

No. 25-6305

ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES OF AMERICA

FILED


JUL 25 2025

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

Anthony Darrell Heath, Petitioner,  
Verses,  
SUPERINTENDENT SCI FRACKVILLE, et al., Respondents.

ON PETITION FOR A WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

Love Truth Peace,  
Freedom and Justice,

  
Mr. Anthony Darrell Heath  
SCI Frackville - MC0569  
1111 Altamont Boulevard  
Frackville, Pennsylvania 17931

Moorish American and

Beneficiary being injured by

the trust and trustees

### QUESTION PRESENTED FOR REVIEW

1. Was *Miranda v. Arizona*, 384 U.S. 436, 86 S. Ct. 1602, 16 L. Ed. 2d 694 (1966) decided for that specific class of persons "*not mentally ill*" that is, not suffering from a clinically recognized mental health disorder and/or condition.
2. For the specific class of persons *who are* mentally ill, and suffering from a recognized clinical mental health disorder at time of a custodial police interrogation, *does the* traditional Miranda warnings stand fair honest and true to meaningfully protect a mentally ill person's Fifth and Fourteenth Amendment United States Constitutional Right via the appointment and assistance of counsel in order to make a true knowing, and intelligent waiver of a fundamental right to remain silent and have the appointment and assistance of counsel during the custodial police interrogation?
3. And must the appointment and assistance of counsel be provided to a mentally ill person before any custodial police interrogation if such person who falls into this specific class (suffering from mental illness) indicates in any manner prior to custodial police interrogation that their expering a mental health crisis; shall counsel be provided in light of this critical circumstance especially when such person is otherwise legally entitled to the appointment and assistance of counsel?
4. If the appointment and assistance of counsel is not present during a custodial police interrogation against a person who is mentally ill, were such mentally ill person's Fifth and Fourteenth Amendment rights violated?

5. And must this rule apply retroactive to all such person's who can demonstrate by a preponderance of the evidence that prior to the custodial police interrogation they too were suffering from a clinically recognized mental health disorder?

*Suggested answer:* Yes. All person's suffering from a current state of mental health crisis (i.e., clinically recognized crisis of the mind) must have counsel present during any custodial police interrogation prior to being asked to waive such a vital and critical Constitutional right. Justice in all such cases will be served. In all other cases such a person rights are indeed violated, and any statements taken in violation must be suppressed and a new trial granted. See statement of the case and reason for granting the petition for further supporting arguments.

## **LIST OF PARTIES**

- PETITIONER—ANTHONY DARRELL HEATH
- RESPONDENT—(I) SUPERINTENDENT SCI FRACKVILLE;
- RESPONDENT—(II) OFFICE OF THE DISTRICT ATTORNEY FOR LEHIGH COUNTY, PENNSYLVANIA;
- RESPONDENT—(III) OFFICE OF THE ATTORNEY GENERAL OF THE STATE OF PENNSYLVANIA.

## **RELATED CASES**

### **PENNSYLVANIA UNIFIED JUDICIAL SYSTEM**

- Commonwealth v. Heath, Petitioner — Supreme Court of Pennsylvania — 642 Pa. 527; 2017 Pa LEXIS 3948 2017 Pa. LEXIS 3948 No. 177 MAL 2017 August 30, 2017, Decided. (AND NOW, this 30th day of August, 2017, the Petition for Allowance of Appeal is DENIED).
- Affirmed by, Judgment entered by Commonwealth v. Heath, 161 A.3d 382, 2017 Pa. Super. Unpub. LEXIS 664, 2017 WL 678825 (Feb. 21, 2017). No. 2577 EDA 2015 (Appellant challenges the trial court's denial of a motion to suppress statements he made to the police and the court's admission of a key fob into evidence at trial).
- Appeal from the Judgment of Sentence July 29, 2015. In the Court of CP-39CR-0001175-2014. Commonwealth v. Heath, 2014 Pa. Dist. & Cnty. Dec. LEXIS 175 (Oct. 23, 2014). (Omnibus pretrial motions denied).

