

No. 25-6526

IN THE

SUPREME COURT OF THE UNITED STATES

JOHNNY RAY WALLS-BEY,
Petitioner,

v.

STATE OF ARIZONA,
Respondent.

**SUPPLEMENTAL BRIEF OF PETITIONER
(Pursuant to Supreme Court Rule 15.8)**

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SUPPLEMENTAL BRIEF OF PETITIONER

Pursuant to Supreme Court Rule 15.8, Petitioner Johnny Ray Walls-Bey respectfully submits this Supplemental Brief to call the Court's attention to new, intervening matters that were not available at the time of the filing of the Petition for a Writ of Certiorari. These matters include dispositive orders from the Arizona State Courts and the commencement of related Federal Civil Rights litigation, both of which confirm the exhaustion of state remedies and the ongoing violation of Petitioner's constitutional rights.

I. INTERVENING ORDERS FROM STATE COURTS

Since the docketing of this Petition, the Arizona state courts have issued two orders that definitively foreclose any possibility of relief within the state system regarding Case No. CR2020-001909-001 and its contingent matter CR2022-001155-001.

A. Arizona Supreme Court Order (January 9, 2026)

On January 9, 2026, Justice John R. Lopez IV of the Arizona Supreme Court issued an Order in the primary case (CR2020-001909-001). The Court treated Petitioner's renewed Petition for Review as a "motion for reconsideration" of a July 1, 2025 order and summarily denied it. (**See App. A**).

This Order is critical because it demonstrates that the State's highest court has refused to address the merits of Petitioner's claims regarding **perjury, fabrication of evidence, and prosecutorial misconduct**. By re-characterizing the Petition as a procedural motion for

reconsideration, the Arizona Supreme Court has evaded its duty to review a conviction obtained through fraud. This Order constitutes the final exhaustion of state remedies.

B. Arizona Court of Appeals Order (January 6, 2026)

On January 6, 2026, the Arizona Court of Appeals, Division One, issued an Order declining jurisdiction in Case No. 1 CA-SA 26-001. (**See App. B**). This matter is inextricably linked to the case at bar, as it involves the "contingent" case CR2022-001155-001. The refusal of the appellate court to exercise jurisdiction over clear procedural violations further evidences the systemic closure of the Arizona courts to Petitioner's Due Process claims.

II. INTERVENING FEDERAL CIVIL RIGHTS LITIGATION

Petitioner calls this Court's attention to the fact that, due to the State Courts' refusal to address the fraud inherent in these convictions, Petitioner has been forced to seek injunctive and declaratory relief in the United States District Court for the District of Arizona.

In January 2026, Petitioner filed the following Civil Rights actions pursuant to 42 U.S.C. § 1983 and 18 U.S.C. § 241/242, naming the specific State actors responsible for the constitutional violations presented in this Petition:

1. **Case No. 2:26-cv-00184:** Alleging conspiracy to violate civil rights.
2. **Case No. 2:26-cv-00045 & 2:26-cv-00046:** Alleging specific acts of perjury, fabrication of evidence,:

and *Brady* violations.

These federal complaints specifically name **Special Agent Michael Lum** and **Detective Paul Hubalik** for providing perjured testimony to the Grand Jury and falsifying warrant affidavits (*Franks v. Delaware* violations), and **Prosecutors Shawn Steinberg and Tarah White** for the suppression of exculpatory evidence (*Brady v. Maryland* violations) and subornation of perjury (*Napue v. Illinois* violations).

The existence of these active federal lawsuits serves as an "intervening matter" demonstrating that the constitutional crisis surrounding Petitioner's conviction is not merely theoretical but is the subject of active, concurrent federal litigation alleging fraud on the court.

III. ARGUMENT

The State's Waiver of Response is a Tactical Evasion of a Broken Judicial System.

On February 9, 2026, Respondent State of Arizona filed a Waiver of its right to respond to the Petition for Writ of Certiorari. This waiver must be viewed in the context of the intervening orders attached hereto.

The State is engaging in a coordinated strategy of silence in this Court while aggressively enforcing a void conviction in the lower courts. The January 9, 2026, Arizona Supreme Court Order (**App. A**) proves that the State judiciary will not correct the record regarding the perjured testimony of Agent Lum or the misconduct of Detective Hubalik.

The State's Waiver presumes that the record below is sufficient to sustain a denial.

However, the new orders show a record of **evasion**, not adjudication. The Arizona Supreme

Court's re-labeling of a substantive Petition for Review into a "motion for reconsideration" is a procedural device used to bypass the "Manifest Injustice" standard required when a conviction rests on perjury.

Petitioner asserts that the State's refusal to respond, combined with the Arizona Supreme Court's final denial on January 9, 2026, ripens this case for immediate review. There are no remaining state remedies. The factual predicate for this Petition—that the conviction was secured through **fraud, perjury, and the suppression of evidence**—remains uncontradicted by the State in this docket.

CONCLUSION

The Arizona Supreme Court has issued its final denial. The Federal District Court has been engaged via civil rights lawsuits. The State of Arizona has waived its response in this Court. The record is complete and uncontradicted: Petitioner was incarcerated on a conviction secured by State actors whom the Petitioner is currently suing for perjury and conspiracy in federal court.

For the foregoing reasons, and those stated in the Petition, the writ of certiorari should be granted.

Respectfully submitted February 17, 2026,



Johnny Ray Walls-Bey

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APPENDIX

APPENDIX A

Order of the Arizona Supreme Court, *State of Arizona v. Johnny Ray Walls-Bey*, No. CR2020-001909-001 (Jan. 9, 2026) 1a

APPENDIX B

Order of the Arizona Court of Appeals, Division One, *Johnny Ray Walls-Bey v. Hon. Driggs*, No. 1 CA-SA 26-001 (Jan. 6, 2026) 3a