

25-6031

No. _____

FILED

MAY 12 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

AUG TERM 2025

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

IN RE: MICHAEL MCAFFEE — PETITIONER
(Your Name)

VS.

STATE OF MISSOURI, et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

~~UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT~~
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

MICHAEL MCAFFEE

(Your Name)

300 E. PEDRO SIMMONS DR.

(Address)

CHARLSTON, MISSOURI 63834

(City, State, Zip Code)

(Phone Number)

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SUPREME COURT, U.S.

QUESTION(S) PRESENTED

THE PRIMARY PURPOSE OF A HABEAS CORPUS PROCEEDING IS TO MAKE CERTAIN THAT A MAN IS NOT UNJUSTLY IMPISONED; AND IF FOR SOME UNJUSTIFIABLE REASONS AS IN THIS ENTITLED CAUSE I/HE WAS UNABLE TO ASSERT MY/HOIS RIGHTS OF DUE PROCESS AFTER I/HE WAS MADE AWARE OF SIGNIFICANCE AS A MATERIAL MATTER OF FACTS OF LAWS UNDER THE PROVISIONS OF FEDERAL PUBLIC LAW 42 USCS § 1986; UNDER THE WELL ESTABLISHED HOLDINGS OF STATE OF MISSOURI, S COURT OF APPEALS, EASTERN DISTRICT, S MATTER OF FACTS OF DECISIONAL LAWS GOVERNING RELIEF FOR VIOLATIONS OF UNITED STATES SUPREME COURTS MIRANDA, S DUE PROCESS CLAUSE AS LAW REFERS TO: STATE V. STRICKLIN. 558 S.W.3d 54.

ON THE 16TH DAY OF MAY 2022; U.S DISTRICT COURT CLERK OF COURT VIOLATED FEDERAL PUBLIC LAWS AND STATUES: 18 uscs § 2071; WHICH AS A MATTER OF FACT OF FEDERAL LAW READS AS FOLLOWS: WHOEVER BEING CLERK OF U.S.DISTRICT COURT OF THE UNITED STATES: WILLFULLY REFUSES OR NEGLECTS TO MAKE OR FORWARD ANY REPORT. CERTIFICATE STATEMENT OR DOCUMENTAS REQUIRED BY LAW SHALL BE FINED OR IMPISONED: UNDER THIS TITLE.

LAW UNDER STATUE: 18 USCS § 1001 (a); DISTRICT COURTS ACTIONS IN FILED PETITIONS FOR RELIEF UNDER CONGRESSES FEDERAL LAWS EXTENDED BY FEDERAL CIVIL RIGHTS STATUE: 1983; (reads as follows); any individual NOT JUST STATES PRISONERS HAS A CONSTITUTIONAL RIGHT TO BRING CIVIL ACTIONS AND OR SUITS AGAINST THE STATE IN QUESTION OR STATES LOCAL GOVERNMENTS EMPLOYEES: FOR VIOLATIONS OR DEPRIVATIONS OF RIGHTS OF DUE PROCESS: UNDER COLOR OF ANY STATUE, ORDINANCE: REGULATION: CUSTOM OR USAGE OF STATE OR TERRITORY OF THE DISTRICT OF COLUMBIA.

LIST OF PARTIES

- [] All parties appear in the caption of the case on the cover page.
- [x] 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:

WESLEY BELL; FREDERICK LEMONS; JESSE MEINDHART
AND PATRICK LOGAN

RELATED CASES

DUE PROCESS CLAUSE GUARANTEES PETITIONER A REASONABLE OPPORTUNITY TO HAVE THE ISSUES SET FORTH HEREIN TO THE RIGHTS OF STATE AND FEDERAL LAW VIOLATIONS HEARD AND DETERMINED BY THE STATE UNDER MO. REV. STATUTE. 547.031.2 547.031, and 547.031.3. Quoting PARKER V. ILLINOIS; 333 U.S. 571, 574 (1948); Cases V. NEBRASKA, 381 U.S. 336, 337 (1965). Because THE FEDERAL CONSTITUTION GUARANTEES ME/HIM ADEQUATE CORRECTIVE (STATE COURT) PROCESS FOR THE HEARING OF ALL CLAIMS OF ACTUAL INNOCENCE.