### **UNITED STATES DISTRICT COURT OF THE THIRD CIRCUIT**

- No. 24-2884 Heath v. Superintendent SCI Frackville, et al, (Sur Petition for Rehearing Denied).
- Heath v. Superintendent SCI Frackville, et al, C.A. No. 24-2884 (Appeal Denied, other motions Denied. Judgment filed, entered March 28, 2025).
- Anthony Darrell Heath v. Superintendent, SCI Mahanoy, Respondents, 2024 U.S. Dist. LEXIS 144447, Civil No. 5:20-cv-03722-JMG, August 13, 2024, Decided, and Filed. (R&R Approved and Adopted, Objections Overruled, Petition for Writ of Habeas Corpus Denied).
- Anthony Darrell Heath v. Superintendent, SCI Mahanoy, Respondents, 2024 U.S. Dist. LEXIS 132956 Civil Action No. 20-cv-3722 April 9, 2024, Decided/Filed. (Amended Report and Recommendations).

**IN ADDITION TO LIST OF PARTIES**

***Introduction and Greetings.***

***Indeed, this requisition shall find you the Trustees well in good spirits and health.***

*The Moorish American Prayer: Allāh, The Father of the Universe The Father of Love Truth  
Peace Freedom and Justice, Allāh is my Protector, My Guide and my Salvation, By Night and  
By Day Thru His Holy Prophet Drew Ali. Amen, and thank you.*

**De Jure Beneficiary:** Anthony Darrell Michael Heath;

**Petitioner De Jure Beneficiary:** Anthony Darrell Michael Heath;

**Leagly Recognized National Name:** Moorish American;

**Authority:** Peace Treaty of 1865 XIII Amendment Congressional Abolishment of Slavery

**Birth Right:** Anthony Darrell Michael Heath Born via Live Birth the 12<sup>th</sup> day of February 1989  
in the Year of My Lord Sheik Sharif Abdul Ali, in the State of the Commonwealth of  
Pennsylvania.

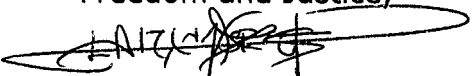
AND NOW COMES I your **Petitioner De Jure Beneficiary** Anthony Darrell Michael  
Heath over the PUBLIC TRUST. I hereby evoke my Birthrights as a National Citizen to be  
recognized as such, a Moorish American.

Wherefore, Being the Rightful *De Jure* Beneficiary and Moorish American National, I  
Anthony Darrell Michael Heath and because I do not have standing to speak in my capacity as  
the Beneficiary in this Public Tribunal, I duly appoint the Chief Justice and Associate Justices to  
in addition to the case before the court to wit I present in a very limited manner as to not  
cause any futher dishonor to the functionality of the public trust; you newly appointed  
Trustee's are to bring forth a fair and true settlement of this matter on behalf of the  
Beneficiary. In turn Discharging the Beneficiary for the dishonor's caused by the Respondent's  
acting in there capacity as agents for the public trust.

Anthony Darrell Michael Heath  
Moorish National  
Hb2530121

With Love Truth Peace

Freedom and Justice,

  
Anthony Darrell Michael Heath

Moorish American National

De Jure Beneficiary being injured  
by the Trust and Trustee

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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 \_\_\_\_\_ to the petition and is

- ☒ reported at 2024 U.S. Dist. LEXIS 144447; 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 Commonwealth v. Heath, 237 A.3d 450 (Pa. Super. Ct. May 13, 2020); or,  
☐ has been designated for publication but is not yet reported; or,  
☒ is unpublished. 2020 Pa. Super. Unpub. LEXIS 1607

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 March, 28<sup>th</sup>, 2025.

☐ 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: APRIL 28, 2025, 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 PROVISIONS INVOLVED

### CONSTITUTION OF THE UNITED STATES OF AMERICA AMENDMENTS.

#### Amendment 5.

Criminal actions—Provisions concerning—Due process of law and just compensation clauses.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

#### Amendment 14 Sec. 1. [Citizens of the United States.]

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State 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 of law; nor deny to any person within its jurisdiction the equal protection of the laws.

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Constitutional provisions involved related footnote: Articles in addition to, and in amendment of, the Constitution of the United States of America as proposed by Congress, and Ratified by the Several States, pursuant to the Fifth Article of the Original Constitution.

