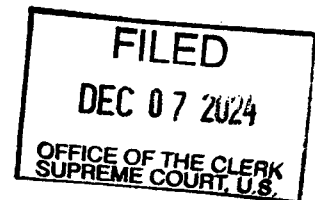


No. 24-7043

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



Sean Christopher Owen — PETITIONER
(Your Name)

vs.

Kristen Keisel - Warden — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. Court of Appeals - Tenth Circuit

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Sean Christopher Owen - 213847

(Your Name)

CUCF

P.O. Box 550

(Address)

Gunnison UT 84634

(City, State, Zip Code)

—
(Phone Number)

Question(s) Presented

Since its inception, the U.S. Government has found it expedient to draw lines of discrimination. There have been lines drawn on who is a citizen & who is not, who can vote & who cannot, & who can have sex with whom they desire & who cannot - all justified by the idea that one group is superior to another. But when these lines are found to harm a group - blacks declared as property & $\frac{3}{5}$ th of a person, women denied a voice in society, & gays declared as criminals - then it falls upon the people & the courts to strike down such lines.

The question before the Court this day concerns just such a line. This version of the line of discrimination is based on age, denying millions of biologically adult people their basic human rights. In this particular case it is autonomy of body, specifically who they can & cannot have sex with. The State has declared that these citizens are inferior & lack the competency to freely choose their sexual partner. Such a declaration, even if ostensibly for their own good & protection, by design strips them of their voice, their dignity, their equality & liberty, their very personhood, & effectively makes them property. At the same time, it criminalizes (as all such unnatural lines always & must do) those on both sides of the line who view them as equals, full human beings worthy of dignity & respect.

Thus, the question before the Court this day is the validity of the Utah statutes* that deny all post-pubescent "minors" their equality & liberty & criminalizes sexual conduct with them.

* Utah Codes §76-5-402, §76-5-403(x), §76-5-404, & similar.

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

Owen v. Keisel Case No. 24-4065

Owen v. Keisel Case No. 2:18-cv-00434-DBB

Utah v. Owen Case No. 111401870

(Postconviction Relief) Case No. 140418570

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 ~~Dwan v. Keisel Case No. 24-4065~~

APPENDIX B ~~Dwan v. Keisel Case No. 2:18-cv-00434-DAB~~

APPENDIX C

APPENDIX D

APPENDIX E

APPENDIX F

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
<i>Loving v. Virginia Commonwealth of Virginia</i> , 388 U.S. 1, 87 S.Ct. 1817, 18 L. Ed. 2d 1010 (1967) - No. 395	2, 8
<i>Lawrence et al. v. Texas</i> , 539 U.S. 558, 156 L. Ed. 2d. 508 (2003) - No. 02-102	3 - 5
<i>Railway Express Agency v. People of State of New York</i> 336 U.S. 106, 69 S.Ct. 463, 93 L. Ed. 583 (1949) - No. 51	7
<i>Estelle T. Griswold et. al. v. State of Connecticut</i> 381 U.S. 479, 85 S.Ct. 1678, 14 L. Ed. 2d 510 (1965) - No. 496	9

STATUTES AND RULES

Utah Codes § 76-5-402, § 76-5-403(2), § 76-5-404, & similar

- OTHER 1. Rind, B., Tromovitch, P., & Bauserman, R (1998). A meta-analytic Examination of Assumed Properties of Child Sexual Abuse Using College Samples. *Psychological Bulletin* 124, no.1, 22-53
2. Males, M. (2015). Poverty, Not the "Teenage Brain," Account for High Rates of Teen Crime, SAGE, us.sagepub.com/en-us/nam/press/poverty-not-the-teenage-brain-account-for-high-rates-of-teen-crime.
3. Hackman, D., Farah, M., & Meaney, M. (2010). Socioeconomic Status and the Brain: Mechanistic Insights from Human and Animal Research. *Nature Reviews Neuroscience* 11, no. 9 : 651-59.
4. Moffitt, T. (1993) The petitioner no longer has the full citation (taken by the prison), but there were studies of the effects of segregation on adolescents.
5. Harris, J. (1995, 1998). Ditto

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 B 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 September 9, 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 _____.
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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. The Fourteenth Amendment to the United States Constitution

- The Equality Clause
- The Due Process Clause
 - Liberty

2. Utah Codes: Sexual conduct between adults & minors

- § 76-5-402
- § 76-5-403 (2)
- § 76-5-404

Statement of the Case

In 2008 the petitioner entered into a sexual relationship with a "minor", his then 14 year old step-daughter in Utah. The relationship continued unabated for approximately 2 years. At that point there was an incident, the latest of a series of incidents, where the petitioner's step-son, then 14, was witnessed by the petitioner to engage in harmful activity directed at the petitioner's then 3 year old daughter. This led to the State removing the children from the home amidst competing allegations. The step-daughter verbally & physically resisted this removal, but lacking a legal voice was ignored & punished.