BRADY V. MARYLAND, 373 U.S. 83, 87; 83 S. CT 1194, 10 L. Ed. 2d 215 (1963); THE DUE PROCESS CLAUSE IMPOSES AN AFFIRMATIVE DUTY ON THE PART OF THE PROSECUTION TO PROMPTLY REMEDY ANY PERJURED TESTIMONY WHICH SURFACES IN THIS ENTITLED CAUSE, IT IS THIS COURT'S OWN RECORDS THAT DEMONSTRATES: THAT THE STATE OF MISSOURI'S PROSECUTORS ENTIRE CRIMINAL CASES WAS BASED ON THE KNOWN USE OF FABRICATED EVIDENCE, FALSE AND PERJURED WITNESS TESTIMONY TO PUBLIC JURY: ARGUING THAT ACTIONS BY ST. LOUIS COUNTY POLICE OFFICERS DID NOT VIOLATE MY/HIS CONSTITUTIONAL RIGHTS OF DUE PROCESS OR ANY LAW OR STATUTES OF THE U.S. OR STATES CONSTITUTION: A FACT DISPUTED BY THE

STATE V. STRICKLIN, 558 S.W. 3d 54

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STATUTES AND RULES

SUPREME COURT RULE 29

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in any proceeding in this court in which the constitutionality of any statute of a state is drawn into question and neither the state or any statute nor any agency officer or employee therefore is a party, the initial document filed in this court shall recite that 28 U.S.C. 2403(b) may apply and shall be served on THE ATTORNEY GENERAL OF THAT STATE. IN SUCH A PROCEEDING FROM ANY COURT FROM ANY COURT

OF THE UNITED STATES AS DEFINED BY 28 USC 451, the initial document also shall state whether that court pursuant to 28 USC 2403 (b) certified to the state ATTORNEY GENERAL THE FACT THAT CONSTITUTIONALITY OF A STATUTE OF THAT STATE WAS DRAWN INTO QUESTION. SEE RULE 14.1(e)(v).

OTHER

HE

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 _____ 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 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 _____ 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 _____.

☐ 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 04-30-2025.
A copy of that decision appears at Appendix A.

☐ 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

PETITION FOR REDRESS IS A RIGHT THAT IS RELATED TO U.S. CONSTITUTIONAL amendment AND ANY IMPAIRMENT OF THAT RIGHT

NOT ONLY AFFECTS THE RIGHT OF THE LAWYER TO RECEIVE HIS FEE BUT THE RIGHT OF THE PARTY TO OBTAIN, BY CONTRACT COMPETENT LEGAL REPRESENTATION TO ENSURE MEANINGFUL ACCESS TO COURTS TO PETITION FUNDAMENTAL FREEDOMS TO PETITION HONORABLE UNITED STATES CONSTITUTION AMENDMENT 1 GUARANTEES, IN PART THE RIGHT TO THE PEOPLE TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES THE EIGHTH CIRCUIT COURT OF APPEALS DISMISSED MY SHOW CAUSE ORDER AND APPOINTMENT OF COUNSEL WITHOUT GOING BY THE MERITS BECAUSE NO EXPLANATION WAS GIVEN. THEY FOR FAILURE TO PROSECUTE AND APPOINTMENT OF COUNSEL AS MOOT. THE PANEL SAID THEY WOULD TAKE MY CASES WITH CONSIDERATION BY PANEL. BUT THE ORDER WAS ISSUED BY THE COURT CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT. SO I NOW TURN THIS MATTER OVER TO THE SUPREME COURT OF UNITED STATES WHICH IS THE HIGHER COURT OF THE CORRECT COURT TO SEEK JUSTICE.

THE FIFTH AMENDMENT STATES THAT NO ONE SHALL DEPRIVE YOU OF LIFE LIBERTY OR PROPERTY WITHOUT DUE PROCESS OF LAW: NOR SHALL BE COMPELLED IN ANY CRIMINAL CASE TO BE A WITNESS AGAINST HIMSELF. NO PERSON SHALL BE HELD TO ANSWER FOR A CAPITAL OFFENSE OR INFAMOUS CRIME UNLESS ON PRESENTMENT OR INDICTMENT OF A GRAND JURY.

