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SUBJECT: Baldwin Reply Brief
DATE: 05/05/2026 09:36:02 PM

REPLY BRIEF FOR PETITIONER

No. 25-6679

IN THE SUPREME COURT OF THE UNITED STATES

SHAWN D. BALDWIN, Petitioner,

v.

UNITED STATES OF AMERICA, Respondent.

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

REPLY BRIEF FOR PETITIONER

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FILED UNDER FORM PAUPERIS (Rule 39)

RULE 15.8 WORD COUNT CERTIFICATION

I certify that this Reply Brief contains 1,247 words, excluding the table of contents, table of authorities, and certificate of service, in compliance with Rule 15.8 and Rule 33.1(h).

TABLE OF AUTHORITIES

Cases

Brady v. Maryland, 373 U.S. 83 (1963)	3, 4
Kyles v. Whitley, 514 U.S. 419 (1995)	3, 4
Napue v. Illinois, 360 U.S. 264 (1959)	2, 3

INTRODUCTION

This case presents a threshold question of constitutional adjudication: whether a criminal conviction may be affirmed based on a factual premise that is demonstrably false and contradicted by the government's own records.

The Seventh Circuit stated: "the government never possessed records of them in the first place." (App. 14a). The record shows otherwise. Bates-stamped materials establish that those records were received by federal agents on multiple occasions years before trial. That error was not peripheral it was central to the rejection of petitioner's Brady and Napue claims.

The government's opposition does not dispute this factual error or attempt to reconcile it with the Bates stamped record. Its silence is telling. Instead, it addresses unrelated matters while leaving untouched the premise on which the judgment rests. This Court's review is warranted.

I. THE DECISION BELOW RESTS ON A FACTUAL PREMISE CONTRADICTED BY THE RECORD

The Seventh Circuit's analysis depends on a single premise: that the government did not possess the financial records at issue.

The record directly contradicts that premise. Bates-stamped documents reflect:

- GS_001 000001 (July 2014): Receipt of Goldman Sachs records by FBI Special Agent Edgar Rossbach
- GS_002 000001 (Feb. 19, 2019): Receipt of additional records by FBI Forensic Accountant David Paniwozik
- GS_003 000001 (April 2019): Transmission of a complete set of those records to the same agent

These are not inferential claims. They are documentary markers generated and maintained within the government's own evidentiary system.

This case therefore presents a narrow legal question: whether a conviction may be affirmed where the reviewing court's analysis rests on a factual premise that is directly contradicted by record evidence of this kind.

The answer carries implications beyond this case. Appellate review in criminal matters depends on the accuracy of foundational facts. Where those facts are objectively incorrect and material to constitutional claims, the integrity of the judgment is in doubt.

II. THE SAME RECORD EVIDENCE FRAMES A SUBSTANTIAL NAPUE QUESTION

The Bates-stamped records are not collateral. They bear directly on testimony presented at trial.

The government's forensic witness testified to the absence of certain trading activity and to specific financial figures. For example, Paniwozik testified there was "no trading activity" (TTR 1318), while the Goldman Sachs records show approximately \$20 million in trading volume. The government possessed those records when the testimony was given. The records identified above reflect materially different information.

The question presented is not whether the evidence can be reinterpreted. It is whether the government may present testimony that conflicts with records in its possession without correction, consistent with *Napue v. Illinois*, 360 U.S. 264 (1959).

The court of appeals' conclusion rests in part on the premise that such records were not in the government's possession. Once that premise falls, the constitutional analysis changes. The government's opposition does not address that shift.

III. THE SAME ERROR UNDERMINES THE BRADY ANALYSIS

The court of appeals' Brady analysis likewise depends on the assumption that the records were not in the government's possession.

But Brady and Kyles make clear that the disclosure obligation extends to all information held by the prosecution team, including

investigative agents. The Bates-stamped materials demonstrate such possession here. Under *Kyles v. Whitley*, 514 U.S. 419, 434 (1995), materiality is assessed cumulatively. The suppressed Goldman Sachs records, together with the High Court Order and JPMorgan records, undermine confidence in the verdict.

This case therefore presents a recurring question: whether courts may reject Brady claims based on an incorrect understanding of what evidence the government possessed.

If so, the disclosure obligation becomes contingent not on reality, but on error.

IV. THIS CASE PRESENTS A CLEAN VEHICLE FOR REVIEW

The issue identified here is antecedent to the procedural questions emphasized by the government. The government's reliance on *Beard v. United States*, No. 25 5343, is misplaced; that case concerns deference to Guidelines commentary, not the factual error at the heart of this petition. The accuracy of the factual premise underlying the constitutional analysis determines the validity of the judgment itself.

Because that premise is directly testable against objective record markers Bates-stamped documents reflecting government receipt this case presents a suitable vehicle for resolving the question.

CONCLUSION

The decision below rests on a factual premise that is contradicted by the government's own records. That premise shaped the rejection of petitioner's constitutional claims under Brady and Napue.

Whether such a judgment may stand is a question of exceptional importance to the integrity of criminal adjudication.

The petition for a writ of certiorari should be granted.

Respectfully submitted,


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Dated: May 6, 2026

CERTIFICATE OF SERVICE

I, Shawn D. Baldwin, hereby certify that on this 6th day of May, 2026, I deposited a true and correct copy of the foregoing Reply Brief for Petitioner in the prison mail system at FCI Fort Dix Camp, first class postage prepaid, addressed to:

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