When the children were removed they were examined for signs of abuse. None of the children showed any signs of physical or sexual abuse, & only the step-son showed any emotional problems. All of the children, including the step-son, denied any & all forms of abuse. Despite this, the children remained in State custody for about a year. During that year the children repeatedly expressed their desire to return to their parents. This included the step-daughter who was the most vocal, including "running away" from the foster home one weekend & returning to her parents.

While necessarily abated by circumstances, the sexual relationship between the step-daughter & the petitioner continued during the time the State had custody of the step-daughter. Both of them continued to deny the sexual nature of their relationship despite the constant & considerable pressure imposed on them by the State & its agents. This included the use of physical force to keep them separate, claims by professionals that they were "too close", & constant indoctrination that the step-daughter was a "child" who lacked the competency to make "adult" decisions or criticize "adults" or otherwise act as an "adult." In short, the State used its considerable resources to put the step-daughter in her "proper" place in society, by force & under penalty of punishment, & to

put the petitioner's relationship with her into its "proper" place.

One night an officer on patrol discovered the petitioner & step-daughter together at approximately 3 A.M. While they were not at that time engaging in sexual activity, no one believed any longer that their relationship was non-sexual. The petitioner was prohibited from seeing his children &, under threat of incarceration, left Utah. The petitioner's forced removal from her life had a major & deleterious impact on the step-daughter, as the loss of a beloved is known to have on anyone. This was documented by her therapist who, instead of treating her for her loss, continued to indoctrinate her on how "unhealthy" her relationship with the petitioner was, denying her any real voice in her life.

After approximately 3 months of constant pressure from every source, & facing the threat of criminal charges by the State, the step-daughter broke & "confessed" to being the victim of a crime. While "confessing" to this crime to her therapist she dissociated, which the therapist documented & noted was a normal response for the victim of sexual assault, pointing out in her report that it is a coping mechanism for getting through the trauma. However, it escaped her notice that the step-daughter had failed to show these symptoms around her "abuser", which the therapist had previously documented, & was actively doing while accusing the petitioner of a crime.

This documented degradation of the step-daughter incontrovertibly demonstrates the harmfulness of these statutes & the beliefs behind them. It also demonstrates that these statutes can & do criminalize both parties, regardless of their stated intent. The same has been the case with every challenged segregation statute, which is all this is.

About 6 months later the petitioner was arrested & prosecuted. Witnessing his beloved lying & accusing him of a crime forced the petitioner to dissociate for the first time in his life, separating himself from all emotional responses. When the dissociation ended, he was in so much emotional pain that he tried to kill himself. The ensuing depression delayed his trial for almost 1 1/2 years. It took approximately 6 weeks of fasting & a life-changing spiritual experience to get the petitioner ready for trial.

As soon as the petitioner made it clear that his intention was to "prove the law wrong", every legal professional involved (including the judge & his own stand-by attorney) began ensuring that he had no access to any evidence that would substantiate his claim that the relationship had been consensual. These steps included the suppression & destruction of evidence. Despite this the petitioner testified to the truth & was quickly found guilty of rape, forcible sodomy, & forcible sexual abuse.

Not knowing that the suppression of evidence was illegal, given that every legal professional involved participated in it, the petitioner did not file an appeal for he did not know of any grounds he could appeal on. His entire defense strategy was to "prove the law wrong," & the judge had told him that he could not do that & then actively prevented it. Petitioner believes that this is, in itself, a valid justification for overcoming procedural bars but does not depend on it.

Upon learning that the suppression of evidence is illegal, petitioner filed a post-conviction relief packet within the specified year. This was dismissed as frivolous. Petitioner filed an appeal, but due to errors which the contract attorneys admitted to, the appeal was dismissed as untimely. Petitioner had thought that he had exhausted

his options at that point, but concedes that he did not take it to the Utah Supreme Court.

On June 25, 2018, petitioner filed a complaint in the federal district court. This was ultimately dismissed. Petitioner appealed to the 10th Circuit where the dismissal was overturned. Per instructions, petitioner amended his petition to a habeas claim. This was dismissed, but petitioner did not receive notice of the dismissal until after the time to appeal it had expired. Petitioner went ahead & filed an appeal, arguing that it was outside of his ability to file on time. The appeal was dismissed due to lack of jurisdiction. Petitioner now appeals that decision to the U.S. Supreme Court.