## STATEMENT OF THE CASE

This is an appeal ripe for redress for violations of rights recognized under the United States Constitution of America (Bill of Right's).

Your Petitioner's Fifth and Fourteenth Amendment right to be free from being compelled to be a witness against self incrimination was openly violated; that before being interrogated (in custody) by law enforcement agents, your Petitioner plainly reported to said agents that he was having abnormally high anxiety (a crisis of the mind) which was expressed by your Petitioner "that His anxiety was through the roof right now", moreover Petitioner further explained that "He did not have a chance to take his clinically proscribed medications for His disorders", and asked the agents to first verify with his mental health provider of his clinical disorders before any questioning". The agents refused to verify said clinical mental health disorder, even though said law enforcement agents had in their possession Petitioner's clinical Mental Health provider's immediate contact information. The law enforcement agents over Petitioner's diminished mental health capacity compelled your Petitioner into signing a Miranda waiver denied your Petitioner rights recognized by the United States Constitutional 5th and 14th Amendments.

Before any incriminating statements could be extracted, your Petitioner asked to "stop" the interrogation within which he wished to seek counsel, your Petitioner expressed "He was not feeling good". This request to stop made by Petitioner was quickly rejected by the law enforcement agents. Petitioner was compelled to continue talking.

Petitioner being clinically diagnosed since early childhood, and indeed on the day of the interrogations with attention deficit disorder, attention deficit hyperactivity disorder (ADD/ADHD), bipolar mixed, depression, and disorders relating to anxiety, did not and could not give lawful consent to be interrogated in light of Him expressing he was having a crisis of the mind—diminished mental capacity, and yet, wasn't ignored; these deprivations of His Fifth and Fourteenth Amendment protections by law enforcement agents duly under oath to support and defend the Constitution of the United States of America disregarded their fiduciary duty to Petitioner, and violated his protected and recognized rights under the the United States of America Constitution.

## REASON FOR GRATING THIS WRIT

The preamble of our Constitution declares We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the General Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Petitioner respectfully seeks from this high court a grant of this writ of habeas corpus because at the time of the in custody interrogation your petitioner falls under a very specific class of persons suffering from a serious medical mental health condition(s), and that *Miranda* standing alone did/does not adequately protect these specific class of persons 5<sup>th</sup> and 14<sup>th</sup> amendment right not to be compelled to be a witness against themself.

Citizens of the U.S., suffering under conditions of mental illness of all kinds need greater protection that is equitable and sufficient to safeguard there right to 5<sup>th</sup> and 14<sup>th</sup> amendment protections. *Miranda v. Arizona*, 384 U.S. 436 (1966), groups all citizens under the same class and standard when considering the "voluntariness", "knowingness", "intelligent-ness", of a "abandonment of rights" to remain silent, and/or have counsel. The privilege against self-incrimination is as broad as the mischief against which it "seeks" to guard. However, only lip service is offered when a suspected person of crime is being asked to waive/abandoned rights of such constitutional dimension's, when their capacity to consent is highly diminished due to a condition of mental illness; a condition of mental health disorders which is at no fult on behalf of the person who is being asked to abandoned this most vital safeguard.

I am such a citizen of the U.S., and I have since early childhood labored under conditions of ADD/ADHD, bipolar mixed, depression, and anxiety disorder's. My mental capacity during the inital contact wtih law enforcement was greatly diminish. I asked for counsel prior to the initial questioning and prior to being placed into a interrogation cell, this request for counsel went ignored.

I was threatened with forearms around the time I was arrested, handcuffed and zip tied behind my back and crammed into the back of a unmarked vehicle. Taken at gunpoint (under threat of death) not before a magistrate, but a building where I was forced to give up my pass code to my mobile phone, denied counsel when I initially asked, then also as I stated above placed into a interrogation cell still hand cuffed and

subsequently psychologically undermined and double teamed by two well trained law enforcement person's into abandoning my right to counsel. Mindful I was still under treat of death (duress) if I attempted to liberated myself from the state legalized abduction.

This case is unique in nature, and applies to all similarly situated persons who like your petitioner suffered from a serious medical mental health condition at the time of law enforcement interrogation. I define serious medical mental health condition as simply a mental health condition that requires Medical (pharmaceutical) and/or psychological (therapeutic) treatment and management. The trial court in this case acknowledged that your petitioner was under some form of duress, recognized petioners anxiety, and his notification to the law enforcement that he had not had his mental health medications, and him stateing he did not feel mentally well; recognized your petitioners request to stop speaking, and law enforcement refusing petioners request to stop speaking, among other critical factors, still ruled your petitioner knowingly intelligently and voluntarily waived his Miranda rights.

The specific, yet limited focus I ask this high court find after review, (1) Miranda is not adequate to effectively safeguard all mentally ill citizen(s) 5<sup>th</sup> and 14<sup>th</sup> amendment rights not to be a witness against self incrimination, (2) For these specific class of persons suffering from a serious medical mental health condition, that counsel be provided to the accused before any questioning by law enforcement.

The privilege against self-incrimination is as broad as the mischief against which it "seeks" to guard. To form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the General Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, is to protect people who themselves at no fult of there own cannot protect themselves. The American accusatory system of criminal justice demands that the government seeking to punish an individual produce the evidence against the accused by its own independent labors, rather than by the expedient of compelling it from the accused own mouth. The presence of counsel in an in-custody police interrogation is an adequate protective device necessary to make the process of interrogation conform to the dictates of the privilege against self-incrimination for these specific class of persons who suffer from a serious medical mental health conditions; counsels presence insures that statements made in the government-established atmosphere are not the product of compulsion.

Review on a writ of certiorari is not a matter of right, but of judicial discretion. A petition for a writ of certiorari will be granted only for compelling reasons. May it please this Honorable Court: *Miranda v. Arizona*, 384 U.S. 436, 86 S. Ct. 1602, 16 L. Ed. 2d 694 (1966), was handed down on a Monday 13<sup>th</sup> of June of 1966, that's 58 years, 11 months, and three weeks from 06/04/2025. (21540 days ago).

Mental Health was not talked about openly in any family, or in the public square. Mental health was looked upon by many scholars as something that could not be readily identified and treated. Many people suffering from mental health trauma even went through shock therapy to cure their symptoms.

As a constitutional prerequisite to any questioning, an individual held for interrogation by a law enforcement officer must be warned, in clear and unequivocal terms, that he has a right to remain silent, that any statement he does make may be used as evidence against him, and that he has a right to the presence of an attorney, either retained or appointed. This means nothing to people like me who at the time of being interrogated was under a crisis of the mind. Not to mention warned the law enforcement of this crisis and current diminished capacity due to his clinically recognized anxiety and depression mental health states.

Fifty-eight ago when *Miranda* was decided, the office of the public defender was very far few and between, now cities and towns and states deploy public defenders and conflict counsel to indigent defendants as normal operating procedure. Even more, public defenders and police stations, or county jails are all located within walking distance of one another, and can be found even in the same building in some states and counties; the advancement of technology, be it zoom, or telecommunication makes providing an attorney to mentally ill individuals held for interrogation as easy as ordering an Uber®.

The decision of the third circuit not to rule upon this ground for relief was error, and denied me, your petitioner due process of law as a constitutional prerequisite, the decision of the district court not to rule upon the exhaustion and merit of this ground for redress was also in error and deprived me of due process of law as of right, and denied to me due process as a constitutional prerequisite; the fact that the trial court and appellate court's denied redress on this ground citing *Miranda*, was error and completely ignored the spirit of the several holdings in *Miranda* meant to safeguard [citizens] like me who [suffer from recognized clinical mental illness] such as:

- If an individual held for interrogation by law enforcement agent indicates in any manner, at any time prior to or during questioning that he wishes to remain silent, the interrogation must cease;
- Coercion in obtaining a confession from an accused can be mental as well as physical;
- Even though not involuntary in traditional terms, a confession is involuntary where it is obtained by a law enforcement officer by way of incommunicado interrogation in an environment created for no purpose other than to subjugate the individual to the will of his examiner; and
- Unless adequate protective devices are employed to dispel the compulsion inherent in custodial surroundings, no statement obtained from a person held for interrogation by law enforcement officer can truly be the product of his free choice.

All the above red flags applied to your Petitioner during the in custody interrogation process, and Petitioner's diminished mental health state was disregarded by the very officials who had a fiduciary duty to Petitioner.

We (all similarly situated), persons, and people, need this high courts assistance to safeguard our rights as recognized within the Amendments of the Constitution of the United States of America. Thank you all in advance for your time and consideration.

## CONCLUSION

From the "common sense" prospective of a layman, the most natural question would be ... "what person, man or woman, clothed in their right mind would deliberately defeat their self by voluntarily inflicting these horrible things upon themselves, no person, man or woman in their right mind would do such ungodly and unnatural things to themselves, such as waive their Federal Constitutional right to remain silent, and speak without counsel.

To be just, fair and reasonable, traditional Miranda warnings without the immediate assistance of counsel, is not sufficient to protect a mentally ill person's 5<sup>th</sup> and 14<sup>th</sup> Amendment right to be free from being a witness against themself during any meeting where 5<sup>th</sup> and 14<sup>th</sup> Amendments rights are being asked to be abandoned.

Asking for help is very hard when your not mentally ill — It is even harder, and in most cases not possible and can arrive to late. Suffering from the effects of such illnesses is psychologically debilitating for me and I can only empathize this applies to us all, yet we must walk around with this psychological disability every day of our natural lives, limping around doing our best to contribute to this country, our community, our family and our selves.

The United States of America's Constitutional guarantee of due process for all person's being given the right to not be compelled to be a witness against oneself must be applied with a pure and clean application of Miranda, to effect its spirit and life blood of Miranda to those with mental illnesses and applied in such manner different from persons who do not suffer from a recognized clinical mental health condition. In other words, Miranda v. Arizona must be applied equitably which protects and safeguards mentally ill person's 5<sup>th</sup> and 14<sup>th</sup> Amendment United States Constitutional rights.

I like most people with a clinically diagnosed disorder don't want a hand out, but a hand up. You can provide that hand up, not only for me, but all of us in this unique class. Thank you in advance for your time and consideration.



I am the Beneficiary, Anthony Darrell Michael Heath, and Moorish American, Birth-Right National entitled to all protections *De Jure* as Guaranteed under the Peace and Friendship Treaty's of the Constitution of the United States of [North] America. This legal National Standing was Granted to your Beneficiary the 12<sup>th</sup> day of February 1989 in the year of My Lord Sheik Sharif Abdul. The Respondent's acting under the shadow of color as *de facto* trustees have systematically under color of law deprived Me the Rightful Beneficiary of all protection's under aforesaid Constitutional-Treaty. Respondents-trustee have only provided a shadow of rights to Me your *De Jure* Beneficiary. This record is clear.

My Legal and Constitutional Status as a Moorish American was recognized post amendment XIII of the Constitution of the United States of [North] America in the year 1865 via the Congressional Legal Abolishment of Slavery.

Respondents *de facto*-trustees did not honor their fiduciary obligations to protect this Beneficiary or the sacred Trust of the Public. Thereby I evoke this High Courts protection in returning good faith and credit back to your Beneficiary, monetize and liquidate the trust insofar as the Public Trust is made whole from the systemic damages caused by the negligent act of Respondent status as trustee. In turn returning Your Beneficiary back to the Liberty *De Jure* Moorish American Beneficiary of the Public Trust.

Wherefore, I the Rightful *De Jure* Beneficiary Moorish American Anthony Darrell Michael Heath, duly appoint the Chief Justice and Associate Justices to bring forth a fair and true settlement of this matter on behalf of the Beneficiary. In turn Discharging the Beneficiary for the dishonor's as caused by the Respondent's acting in there capacity as agents for the public trust. Thank you.

Anthony Darrell Michael Heath  
Moorish National

H62536121

With Love Truth Peace  
Freedom and Justice,



Anthony Darrell Michael Heath  
Moorish American National  
De Jure Beneficiary being injured  
by the trust and trustee