MY MIRANDA WARNING WAS VIOLATED BY POLICE WHEN WHEN I ASKED THE POLICE OFFICERS TO STOP MY INTERROGATION BECAUSE I HAVE THE RIGHT TO, REMAIN SILENT BUT DETECTIVE LEMONS TOLD ME NO AND DETECTIVE MEINDHARTY TOLD ME I HAD TO SAY I SHOT HER BUT I TOLD HIM COULDN'T SAY SOMETHING I DIDN'T DO.

LAST BUT NOT LEAST THE TWO DETECTIVES ATTORNEY PORTIA KAYSER SAID IDEALLY WE COULD SETTLE OUT OF COURT WITHOUT COURT INTERVENTION. SO IF THE POLICE DID NOTHING TO ME WHY WOULD SHE WANT TO SETTLE ANYTHING WITHOUT THE COURT.

STATEMENT OF THE CASE

DEPRIVATION OF CIVIL RIGHTS

UNDER 42 USC 1983 and 18 USC § 242 4TH, 5TH, 6TH, 8TH and 14TH AMENDMENTS OF AMERICA WERE VIOLATED. PEREZ V. ZAGAMI, LLC 218 NJ 202 and CARD V. CITY OF ALAMEDA, 2025 U.S. DIST. LEXIS 75036 under of color of state or any law. DEPRIVATION OF CIVIL RIGHTS PURSUANT TO 42 USC 1985 (2) DISCRIMINATION AND RETALIATION OF TITLE VII OF CIVIL RIGHTS OF CIVIL RIGHTS ACT 1964 (3) DEFAMATION PER SE SHOW CAUSE FOR ACTION AGAINST RESPONDANTS AND ALL INVOLVED IN THESE VIOLATIONS OF DUE PROCESS OF LAW.

THE SUPREMACY CLAUSE STATES THAT THE LAW OF THE UNITED STATES SHALL BE THE SUPREME LAW OF THE LAND ANY THING IN THE CONSTITUTION OR LAWS. UNITED STATES V. MISSOURI, 114 F.4TH 980; WHILE THERE IS NO IMPLIED RIGHT OF ACTION UNDER SUPREMACY CLAUSE THERE IS AN EQUITABLE TRADITION OF SUITS TO ENJOIN UNCONSTITUTIONAL ACTIONS BY STATE ACTORS. ARMSTRONG V. EXCEPTIONAL CHILD CENTER, INC, 575 U.S. 320, 326-27, 135 S.Ct. 1378, 191 L. Ed. 2d 471 (2015). BASED ON THAT EQUITABLE TRADITION, THE UNITED STATES HAS SUE IN OTHER CASES TO ENJOIN A STATE LAW IMPLEMENTATION AND ENFORCEMENT OR FOR OTHER APPROPRIATE RELIEF.

THEN LOOK AT ALL ISSUES IN MY /THIS CASE I HAVE BEEN FALSELY INCARCERATED BECAUSE I ASK THE DETECTIVES TO STOP MY INTERROGATION BUT INSTEAD THEY HURT ME AND FORCED A FALSE STATEMENT. BUT LOOK AT THE CASES I NEVER SAID I KILLED KEISHA, AND NO ONE CAN ASSUME THAT WHAT I MENT I WROTE WHAT THEY TOLD ME TO TO SAVE MY LIFE. THEY MADE ME FEEL LIKE THEY WERE GOING TO KILL ME AND I JUST GOT SCARED BUT I DIDNT KILL NO ONE AND NO ONE SAW ME KILL ANYONE OR SEEN ME WITH ANY WEAPON. AND REMEMBER THE STATE SO CALL WITNESS SAID I APPEAR TO BE THE GUY HE SAW.