Reasons for Granting the Petition

While the petitioner will address the procedural & jurisdictional issues with the case, his primary reason why his petition should be granted is the monumental & fundamental miscarriage of justice on a national level his case represents. Not only has he been injured by 13 years of wrongful incarceration, so too has his "victim" & his family. But even this is minor compared to the greater issue.

According to the guide the petitioner received, "The primary concern of the Supreme Court is not to correct errors in lower court decisions, but to decide cases presenting issues of importance beyond the particular facts and parties involved." The petitioner is raising an issue of importance equal to the emancipation of the slaves, women's suffrage, the civil rights movement, & the ongoing issues of LGBTQ+ rights & abortion. That issue is youth rights & even youth personhood. This issue is consistently making national & even international news, & is even currently being addressed by this Court. And yet, the petitioner has never heard of anyone making the argument he is making, that post-pubescent "minors" are not factually inferior to "adults."

If the petitioner's arguments prove valid, then it means millions of U.S. citizens are being denied their constitutionally guaranteed human rights, resulting in incalculable harm. In addition, it would mean that there are thousands, probably tens if not hundreds of thousands, of U.S. citizens wrongfully incarcerated for having consensual sexual relationships with other U.S. citizens simply because our society has decided that while segregation of the races is incredibly wrong segregation by age (of youth) is acceptable & ethical, & that while it is incredibly wrong to deny someone their rights because of race, sex, & other societal classifications it is acceptable & ethical to deny someone their rights because of age. It is impossible to overstate the importance of this issue or the impact it will have on our society.

This is why the U.S. Supreme Court must hear this case.

The petitioner is raising an issue that is essentially identical to other issues which the U.S. Supreme Court has ruled on over & over, the legal segregation & discrimination of a significant portion of the U.S. population. The first of these was the segregation of blacks. For quite some time they were not even considered fully human, & were instead seen as inferior beings & denied most human rights. The most pertinent facet of this were the miscegenation statutes.

An example of the general attitudes towards inter-racial marriages/sexual relations at that time can be seen in a Maryland act of 1681, which described marriages of white woman to black men as "always to the Satisfaction of their lascivious and Lustfull desires, and to the disgrace not only of the English butt also of many other Christian Nations." There were few, if any, crimes that were hated more than a black man having sex with a white woman. Countless black men were lynched for this, murdered by mobs, & white women were forced to be either victims or co-criminals even though these statutes were ostensibly for their "protection." Such statutes persisted for centuries, until the Civil Rights movement.

In the 1967 case *Loving v. Virginia*, the U.S. Supreme Court stated the following:

"There can be no question but that Virginia's miscegenation statutes rest solely upon distinctions drawn according to race. The statutes proscribe generally accepted conduct if engaged in by members of different races. Over the years, this Court has consistently repudiated '(d)istinctions between citizens solely because of their ancestry' as being 'odious to a free people whose institutions are founded upon the doctrine of equality.' [...] "At the very

least, the Equal Protection Clause demands that racial classifications, especially suspect in criminal statutes, be subjected to the "most rigid scrutiny," [...]

"These statutes also deprive the Lovings of liberty without due process of law in violation of the Due Process Clause of the Fourteenth Amendment." [...]

"Marriage is one of the 'basic civil rights of man', fundamental to our very existence and survival."

There can be no question but that Utah's challenged statutes rest solely upon distinctions drawn according to age. They proscribe generally accepted behavior if engaged in by members of different classes. Given that these are criminal statutes, the Equal Protection Clause demands that age classifications be subjected to the most rigid scrutiny, especially when they deprive all involved of their liberty.

While the Loving decision focuses on marriage, the right to non-marital sex was addressed in *Lawrence v. Texas* where the following was stated:

"To say that the issue in *Bowers* was simply the right to engage in certain sexual conduct demeans the claim the individual put forward, just as it would demean a married couple were it to be said marriage is simply about the right to have sexual intercourse. The laws involved in *Bowers* and here are, to be sure, statutes that purport to do no more than prohibit a particular sexual act. Their penalties and purposes, though, have more far-reaching consequences, touching upon the most private human conduct, sexual behavior, and in the most private of places, the home. The statutes do seek to control a personal relationship that, whether or not entitled to formal recognition in the law, is within the liberty of persons to choose without being punished as criminals." [IP] "This, as a general rule, should

counsel against attempts by the State, or a court, to define the meaning of the relationship or to set its boundaries absent injury to a person or abuse of an institution the law protects."

