudicial statements

People v. Gasper 234 Ill.2d at 189, 334 Ill. Dec. 575, 917 N.E.2d. This court noted that automatic reversal (McGad, 401.) Required only when an error is deemed "structural" (Gasper and quoting Rivera v. Illinois, 556 U.S. 148, 160, 129 S.Ct. 1446, 1455, 173 L.E.2d 320, 330-31 (2009) structural error are

systematic serving to "erode the integrity of the judicial process and undermine the fairness of defendant's trial."

*609 Gasper 234 Ill.2d at 197-98-334 Ill. Dec. 575, 917

N.E.2d 401, quoting People v. Heron, 215 Ill. Dec. 575, 917

267, 186, 2, 4 Ill. Dec. 55,830 N.E.2d 401 quoting People v.

Rivera, 227 Ill.2d 1-19, 20, 316 Ill. Dec. 488-879 N.E.2d

876 (2007)

Joan C. Garibay
03-09-25

Cases:

States v. LUZARILLA, 179 Ariz. 391, 800 P.2d 611 (1994); testimony did not fall within the admissibility of former testimony exception, where defendant's attorney failed to have an opportunity to cross-examine the witness. now case at bar There was 3 state's witnesses that were not cross-examined before trial and the court allowed the state to introduce those witnesses which became prejudicial in violation of defendant's 6th Amendment Right. Case at bar 21CF1274 quoting ANDERSON v. UNITED STATES 417, U.S. 211, 94 S.Ct. 2253, 41 L.Ed.2d 20 (1974); the primary justification for exclusion of hearsay is the lack of opportunity for an adversary to cross-examine the absent declarant whose out-of-court statement is introduced into evidence. on this case at bar Joan C. Garibay 21CF1274 the 3 witnesses Andres Carlin PEREZ was not cross-exam before taken the stand Alejandra Cervantes and witnesses that do not have anything to do to this matter nor a witness to nothing. It was allowed to take the stand on front of the jury to make a statement of impact this violate 6th Amendment Right to a fair and impartial trial. quoting UNITED STATES v. CANNAN 48, F.3d, 954 (6th Cir. 1995): "statement" means a single declaration or remark for purposes of all hearsay Rules inadmissible Irrelevant.

REASONS FOR GRANTING THE PETITION

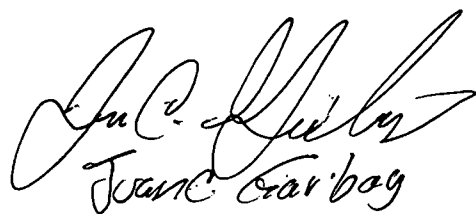
This Case is been on direct appeal on the grounds
of Ineffective Assistance of Counsel.

my post trial motion for new trial was dismissed by the Courts
That the case transcripts are little more deferent than
what in Reality happened at trial objection over Rile
Sustained Inconsistances of statements Allowed by
The Courts that accumulated for this case to be
according to the Courts highly a Circumstantial Case

The Fairness of trial is that the Courts is to be
Impartial not BIAS the Courts erred by allowing the
Prosecution to introduce a massive of statements of
Police officers experts for prejudiced on front of
Trial Jury on which could play a roll on the mind of
the Jury trial or Jurors because (a drop of ink
cannot be remove from a glass of milk).

So all this Inconsistent statements do not make me
guilty of the crime as it was presented facts why
is a "highly Circumstantial Case" according to the Courts

This was a claim of Ineffective Assistance of
trial Counsel on which A New trial should be
Granted.


Juan Carlos
3/04/25