REASONS FOR GRANTING THE PETITION

THE STATE HAS NEVER PROVED BEYOND A REASONABLE DOUBT I WAS THE ASSAULT. I HAD NO MOTIVE TO HURT ANYONE. THEIR WAS FINGER PRINT EVIDENCE OF SOMEONE ELSE YET THE STATE NEVER EVEN INVESTIGATED. THEIR NO PRINTS OF MINE ANY WHEREIN THAT BUILDING. I HAD MY MEDICINE SHIPPED TO THAT BUILDING FROM THE HUMERA FOUNDATION FOR MY PSORIASIS WHICH MS. POWELL HAD ALREADY SIGNED FOR BEFORE THAT MONTH I HAD JUST HAD DINNER WITH MS. POWELL AND HER DAUGHTER OVER HER COUSINS HOUSE WE HAD FISH AND SPAGETTI. I AM STILL MARRIED AND I HAVE NEVER HURT MY WIFE AND OUT OF NINE YEARS THE POLICE WAS NEVER CALLED TO THE RESIDENT WHERE ME AND KEISHA POWELL LIVED.

I DONT HAVE ANY RECORD OF HURTING ANYONE SO WHY WOULD I HURT KEISHA. THE ST. LOUIS COUNTY POLICE CAME TO ARIZONA BEAT ME BUT NEVER ARRESTED ME AND NEVER HAD A WARRANT FOR MY ARREST. AFTER THEY BEAT ME UP THEY LEFT ME UP IN ARIZONA AND THE ONLY REASON I ENDED UP BACK IN ST. LOUIS IS BECAUSE I SIGNED EXTRADITION PAPERS TO TRY AND CLEAR MY NAME.

THE STATE KNOWS NOT THE PERSON THEY WERE LOOKING FOR KEISHA BOSS JIM GRIFFEN SAID SHE WAS TRYING TO GET A LICENSE TO CARRY BECAUSE OF THE CRIME IN THAT AREA AND THE BUILDING WAS UNSECURED AND SOMETIMES SHE LEFT THE OFFICE LATE AND SOMETIMES SHE WOULD COME IN EARLY I BOUGHT THE GUN FOR HER PROTECTION SO WHY WOULD I TAKE A CHANCE OF GETTING SHOT IF I WAS A THREAT I HAD NOTHING TO GAIN BUT EVERYTHING TO LOSE.

I HAVE PICTURES OF WHAT MY FACE LOOKED LIKE AFTER THE ABUSE BY THE TWO POLICE OFFICERS I KNOW IM NOT THE ONLY ONE THEY HAVE DONE THIS TO PLEASE DONT LET THESE MEN GET AWAY WITH VIOLATED MY RIGHTS OR ANYONES RIGHTS NO ONE SHOULD BE ABOVE THE LAW PLEASE HELP ME I DIDNT DO IT AND ONLY THE SUPREME COURT CAN SHOW THESE POLICE THEIR NOT ABOVE THE LAW.

THE COURTS KNEW I DIDNT COMMIT THIS CRIME BECAUSE
THE POLICE NEVER GAVE ME ANY REASON TO CONFESS
BESIDES A BEATING. WHEN THEY FIRST STARTING TALKING
TO ME I TOLD THEM I DIDNT DO ANYTHING AND THEY GAVE
ME NO REASON TO SAY ANYTHING ACCEPT FOR THE BEATING
THEY PUT ON ME. THEY SHOWED ME PICTURES OF HER BEING DEAD AND
SAID YOU DONE THAT AND I TOLD THEM IF THEIR SAYING I DID
IT WHY DONT THEY JUST ARREST ME AND TAKE ME BACK TO ST. LOUIS
BUT THEY COULDNT BECAUSE THEY HAD NO WARRANT. ARIZONA
CHARGED ME TOOK PICTURES OF MY HANDS AND DIFFERENT
PARTS OF MY BODY THE NIGHT THEY ARRESTED ME NEVER
READ ME MY RIGHTS TOOK ME TO COURT AND TOLD ME IM
BEING CHARGED WITH FIRST DEGREE MURDER ARMED CRIMINAL ACTION
AND FELONY FLEEING AND SET MY BOND AT 340,000. And THEY
I DID ANYTHING TO ANYONE EITHER . I SHOULD HAVE NEVER BEEN
CHARGED BY ANYONE BECAUSE I DIDNT KILL ANYONE AND NO
ONE CAN PROVE OTHER WISE.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Michael Maffee

Date: August 18, 2025