Defining the meaning of a sexual relationship is precisely what these statutes do. Regarding the petitioner's relationship with his step-daughter, there was not one person who witnessed their interactions that did not see the bond of love between them. Indeed, it was that bond, which was addressed in a report by the therapist, that made everyone suspect that the relationship was sexual. While the relationship had begun as a parent-child one, it had evolved to become a friendship (a relationship between equals) & colleagues relationship. The step-daughter was regularly criticized for acting as a parent, which she did because such was her role in the family for years. During his trial, the petitioner testified that he had asked the step-daughter if she was attracted to him, asked if she wanted to kiss, asked if she wanted to touch (sexually), & finally asked twice if she wanted intercourse. Furthermore, the petitioner asked the step-daughter if she would marry him, & she said yes, making them fiancé's.

Despite this exceptional level of verbal consent, the statutes of Utah declared this sexual relationship as rape & abuse, thus defining the meaning of the relationship. This is why both people denied the sexual nature of the relationship. If not for the segregation statutes, no State would define the relationship as a crime, nor would the Federal government.

Returning to *Lawrence v. Texas*, this Court stated the following:

"Under then [19th Century]-prevailing standards, a man could not be convicted of sodomy based upon testimony of a consenting partner, because the partner was considered an accomplice. A partner's testimony, however, was admissible if he or she had not consented to the act or was a minor, and therefore incapable of consent."

What is almost uniformly ignored is that these statutes actually make both partners criminals, for both parties are committing an illegal act. This is demonstrated when two "children", post-pubescent humans under the age of 14, are considered to be sexually assaulting each other when engaging in sexual activity by these statutes. In this instance, the step-daughter was going to court the next week to face charges when she "confessed" to being the victim of statutory rape. There can be no doubt that those pending charges had an impact on her decision to change her story.

What makes these statutes different from the miscegenation statutes is the declaration of one party as perpetrator & the other as victim. It is argued that the youth is incapable of consent due to either inherent limitations in their mental capabilities &/or due to class based power differences between the parties. Neither of these arguments are valid.

The entire institution of slavery was based on the argument that the black race was inherently limited in their mental capabilities. Their culture's lack of "advanced" technology & Christian values was used as "proof" of their inferiority, as was certain physical characteristics. Such ideas were eventually proven false & it is known today that race has no bearing on an individual's mental capabilities.

Women were long denied the right to vote based on the argument that their sex was inherently limited in its mental capabilities. It was argued that they had brains/minds suited only to domestic life & were not capable of the sophisticated level of thinking required for politics or business. Their "proper" place in society was enforced by law & then used as evidence to support that law, just like the blacks.

Such is the current situation for post-pubescent "minors". Their current place in society as inferior beings is enforced by law. They are told by society from birth that they are inferior beings, just as blacks & women once were. And yet, once they go through puberty & become biological adults, a part of them recognizes their equality to the "adults" in power over them. And, like blacks & women before them, a significant portion of them resent their enforced position of inferiority which leads them to act out. And then that acting out is used as evidence that they are in fact inferior. It is a vicious circle that only ends when society chooses to recognize their equality & grants them their full rights.

There is a growing amount of research that supports this position of equality. Here are a few examples which even the petitioner in his isolated state has come across:

1. Rind, B., Tromovitch, P., & Bauserman, R. (1998). A Meta-analytic Examination of Assumed Properties of Child Sexual Abuse Using College Samples. *Psychological Bulletin* 124, no. 1, 22-53.
2. Males, M. (2015). Poverty, Not the "Teenage Brain," Account for High Rates of Teen Crime. SAGE, us.sagepub.com/en-us/nam/press/poverty-not-the-teenage-brain-account-for-high-rates-of-teen-crime.
3. Hackman, O., Farah, M., & Meaney, M. (2010). Socioeconomic Status and the

Brain: Mechanistic Insights from Human and Animal Research. *Nature Reviews Neuroscience* 11, no. 9: 651-59.

4. Moffitt, T. (1993). The petitioner no longer has the full citation (taken by the prison), but these were studies of the effects of segregation on adolescents.

5. Harris, J. (1975, 1998). O:Ho.

While these studies look at different factors that impact brain development & decision making, not one of them concluded that the adolescent/teenage brain was inherently inferior. For centuries our culture told blacks & woman (not to mention those in the LGBTQ+ community) that they were inferior, & thus they created a cultural reality that was pervasive in our culture despite clear evidence to the contrary in other cultures. The mere act of creating an inferior class forces a cultural consensus that reinforces that creation. This has been evident in culture after culture.

In *Railway Express Agency, Inc. v. New York*, Justice Jackson stated:

"The Framers of the Constitution knew, and we should not forget today, that there is no more effective practical guaranty against arbitrary and unreasonable government than to require that the principles of law which officials would impose upon a minority be imposed generally. Conversely, nothing opens the door to arbitrary action so effectively as to allow those officials to pick and choose only a few to whom they will apply legislation and thus to escape the political retribution that might be visited upon them if larger numbers were affected."

If the concepts of these statutes were applied to woman in general, declaring them to be inferior as a class (as was once done) & thus unable to consent to sexual conduct, then it would be the end of our culture. The only people who would not then be criminals would be

homosexual men & children. This demonstrates both the absurdity of such a position & just how harmful these statutes are. An arbitrarily created power differential does not justify itself. A post-pubescent "minor" is only as powerless as we choose to make them.

In *Loving v. Virginia*, this Court stated that "the Equal Protection Clause demands that racial classifications, especially suspect in criminal statutes, be subjected to the 'most rigid scrutiny.'" Despite this, the validity of these criminal statutes have gone unexamined, & the blatant age based classification has never actually been tested in court, leaving unanswered whether post-pubescent "minors" are in fact incompetent & incapable of consent. These statutes continue to exist even when such citizens can be & are prosecuted as "adults" when it suits the State. Thus, according to the whim of those in power over them, they are either competent or incompetent, & their will has no bearing on the matter for they have no voice, no power, no right to be heard. This absurdity & injustice cannot continue.

Arguments have been made against constitutionalized homosexual activity, claiming that there is no enumerated right to homosexual sex in the Constitution. While true, there is also no enumerated right to heterosexual sex, & yet if such a statute were to ever come into being would it survive a constitutional attack? What about the right to eat, or drink, or breath? None of these are enumerated in the Constitution, yet a statute prohibiting them would amount to murder on a genocidal level. Sex is a basic human drive, & required for the continuation of our species.

Clearly, the Constitution does not enumerate any right for one class of citizens to have sexual relations with another class of citizens, but this ~~etc~~ Court has repeatedly rejected statutes that segregate classes. Furthermore, the Constitution does enumerate

the right to equality, the right to liberty, & many more that Utah's statutes violate. Arguably the most obvious is the right to free speech. If a post-pubescent "minor" is not allowed to say yes to sex, then their right to free speech has been abridged.

Another argument could be made that the petitioner is arguing the violation of another's rights. This Court, in *Griswold v. Connecticut*, made it clear that such was allowable. Indeed it is necessary, for the class of citizens the petitioner argues for has very little opportunity to correct their position in society. Furthermore, the petitioner was in an intimate relationship with a member of that class & was forced to watch as that relationship was destroyed by his government, who then not only caused him severe harm but also his beloved. And ultimately it is all of society that is harmed when a significant portion of it is harmed.

In the end, it falls upon the State to demonstrate that it has a legitimate interest in declaring biological adults as inferior beings & denying them basic human rights enumerated in the Constitution as well as rights not enumerated but required for the survival of our species. Of course, taking such a stance would likely prove to be devastating to any State's elected officials political future. And such a stance would then open the door for the State to declare any class of citizen as inferior & thus deny them their rights.

The petitioner will now address the jurisdiction bar the 10th Circuit declared. The District Court Judge, in his May 10th, 2024 Order, states that the petitioner's copy of the dismissal was returned to the court, showing that the petitioner did not receive it. It further states that the petitioner had notified the court of his change of address to the Kane County Jail, but then claims he did not update the court when.

he was moved to the facility he is now at, doing so without proof. The petitioner made it clear to the 10th Circuit that he disputed this assumption. He also argued that he should be allowed to appeal based on the fact that he filed as soon as he received the order. The 10th Circuit could have construed this as a request for additional time, which it was. Petitioner also did file a notice of appeal, & corrected its deficiency as soon as he was notified of it. Clearly the fact that the petitioner is pro-se was given little weight in the decision.

Regardless, the level of injustice & continued active harm (legitimate killing) represented by this case goes well beyond his own incarceration. The petitioner has made it clear that he is factually innocent, for no court in the U.S. would find his actions a crime if his partner had been 18 or older. Only the State's refusal to acknowledge his partner's right to consent made his actions criminal. Furthermore, the State's "protection" of the step-daughter resulted in significant harm to her that was documented by the State. Denying a citizen their rights "for their own good" has, time after time, been rejected by this Court, & should be again.

These statutes are an offense to the core purpose of the Constitution & all that this nation stands for. They cannot & will not stand.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: Dec 7, 2024