

IN THE

SUPREME COURT OF THE UNITED STATES

25-5497

No.

Supreme Court, U.S.

FILED

JUN 25 2025

OFFICE OF THE CLERK

BRYANT BUCKHANAN

Petitioner

against

STATE OF ILLINOIS, et., al.,

PETITION FOR A WRIT OF CERTIORARI

Bryant Buckhanan

Register No. M35229

Lawrence Correctional Center

10930 Lawrence Road

Sumner, IL 62466

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SUPREME COURT, U.S.

QUESTIONS PRESENTED

Whether the Petitioner was denied the essential elements of due process of law, which is, notice and opportunity to defend.

Whether arrests pursuant to investigative alerts was the re-introduction of Black Codes or Exclusionary laws that allow Chicago Police to make arrests based on race.

Whether witness called by a petitioner is subjected to a Bystander's Report when called to testify to extract the truth from the matter asserted.

Whether the Appellate Courts Cover-Up the Errors of Trial Judges

Whether the Judges in Illinois, beginning with the Trial Judge, to the Appellate Judges, all the way to the Supreme Court of Illinois Judges, decisions and/or opinions are influenced or even controlled by powerful, largely hidden political, financial, personal financiers.

PARTIES

The petitioner is Bryant Buckhanan, a prisoner at Lawrence Correctional Center in the state of Illinois.

Attorney General of the state of Illinois, Kwame Baoul.

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DECISIONS BELOW

The decision of the Illinois Supreme Court's order denying the petitioner's petition for leave to appeal is unreported. [S.Ct. No. 131002] A copy is attached as Appendix A to this petition (A.1).

JURISDICTION

The judgment of the Illinois Supreme Court was entered on January 29, 2025. An order affirming the judgment of the Circuit Court was entered on July 25, 2024 by the Appellate Court of Illinois First Judicial District, and a copy of that order is attached as Appx B. Jurisdiction is conferred on the S.C.E. by 28 U.S.C. § 1257(3)

CONSTITUTIONAL & STATUTORY PROVISIONS INVOLVED

This case involves Amendments IV, VI and XIV to the United States Constitution which provides:

AMENDMENT IV, U.S. CONST.

The right of the people to be secure in their persons, ~~houses~~, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized.

AMENDMENT VI, U.S. CONST.

In all criminal 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 assistance of counsel for his defense.

AMENDMENT XIV, U.S. CONST.

Section 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and the States wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process; nor to deny any person within it's jurisdiction the equal protection of the laws.

ILLINOIS CONSTITUTIONAL & STATUTORY PROVISIONS INVOLVED

This case involves Article 1 §§ 2 and 6 of the Illinois Constitution & Statute 725 ICS 5/107-9 which provides:

ARTICLE 1. SECTION 2. ILLINOIS CONSTITUTION READS:

No person shall be deprived of life, liberty or property without due process of law, nor be denied equal protection of the law.

ARTICLE 1. SECTION 6. ILLINOIS CONSTITUTION READS:

The People shall have the right to be secure in their Persons, Houses, Papers and Other Possessions against unreasonable searches, seizures, invasions of privacy or interceptions of communications by eavesdropping devices or other means. No warrant

shall issue without probable cause, supported by Affidavit, particularly describing the place to be searched and persons or things to be seized

THE STATUTORY PROVISION IS ENFORCED BY 725 ILCS 5/107-9

Issuance of arrest warrant upon complaint

(a) When a complaint is presented to a court charging that an offense has been committed, it shall examine upon oath or affirmation the complainant or any witnesses.

(b) The complaint shall be in writing and shall:

(1) State the name of the accused if known, and if not known the accused may be designated by any name or description by which he can be identified with reasonable certainty;

(2) State the offense with which the accused is charged;

(3) State the time and place of the offense as definitely as can be done by the complainant; and

(4) Be subscribed and sworn to by the complainant.

(b-5) If an arrest warrant or summons is sought and the request is made by electronic means that has a simultaneous video and audio transmission between the requester and a judge.

the judge may issue an arrest warrant or summons based upon a sworn complaint or sworn testimony communicated in the transmission.

BLACK CODES

A name given collectively to a body of laws, rules and statutes in various southern states prior to 1865, which regulated the institution of slavery, and particularly those forbidding their reception at public inns and public conveyance.

JIM CROW

Jim Crow, stereotype Blackman in a 19th Century song and dance act [1888]. 1. usu. offensive: BLACK 2. ethnic discrimination especially against blacks by legal enforcement or traditional sanctions.

STATEMENT OF THE CASE

In January of 2009, months after the 2008 shooting at issue [in fact], the Chicago police arrested Bryant Buckhanan in connection with the decedent [Mr. Houston's] murder. They never had a warrant. Instead, he was arrested pursuant to a CPD. in house policy known as investigative alert.

Prior to trial, Buckhanan filed a motion to dismiss and or quash arrest and suppress evidence. He argued that the arresting officer lacked probable cause, and that his warrantless arrest was in opposition to the Article I, § 6 Warrant clause present in the Illinois Constitution.

The state argued that the police had probable cause to arrest Buckhanan when the facts and circumstances within their knowledge was sufficient to warrant a prudent person to believe that the suspect has committed a crime. The trial judge denied Buckhanan's motion, despite the fact that there [were] no exigent circumstance [existed], nor did the state present any independent source to arrest him outside of the investigative alert. The police never took their case to a neutral detached Magistrate seeking an arrest warrant and offered no logical reason for not doing so.

During trial, the state introduced fruits of Buckhanan's arrest, including statements from his post-arrest lineup, specifically where Malika McCollum identified Buckhanan as the shooter. However, at the police station, she gave a different version of events to the investigating detective Moreth, wherein, she heard gunshots but didn't see the shooter because she ducked down in the vehicle.

The State withheld the supra. After trial, Buckhanan filed a post-trial motion, again arguing that his arrest violated the Illinois Constitution. The judge denied the motion.

On appeal, the state argued that McCollum's identification of Buckhanan as the shooter is both the beginning and the end of probable cause and that the corroboration of

both Smith's and Houston's testimony that the gunshots came from the passenger's side of the car where they allege, the petitioner was. But the facts are not so straightforward as they insist. In the instant matter, the decedent was seated on the passenger's side and was not the driver.

Whoever the shooter was, the driver or the passenger, the shots would've had to come from the passenger's window, not the driver's window. Houston's and Smith's testimony is in direct opposition to McCollum's shooter identification story, which denies corroboration.

The State also argued that because multiple witnesses knew who played what role in the drive-by shooting, their identification in the lineup, pointing to the passenger as the shooter and not Miller, the driver further demonstrates the accuracy of their testimony.

But seeing a person initially driving a car, and later displaying a gun in a car, provides no insight as to who, still later, was the one shooting from the car. It is simply not true that multiple witnesses "identified petitioner, the passenger, as the shooter."

So, it's simply not true that, as to the shooter's identity, "McCollum's identification was corroborated by Smith and Houston."

At no time, in the instant matter, did the investigating detectives take any of the witnesses before a judge and swear under penalty of perjury, that the petitioner was the assailant.

The state argue that McCollum and other witnesses, once they credibly pointed to Buckhanan at the station, that's what gave the police probable cause. But here again, the facts are not straightforward as the State persist.

In this case, Det. Moreth and other investigating detectives did close their eyes not only to other exculpatory information but also to facts that cast doubt upon the accuracy of McCollum's identification.

In this case, McCollum provided the officer's with a reliable lead as to the car. Unfortunately, McCollum eluded the questions the Officers attempted to get an answer to. Moreover, despite the fact that McCollum identified someone else as the shooter or wasn't positive it was the petitioner, the Detectives issued the investigative alert that caused Buckhanan(s) to be arrested.

In this petition for Writ of Certiorari, petitioner asserts several claims, including that the State violated his constitutional right to due process of law by failing to disclose information about "not seeing who did the shooting, only that she heard the gun shots," stated by Malika McCollum to the investigating Detective Moreth.

The material information contained on the original case report from Moreth and other I/O's was never disclosed by the State to the petitioner during discovery, which became a major issue about the supplemental report.

BASIS FOR FEDERAL JURISDICTION

This case raises a question of the interpretation of

the Due Process Clause of the Fourteenth Amendment to the United States Constitution. The United States Supreme Court has jurisdiction under the general federal question jurisdiction conferred by 28 U.S.C. § 1331.

ARGUMENT IN SUPPORT OF GRANTING CERTIORARI

A. Conflicts with Decisions of Other Courts

The holding of the courts below that police may arrest an individual without a warrant and without an investigative alert if they have probable cause to do so, is directly contrary to the holding of *People v. Hyland*, 2012 IL App (1st) 110966, 981 N.E. 2d 414, 367 Ill. Dec. 89 [Dkt. No. 1-11-0966.] Nov. 21, 2012. Rehearing Denied Dec. 20, 2012.

In opposition to the *Supra*, the Supreme Court of Illinois has inverted a false equivalency wherein it held that investigative alerts do not invalidate an otherwise lawful arrest *People v. Clark*, 2024, IL 127838. The ruling comes in juxtaposition to the holding in *People v. Braswell*, 2019 IL App (1st) 172810, and the cases cited therein that follow *Braswell* that described the *Bass* holding to a narrow and *inter alia*, contradiction, which implies a proposition so related to another that if either of the two is true the other is false and if either is false the other must be true.

The Supreme Court of Illinois heightened the contradiction. *People v. Bass*, 2019 IL 160640, *aff'd in part*, 2021 IL 125434, 450 Ill. Dec. 902.

B. Importance of Questions Presented

This case presents a fundamental question of the interpretation of the Due Process Clause of the Fourteenth Amendment.

[Louisville & Nashville Railroad Co. v. Schmidt, 177 U.S. 230]

The essential elements of due process of law are notice and opportunity to defend. In determining whether such rights were denied the courts are governed by the substance of things and not by mere form. [Simon v. Craft, 182 U.S. 427]

The Due Process Clause of the Fourteenth Amendment does not necessitate that the proceedings in a state court should be by a particular mode, but only that there shall be a regular course of proceedings in which notice is given of the claim asserted and an opportunity afforded to defend against it. If the essential requisites of full notice and opportunity to defend were present, the Supreme Court of the United States will accept the interpretation given by the state court as the regularity under the state statute of the practice pursued in the particular case.

The question(s) presented^d is of great public importance because it affects the day to day living in a residents life in the city of Chicago, the State of Illinois and hundreds of cities, suburbs and or smaller communities adjacent to or within commuting distance of the City of Chicago. In view of the large amount of litigation over C.P.D. Special Order 504-16 [Investigative Alerts], guidance on the question(s) is also of

great importance to the judiciary. In addition, the question is of great importance to the people in the Black and Brown {African American and Latin X} communities and those already incarcerated as result of a discontinued police policy.

The issues of importance is enhanced by the fact that the lower courts in this case have seriously misinterpreted Bass. The court held in Bass that arrests based solely on investigative alerts, even those supported by probable cause are unconstitutional.

The court reiterated this point in [Lippman v. People, 175 Ill. 101, 112, 51 N.E. 872 (1898)] and then added "Our Supreme Court has similarly concluded that a citizen cannot be arrested on the unsworn complaint or on information of the state's attorney anymore than on the unsworn complaint of a private citizen or on no complaint at all" [People v. Clark, 280 Ill. 160, 167]

Even though a state's attorney, like the police in Buckhanon's case, is sworn to uphold the laws and constitution of the U.S. and Illinois, this oath cannot substitute for a sworn affidavit presented to a neutral magistrate.

The common sense understanding that the Petitioner was arrested without lawful notice on a warrantless arrest when no exigent circumstances existed on January 09, 2008 approximately six months after the underlying incident in August of 2007 [People v. Buckhanon, 2024 IL App (1st) 221261-U] deprived the Criminal Court of personal and subject-matter jurisdiction and all proceedings prior to filing a proper

trial document is void. The accusations allege^d against the Petitioner by the alleged eyewitnesses {Kenyatta Houston, Tangelia Smith, Carissa Marzette and Malika McCollum} was not made under penalty of perjury, At the police station, and if penalty or perjury cannot reach the accusers, there is no accusation.

In the absence of an accusation charging the Petitioner with the violation of a criminal offense/law, the indictment is void on it's face, the trial Court has no jurisdiction or authority to convict and the Petitioner {Defendant} cannot by waiver or consent confer such jurisdiction or authority [People v. Fore, 384 Ill. 455, 51 N.E. 2d 548] [People v. Minto, 318, Ill 293, 149 N.E. 241]

The court acquired jurisdiction on both subject-matter and person through the return of the indictment into open court and retain that jurisdiction UNLESS IT WAS LOST THROUGH THE FAILURE OF THE COURT TO COMPLY WITH THE STATUTES AND THE LAWS OF THE STATE OF ILLINOIS [People v. Farley, 408 Ill 194 S.Ct Ill]

The contention now urged by this Petitioner is notice (and) imports opportunity to defend. If the essential requisite of full notice and opportunity were present, this Supreme Court will accept the fact that the Criminal Court never acquired jurisdiction of both subject-matter and the person through the return of the indictment into open Court and did not retain jurisdiction because it was lost through the failure of the Court to recognize that a statute {725 ICS 5/1-107-9} (issuance of an arrest warrant upon complaint) and

1
the laws of the state of Illinois {art. 1 §§ 2 and 6} was not
complicit with in making the illegal arrest of the Petitioner
Bryant B. Khanar. [Simon v. Craft, 182 U.S. 427]

Arrest pursuant to investigative alerts is the reintroduction of Black Codes or exclusionary laws that allow Chicago Police to make arrests based on race.

BLACK CODES. A name given collectively to the body of laws, statutes, and rules in force in various southern states prior to 1803, which regulated the institution of slavery, and particularly those forbidding their reception at public inns and on public conveyances. [Civil Rights Cases, 100 U.S. 3, 3 Sup. Ct. 18, 27 L. Ed 835.]

In the years that followed the Civil War, white Southerners employed a wide range of weapons - legal and extra-legal - to restore their control over rebellious Black people and return them to "their place". Southern states swiftly reinvented their tools for racial control and enacted "Black Codes" that were akin to the old slave codes. As expressed by one Alabama planter: "We have the power to pass stringent police laws to govern the negroes - This is a blessing - for they must be controlled in some way or white people can not live amongst them." [The 1619 Project: Nikole Hannah-Jones]

Some of these Black Codes foreshadow Jim Crow laws by policing the movements of Black people, whose recent

emancipation had become a perpetual source of fear and resentment. These codes segregated schools and prohibited, for example, interracial seating in the first-class section of railroad cars. Other codes were intended to establish systems of peonage resembling slavery to ensure a cheap labor force. Vagrancy laws were adopted and selectively enforced against Black people; these essentially made it a criminal offense not to work, often forcing formerly enslaved people to sign labor contracts with the same people who once enslaved them.

[The 1619 Project: Nikole Hannah-Jones]

The Illinois Supreme Court has legalized exclusionary rules/laws by justifying the use of Chicago Police policy, approved by the municipal policy makers. The Chicago police department is an agent of a Urban political unit having corporate status and are self-governed.

Judges are political creatures. Contrary to their carefully cultivated public image of being independent and above the frays of everyday life, judges are influenced and even controlled by powerful and largely hidden political, financial, personal and ideological considerations.

The judges involved in cases where the arrest was effected by an investigative alert after the reverse, remanded, sentence, vacated in Hyland, have ruled in the opposite direction or chose not to litigate it.

[People v. Hyland, 2012 IL App (1st) 110966, 981 N.E.2d 414, 367 Ill. Dec. 89. Nov. 2012. Rehearing Denied, Dec. 20, 2012.]

[People v. Velez, 388 Ill. App. 3d 493, 504 n.3 327, Ill. Dec. 946, 903 N.E.2d 43 (2009) (Defendant argued that counsel was ineffective for failing to move to suppress based on no probable cause; in support defendant attached investigative alert to appendix, which court declined to consider because it was not part of the record)]

[People v. Echos, 382 Ill. App. 3d 309, 320-21, 320 Ill. Dec. 649, 887 N.E.2d 793 (2008) (testimony about investigative alert does not support defendant's argument that state improperly elicited evidence from which jury could infer that he was in a gang)]

[People v. Cox, 377 Ill. App. 3d 690, 701, 316 Ill. Dec. 392, 879 N.E.2d 459 (2007) (investigative alert mentioned, but not analyzed, as part of defendant's argument that state elicited improper hearsay about a phone call that led to a photo array being generated)]

The cases where arrest was made pursuant to investigative alert ran up past 5,000. Because the 504-16 policy was so widespread and unseen, it became the norm. African-American and Latin-X residents in Chicago had no idea that their arrest was warrantless and came about through a discontinued "stop order" (CPD-31.961).

They were never told that they never had a warrant for their arrest.

Even in the Dissent by Justice Neville in the Clark Case *People v. Clark*, 2024 IL 127838, where in he states:

The majority's opinion legalizes investigative alerts and by doing so makes arrest by police, without a warrant issued by a judge, the official policy of the Chicago police. He goes on to say, I take judicial notice of the First District decisions, between 2007 and 2024, that discuss investigative alerts. Of 174 appeals, 173 involve Black and Latinos. The cases reveal that 99% of the warrantless arrest made by Chicago police that result in appeals involve Black and Latino suspects. I suspect was a white female. I find that the First District's decisions established that investigative alerts are "a systemic, racial policy or practice of the Chicago police and that warrantless arrests are used predominantly to effectuate the arrests of Black and Latino suspects. In light of the First District's decision, I cannot concur in the majority's decision because it legalizes a system, racial policy or practice that authorizes the Chicago police to make warrantless arrest based on race.

Dissent by JUSTICE NEVILLE

Additionally, I dissent for the following reasons: (1) because, absent exigent circumstances, the United States and Illinois Constitutions do not permit warrantless arrest in the home... in point (4) he states: because the disparate impact of the use of investigative alert demonstrates that police ignore the Constitution and treat Black and Latino suspects like they have no rights the police must respect [see *Dred Scott v. Sanford*, 60 U.S. 393 (1856)], and establish that police appear to use judicial Warrants when they arrest White suspects

but the arrest Blacks and latinX suspects in a separate but unequal system of using investigative alerts [see *Plessy v. Ferguson*, 163 U.S. 537, 16 S.Ct. 1138 41 L.Ed. 256 (1896)] ; and (5) because the First District's decisions established that investigative alerts are a policy or practice of the Chicago police where the police enforce the warrant requirement in the constitutions differently based on whether they are arresting a White suspect or a Black or a latinX suspect and as a consequence of this disparate treatment, the Chicago police violate the 2018 consent decree, [*Illinois v. City of Chicago*, No. 17-cv-6260, at 15-16 (N.D. Ill. Jan. 31, 2019), https://www.chicago.gov/content/dam/city/depts/cpb/supp_info/ConsentDecreeComplete.pdf [<https://perma.cc/78H6-YRQB>]), A CONTRACT MADE TO PROTECT BLACK AND LATINX SUSPECTS FROM UNCONSTITUTIONAL ARRESTS.

The decision in the supra is a reintroduction of exclusionary laws and institutionalizing oppression in the Illinois Court System because their decisions ARE based on race, while at the same time, washing the sins of bad actors in the police department in the face of Black and latinX citizens because of the enacted Black Code and Exclusionary Acts.

BACKGROUND

The Petitioner was arrested pursuant to an invest.

investigative alert and was denied an evidentiary review.

[People v. Buckhanan, 2024 IL App (1st) 221261-0]

During the pendency of the abovementioned cause, Justice D. B. Walker said in concern of Buckhanan's warrantless arrest:

¶ 41 C. Constitutionality of Arrest

¶ 42 Last, Defendant asserts that his warrantless arrest was unconstitutional because the probable cause justifying the arrest derived from an investigative alert rather than from an officer witnessing actions or events sufficient to constitute probable cause.

¶ 43 There is no dispute regarding the facts surrounding defendant's arrest, so all that remains is a question of law. The matter of the constitutionality of warrantless arrests made pursuant to probable cause provided by investigative alerts has been addressed at length in this Court decision in [People v. Gill, 2023 IL App (1st) 201109-0]. As detailed therein, the Appellate jurisprudence on this matter is split. ¶ 100-01. As yet, our supreme court in [People v. Clark, 201 N.E. 3d 770 (2023)] (granting leave to appeal), we need not recite what has already been laid out in Gill and, again, follow [People v. Braswell, 2019 IL App (1st) 172810], in finding defendant's arrest constitutional.

Petitioner was purposely left off the list of cases that were cherry picked for litigation before the Illinois Supreme Court. Hundreds of cases that were too big or too daunting, such as, expired investigative alerts or those wherein sworn B.I.S. members, were receiving checks and bonuses and that investigative alerts were paying bounties to attorneys and detectives for finding and turning in their clients for a fee {Attorney Todd Urban - Client Dorian Siller}

In the CPD Special Order 504-16, the word "WANT" is there instead of "Warrants" issued by the Bureau of Investigative Services. Only Detectives and on desk sergeants and Supervisors are afforded the above privileges, similar to slave catchers paid by their enslavers.

Lastly, on cross-examination, the following colloquy occurred between McCollum and defense Counsel for Buckhanan {Petitioner} 9/15

"COUNSEL: When you gave this interview to Detective Moreth on August 19th, 2007, in the afternoon, you didn't tell the Detective at the time that you saw the shooter in this case, correct?"

MCCOLLUM: When?

COUNSEL: August 19th, 2007, in the afternoon when you were at the station.

B MCCOLLUM: I saw the shooter, so I'm pretty sure I told them

I saw the shooter, and I identified him twice.

COUNSEL: Well, you didn't identify him twice of August 19th?

MCCOLLUM: No, just overall."

Defense Counsel then proceeded to inquire as to the frequency and degree of contact between McCollum and the other eye witnesses between the time of her initial discussion with police and her subsequent identifications of defendant as the shooter.

¶ 16 On redirect examination, the State questioned McCollum {leading questions} as follows:

STATE: And during cross examination, Counsel asked you the question that you never said that you never [sic] saw the face of the shooter, right?

MCCOLLUM: Yes.

STATE: But in fact, you told Detective Moreth that the individual who displayed the silver handgun during the argument with the victim Omari Houston, later fired the silver pistol from the front seat of a silver infiniti in the direction of Carissa Marzette's car, striking Omari Houston and fatally wounding him; isn't that what you told him?

MCCOLLUM: Yes.

DUE PROCESS VIOLATION

The United States Supreme Court held that the Due Process of Law under the Fourteenth Amendment cannot tolerate a state criminal conviction obtained by the knowing use of false evidence [Mooney v. Holohan, 294 U.S. 103 (1935)]

About seventy years ago the United States Supreme Court held that the due process of Law under the Fourteenth Amendment cannot tolerate a criminal conviction by the knowing use of false evidence [Mooney v. Holohan, 294 U.S. 103 (1935)]. Seven years later the Court held that a state prisoner stated a valid due process claim when he asserted that the testimony material to the defense "was repressed [sic] under threat and coercion by the state" and that defense witnesses "were intimidated and their testimony suppressed."

Petitioner's papers are ineptly drawn, but they do set forth allegations that his imprisonment resulted from perjured testimony, knowingly used by the state's authorities to obtain his conviction and from the deliberate suppression by those same authorities of evidence favorable to him."

[Pyle v. Kansas, 317 U.S. 213, 214, 216 (1942)]

The Supreme Court has never deviated from the Fundamental principal enunciated in those cases that due process can not tolerate a conviction obtained by perjury or fraud.

[Napue v. Illinois, 360 U.S. 264 (1959)]

[Miller v. Pate, 386 U.S. 1 (1967)]

Petitioner argue that a fair reasonable state's attorney would not have elected to prosecute him from the results of the investigation. Instead, seeing that suppressing the Original Supplemental report alone was not enough or sufficient to sustain a victory, begin to fabricate evidence to avoid liability

[Smith v. Springer, 859 F.2d 31]

The A.S.A. in this case, beginning at the trial level, arranged or manufactured circumstances or indicia, after the fact committed, with the purpose of using them as evidence, and of deceitfully making them appear as if accidental, harmless or undesigned.

Petitioner argue that the prosecutors{ } in the criminal case purposely withheld the Supplemental report with McCollum's statement that, she never saw the person who actually did the shooting the day Omari Houston was shot in her interview with Detective Moreth. The Prosecutor Knew that McCollum's account of the underlying incident was "incredible, contradictory and unbelievable so they sealed it to obtain a personal advantage for themselves.

[People v. Armistead, No. 1-99-1560]

Petitioner further argue, the prosecutors intention-ally withheld {WITHHELD} it.

Suppression by the prosecutor of evidence favorable to the accused... violates due process is a "Brady violation" and constitutes a reversal.

[Brady v. Maryland, 373 U.S. 83, 10 L.Ed. 2d 215, 83 S.Ct. 1194 (1963)]

[Brown v. Wainwright, 785 F.2d 1457, 1458 (11th Cir. 1986)]
(reversing a petitioner's conviction because the prosecutor knowingly allowed false testimony to be introduced and then exploited it, in it's case.

"A true Constitutional violation is measured with the outcome in mind," and if the decision to go to trial in the first instance would have been altered by disclosure, a plaintiff might be able to show prejudice."

[Carrizal, 542 F.3d at 547] See Also [Parish, 594 F.3d at 554]

The Supreme Court serious^{ly} misinterpreted the Fourth Amendment to the United States Constitution and Article I § 6, Illinois Constitution in Clark by failing to distinguish between what and who determines probable cause.

The Court should correct the misinterpretation and make it clear that arrests based on race is unacceptable and discontinue the use of arbitrary searches and seizures on arrest pursuant to investigative alerts whether probable cause or no probable cause in the home or abroad.

The Courts must follow what's already established in the United States and Illinois Constitution.

CONCLUSION

For the foregoing reason, certiorari should be granted in this case.

Dated: June, 25 2025

Respectfully Submitted,

Bryant Buck