

IN THE SUPREME COURT
OF THE UNITED STATE OF AMERICA

IN RE: Alexander Kawleski
Petitioner

Supreme Court Case No.

APPENDIX

for

ORIGINAL PETITION TO THE SUPREME COURT
UNDER 28 U.S.C. § 2241

By: Alexander Kawleski
11504-090
Federal Correctional Institution
P.O. Box 1000
Marion, IL 62959

Appendix
Table of Contents

United States Constitution

Appendix "A": Article I, § 8, Clause 3..... 29

Title 18 United States Code Service

Appendix "B": § 2252A(a)(5)(B)..... 30

Appendix "C": § 2252((a)(4)(B)..... 31

Appendix "D": § 2256(8)..... 32

United States Constitution

Appendix "E": Amendment VI 33

Appendix "A"

United States Constitution
Article I, § 8, Clause 3
Interstate Commerce Clause

"Section 8: The Congress shall have the power...

"To regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

Appendix "B"

18 U.S.C. § 2252A(a)(5)(B)

Knowingly possesses, or knowingly access with intent to view, any book, periodical, film, videotape, or computer disk, or any other material that contains an image of child pornography that has been, or shipped or transported using any means or facility of interstate or foreign commerce or by any means, including by computer, or that was produced using materials that have been mailed, or shipped or transported in or affecting interstate or foreign commerce by any means, including by computer.

Appendix "C"

18 U.S.C. § 2252(a)(4)(B)

Knowingly possesses, or knowingly accesses with intent to view, 1 or more books, magazines, periodicals, films, video tapes, or other matter which contain any visual depiction that has been mailed, or has been shipped or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, or which have been mailed or so shipped or transported, by any means including by computer[.]

Appendix "D"

18 U.S.C. § 2256(8)

Child pornography means any visual depiction including any photograph, film, video, pictures or computers-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where -

- A. The production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
- B. Such visual depiction is a digital image, computer image, or computer-generated images that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or
- C. Such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

Appendix "E"

United States Constitution

Amendment VI

"In all prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense."