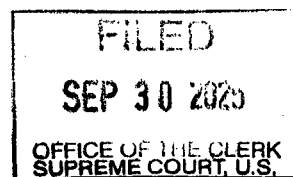


No. 25-6758



In The
SUPREME COURT OF THE UNITED STATES

QUINTIN WASHINGTON,
Petitioner,

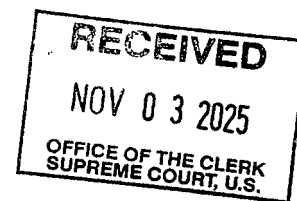
v.

JEFF TANNER, Warden
Respondent.

On Petition for a Writ of Certiorari
to the United States Court of Appeals
for the Sixth Circuit

PETITION FOR A WRIT OF CERTIORARI

Quintin Washington, #172753
Petitioner, *in pro per**
Macomb Correctional Facility
34625 26 Mile Road
Lenox Township, MI 48048



* This document was prepared with the assistance of a non-attorney prisoner assigned to the Legal Writer Program with the Michigan Department of Corrections.

QUESTIONS PRESENTED

- I. WHEN A COURT LACKS SUBJECT-MATTER JURISDICTION, PROCEEDINGS ARE VOID AB INITIO. ARE THE CONVICTIONS/SENTENCES AGAINST MR. WASHINGTON VOID BECAUSE THE ONE-MAN GRAND JURY STATUTES DO NOT AUTHORIZE A JUDGE TO INITIATE CHARGES BY ISSUING INDICTMENTS, WHICH OCCURRED IN MR. WASHINGTON'S CASE? US CONST, AMS V, VI, XIV; MICH. CONST, 1963, ART 1, §§ 17, 20.

- II. DID THE MICHIGAN STATE COURTS CLEARLY ERRED BY NOT GANTING PETITIONER SINGLE ISSUE REGARDING THE ONE-MAN GRAND JURY? WHEN THE MICHIGAN SUPREME COURT'S RULING IN *PEOPLE V PEELER*, 509 MICH. 381 (2022) CLEARLY SHOWED THAT THE TRIAL COURT DID NOT HAVE THE JURISDICTION TO ISSUE AN INDICTMENT. BY NOT PROVIDING HIM WITH A PRELIMINARY EXAMINATION PURSUANT TO M.C.L.A. 767.4. WHICH IS A CLEAR VIOLATION OF HIS FEDERAL AND STATE CONSTITUTIONAL RIGHT TO DUE PROCESS OF LAW? US CONST, AMS VI, XIV; CONST, 1963, ART. 1, §20.

PARTIES TO THE PROCEEDING

All parties appear in the caption of the case on the cover page.

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ISSUES PRESENTED BY PETITIONER IN HIS STATE AND FEDERAL BRIEFS

ISSUE 1 – When a court lacks subject-matter jurisdiction, proceedings are void ab initio. The convictions/sentences against Mr. Washington are void because the one-man grand jury statutes do not authorize a judge to initiate charges by issuing indictments, which occurred in Mr. Washington's case. U.S. CONST., AMS. VI, XIV; CONST., 1963, ART. 1, §§ 17, 20..... .5

ISSUE 2 – The Michigan state courts clearly erred by not granting petitioner single issue regarding the one-man grand jury. When the Michigan Supreme Court's ruling in *People v Peeler*, 509 Mich. 381 (2022) clearly showed that the trial court did not have the jurisdiction to issue an indictment. By not providing him with a preliminary examination pursuant to M.C.L.A. 767.4. Which is a clear violation of his federal and state constitutional right to due process of law. U.S. CONST., AMS. VI, XIV; CONST., 1963, ART. 1, § 20..... .10

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PETITION FOR A WRIT OF CERTIORARI

Petitioner Quintin Washington respectfully petitions for a writ of certiorari to review the judgment of the United States Court of Appeals for the Sixth Circuit.

OPINIONS BELOW

The final order of the United States Court of Appeals, 6th Circuit, denying a certificate of appealability (July 18, 2025), appears at APPENDIX A to the petition and is reported at *Washington v Tanner*, 2025 U.S. App. LEXIS 17913, (6th Cir., Case No. 25-1164). The final opinion and order of the United States District Court - E.D. Mich., denying the petition for writ of habeas corpus and declining to issue a certificate of appealability, and granting leave to appeal In Forma Pauperis appears as APPENDIX B to the petition and is reported at *Washington v Tanner*, 2025 U.S. Dist. LEXIS 18154, 2025 WL 360647, Case No. 2:24-cv-13142, (E.D. Mich., Jan. 31, 2025). The final order from the Michigan Supreme Court denying Leave to Appeal appears at APPENDIX C and is published at 2024 Mich. LEXIS 594, 3 N.W.2d. 820, (Mich. Sup. Ct. No. 166565). The final opinion of the Michigan Court of Appeals affirming Petitioner's convictions appears at APPENDIX D and is published at 2023 Mich. App. LEXIS 8514, (Mich. Ct. App., No. 362794, Nov. 21, 2023). (See Appendix, filed under separate cover).

JURISDICTION

The U.S. Court of Appeals for the Sixth Circuit issued its final order on July 18, 2025. This Court has jurisdiction under 28 U.S.C. §1254(1).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

U.S. CONST. AMEND. IV: The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

U.S. CONST. AMEND. V: 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 offense 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.

U.S. CONST. AMEND. XIV: 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. The Sixth Amendment of the United States Constitution states in relevant part: "In all criminal prosecutions, the accused shall...have the assistance of counsel for his

defense.” “The Sixth Amendment right to counsel is applicable to the states through the Due Process Clause of the Fourteenth Amendment.” *People v Williams*, 470 Mich. 634, 641; 638 N.W.2d 597 (2004) (citing *Gideon v Wainwright*, 372 U.S. 335, 83 S. Ct. 792, 9 L. Ed. 2d 799 (1963)).

28 U.S.C. 1254(1): Cases in the courts of appeals may be reviewed by the Supreme Court by Writ of Certiorari granted upon the petition of any party to any civil case, before or after rendition of judgment or decree.

28 U.S.C. 1915(a)(1): Subject to subsection (b), any court of the United States may authorize the commencement, prosecution or defense of any suit, action or proceeding, civil or criminal, or appeal therein, without prepayment of fees or security therefore, by a person who submits an affidavit that includes a statement of all assets such prisoner possesses that the person is unable to pay such fees or give security therefor. Such affidavit shall state the nature of the action, defense or appeal and affiant's belief that the person is entitled to redress.

STATEMENT OF THE CASE

PROCEDURAL HISTORY AND STATEMENT OF FACTS

INTRODUCTION

SUMMARY

Petitioner Quintin Washington (hereinafter “Petitioner”) commenced this action as a State prisoner in the District Court pursuant to 28 U.S.C. § 2254, by filing a petition for A Writ of Habeas Corpus on November 20, 2024. On January 31, 2025, District Court Judge Gershwin A. Drain entered an Opinion and Order denying the petition for a Writ of Habeas Corpus, declining to issue a Certificate of Appealability, and granting Leave to Appeal *In Forma Pauperis* (See APP. B, **Opinion and Order**). Judgment was entered on the same date.

The final order of the United States Court of Appeals, 6th Circuit, denying a certificate of appealability was issued on July 18, 2025. (See APP. A, **Order and Judgment**). Judgment was entered on the same date.

This Court has jurisdiction pursuant to 28 U.S.C. §1254(1).

Petitioner was initially sentenced as a fourth habitual offender to 20 years to 20 years and one day on the AWIM conviction, consecutive to five years for felony firearm, second offense. *People v Washington*, No. 347440, 2020 WL 4383872, at 1 (Mich. Ct. App. July 30, 2020), appeal denied, 508 Mich. 952, 964 N.W.2d 798 (2021). Mr. Washington appealed.

The Court of Appeals affirmed the convictions but found fault in the sentence, determining an incorrect guideline range of 135 months to 450 months was used, remanding the matter to the trial court for resentencing.

On remand, Mr. Washington was resentenced to 15 years to 20 years on the conviction of Assault with intent to commit murder, (M.C.L.A. 750.83), and 2 to 5 years each for the Felon-in-possession of a firearm conviction, (M.C.L.A. 750.224f), and Weapons – Ammunition Possession by Felon conviction (M.C.L.A. 750.224F6), and a consecutive prison terms of 5 years for his conviction of Felony-Firearm, (M.C.L.A. 750.227B-B). (Transcript, "Re-Sentencing," 8/16/22.)

SUMMARY OF THE ARGUMENTS

Petitioner Mr. Washington was charged via a "one-man grand jury" of the following offenses: assault with intent to murder, (M.C.L.A. 750.83); felon in possession of a firearm, (M.C.L.A. 750.224F); felon in possession of ammunition, (M.C.L.A. 750.224F6); and three counts of felony firearm, (M.C.L.A. 750.227B-B). ("Amended Grand Jury Felony Indictment," 7/31/18.). The grand juror was listed as Thomas E. Jackson, who was also a circuit court judge.

After a jury trial, Mr. Washington is convicted of all charges. He is initially sentenced as a fourth habitual offender to 20 years to 20 years and one day on the AWIM conviction, consecutive to five years for felony firearm, second offense. *People v Washington*, No. 347440, 2020 WL 4383872, at 1 (Mich. Ct. App. July 30, 2020), appeal denied, 508 Mich. 952, 964 N.W.2d 798 (2021). Mr. Washington appealed.

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After a jury trial, Mr. Washington is convicted of all charges. He is initially sentenced as a fourth habitual offender to 20 years to 20 years and one day on the AWIM conviction, consecutive to five years for felony firearm, second offense. *People v Washington*, No. 347440, 2020 WL 4383872, at 1 (Mich. Ct. App. July 30, 2020), appeal denied, 508 Mich. 952, 964 N.W.2d 798 (2021). Mr. Washington appealed.

While Mr. Washington's appellate proceedings were pending, the Michigan Supreme Court ruled in *People v Peeler*, 509 Mich. 381 (2022), holding: a) a defendant who is charged pursuant to one-man grand jury procedure is entitled to a preliminary examination; and b) one-man grand jury statutes do not authorize a judge to initiate charges by issuing indictments. This ruling prompted Mr. Washington to file a motion to vacate his conviction and sentence. ("Defendant's Motion to Correct an Invalid Sentence and to Vacate Conviction," 12/28/22).

The U.S. District Court for the Eastern District of Michigan denied a Writ of Habeas Corpus, and declined to issue a certificate of appealability finding that Mr. Washington claim that the trial court lacked subject-matter jurisdiction over his criminal prosecution fails habeas relief because "A state court's 'interpretation of state jurisdictional issues conclusively establishes jurisdiction for purposes of federal habeas review.' (quoting *Strunk v Martin*, 27 F. App'x. 473, 475 (6th Cir. Nov. 6, 2001)). As such, this Court is bound by the state court's jurisdictional determination." *Washington v Tanner*, 2025 U.S. Dist. LEXIS 18154.

The U.S. Sixth Circuit denied Petitioner a COA, holding that "reasonable jurist could not debate the district court's resolution of Petitioner's claims." "... or that jurist could conclude the issues presented are adequate to deserve encouragement to proceed further." *Washington v Tanner*, 2025 U.S. App. LEXIS 17913.

The central question in this case was whether Petitioner was afforded his constitutional guarantee of a full and fair criminal trial within the parameters of

Due Process of Law, and if not does the violation raise to the level of a denial of constitutional magnitude requiring reversal?

This Honorable Court should find that the Michigan Courts' Orders in this matter run afoul of Petitioner's constitutional rights to Due Process and Equal Protection under the Law. Alternatively, Mr. Washington asks this Court to find that the indictment used in charging him was a violation of Petitioner's right to due process of law and fair treatment at investigation (one-man grand jury) under the 14th Amendment to the United States Constitution.

REASONS FOR GRANTING THE PETITION

- I. WHEN A COURT LACKS SUBJECT-MATTER JURISDICTION, PROCEEDINGS ARE VOID AB INITIO. THE CONVICTIONS/SENTENCES AGAINST MR. WASHINGTON ARE VOID BECAUSE THE ONE-MAN GRAND JURY STATUTES DO NOT AUTHORIZE A JUDGE TO INITIATE CHARGES BY ISSUING INDICTMENTS, WHICH OCCURRED IN MR. WASHINGTON'S CASE. US CONST, AMS VI, XIV; CONST, 1963, ART 1, §§ 17, 20.

Standard of Review

Questions of constitutional law are subject to the de novo standard. *Armstrong*, 490 Mich. at 289. Issues involving statutory construction are reviewed de novo. *People v Peeler*, 509 Mich. 381, 389 (2022). U.S. Const., Amends V, VIX; Const. 1963, art 1, 17; *Jackson v Virginia*, 443 US 307 (1979).

Argument

The case against Mr. Washington begin when a judge, sitting as a one-man grand jury, charges Washington with felony offenses. The procedure was not authorized by law; lacked subject-matter jurisdiction; lacked a preliminary examination; and was void from the beginning, making the ensuing conviction void as well.

The prosecution's position is that everything was made copacetic with the jury trial that found Mr. Washington guilty. ("Plaintiffs Answer to Defendant's Motion to Correct an Invalid Sentence and Vacate Conviction," 1/12/23). The trial

court viewed the issue as being a burden on the judicial system if all one-man grand jury convictions were vacated. Neither view stands up to scrutiny.

The trial court lacked subject-matter jurisdiction because the charges were void from the beginning. "Subject-matter jurisdiction is a legal term of art that concerns a court's authority to hear and determine a case." *People v Washington III*, 508 Mich. 107, 121, 972 N.W.2d 767 (2021). The authority to hear and determine a case depends on the character or class of the case pending, not on the particular facts of the case. *Id.* The Michigan Supreme Court has recognized that circuit courts have subject-matter jurisdiction over felony cases. *Id.* at 121-122.

In *Washington III*, the issue before the Supreme Court was "whether the trial court lacked subject-matter jurisdiction when it resentenced defendant in 2006 pursuant to a Court of Appeals order while defendant's application for leave to appeal that order was still pending in this Court." *Id.* at 113. The Court considered "whether the trial court was divested of subject-matter jurisdiction when the Court of Appeals assumed its appellate jurisdiction over the case." *Id.* at 122. In the present case, there was not a divestiture of subject-matter jurisdiction—jurisdiction was never established in the first place.

The procedure to charge Mr. Washington was void from the beginning because such a procedure is not authorized by law. In *Peeler*, at 395, the Court held M.C.L.A. 767.4 does not grant the judge conducting the inquiry the authority to issue indictments ("we conclude that M.C.L.A. 767.4 does not authorize a judge to

issue an indictment initiating a criminal prosecution. . . M.C.L.A. 767.3 and M.C.L.A. 767.4 authorize a judge to investigate, subpoena witnesses, and issue arrest warrants. But they do not authorize the judge to issue indictments. And if a criminal process begins with a one-man grand jury, the accused is entitled to a preliminary examination before being brought to trial."). *Id.*, at 400. The fact that Mr. Washington was convicted at trial is meaningless because the charging document was without legal authority.

In *People v Scoff*, No. 336815, 2022 WL 3691924, at 2-3 (Mich. Ct. App. Aug. 25, 2022), the Court vacated the defendant's convictions and sentences after a jury trial because subject-matter jurisdiction was lacking. In *Scott*, the Court analyzed *Washington*, supra, and determined to vacate a conviction and sentence in Mr. Scott's case because the trial occurred when an issue was being resolved on appeal. The *Scott* Court ruled that "the trial court lacked subject-matter jurisdiction to try defendant while admitting the evidence that was the subject of the leave application before the Supreme Court, and the judgment of sentence is void." *Scott*, No. 336815, 2022 WL 3691924, at 3 (Mich. Ct. App. Aug. 25, 2022). Therefore, despite the prosecution's claim in the present case, a conviction after a jury trial does not cure the error.

Here, Mr. Washington raises the issue post-conviction, but the result should be the same—the trial court lacked subject-matter jurisdiction to try defendant when the process to charge him were not authorized by law; therefore, the

convictions and sentences are void.

Mr. Washington was never provided with a preliminary examination. Further, a judge initiated charges against Mr. Washington. Both were errors and contrary to law. The proceedings against him lack subject-matter jurisdiction due to the above errors pursuant to *Peeler*.

The trial court's concern about the burden on the justice system is not well-founded. As noted in *Peeler*, the one-man grand jury is sparingly used: the defendants "were not charged the way that almost everyone in Michigan is charged—with a criminal complaint issued by a prosecutor and followed by a preliminary examination in open court at which the accused can hear and challenge the prosecution's evidence. Instead, the prosecution chose to proceed with these cases using what have become known as the 'one-man grand jury' statutes, M.C.L.A. 767.3 and M.C.L.A. 767.4." *Peeler*, at 386 (emphasis added). Therefore, with "almost everyone in Michigan" being charged with a complaint and hardly anyone being charged via a one-man grand jury, especially with a judge issuing charges, there will not be a burden on the criminal justice system.

The state and the Petitioner are entitled to a prompt examination and determination by the examining magistrate in all criminal causes, (M.C.L.A. 766.1). The prosecutor may waive the states right to a preliminary examination. However, Petitioner does not. Petitioner never waived his preliminary examination, his due process was violated and should not be permitted to stand under the constitution.

The first mistake here is, the Michigan court of appeals decision is clearly wrong, and will cause petitioner material injustice. As he was not charged the same way as most defendants are charged with a criminal complaint issued by a prosecutor followed by a preliminary examination in open court. Before the Michigan Supreme Court's ruling in *People v Peeler*, 509 Mich. 381 (2022). The Michigan 3rd Judicial Circuit Court did not know that Petitioner's one-man grand jury indictment was illegal. The Michigan Supreme Court's ruling in *Peeler* rendered the practice of "one-man grand jury indictments", a jurisdictional defect. Petitioner's sentence is being challenged as being the result of a substantial error/structural defect by the lack of jurisdiction to indict.

For the above reasons, the convictions/sentences imposed upon Mr. Washington should be vacated. Subject-matter jurisdiction was lacking when the procedure to charge Washington is not authorized by law.

II. THE MICHIGAN STATE COURTS CLEARLY ERRED BY NOT GANTING PETITIONER SINGLE ISSUE REGARDING THE ONE-MAN GRAND JURY? WHEN THE MICHIGAN SUPREME COURT'S RULING IN *PEOPLE V PEELER*, 509 MICH. 381 (2022) CLEARLY SHOWED THAT THE TRIAL COURT DID NOT HAVE THE JURISDICTION TO ISSUE AN INDICTMENT. BY NOT PROVIDING HIM WITH A PRELIMINARY EXAMINATION PURSUANT TO M.C.L.A. 767.4. WHICH IS A CLEAR VIOLATION OF HIS FEDERAL AND STATE CONSTITUTIONAL RIGHT TO DUE PROCESS OF LAW. US CONST, AMS VI, XIV; CONST, 1963, ART 1, § 20.

Standard of Review

Questions of constitutional law are subject to the de novo standard. *Armstrong*, 490 Mich. at 289. Issues involving statutory construction are reviewed de novo. *People v Peeler*, 509 Mich. 381, 389 (2022). *Estelle v Williams*, 425 US 501, 503 (1976).

Argument

Due Process is codified in the Michigan Constitution of 1963, Art. 1, sec. 17, and the 14th Amendment of the United States Constitution. By not providing Petitioner with a preliminary examination, he was deprived of a substantial right which on remand (a second appeal, is jurisdictional and well established in Michigan's jurisprudence; (See, *People v Wolfe*, 156 Mich. App. 225, 228 (1986). As of now the fair treatment of Petitioner has been infringed by not providing him with a preliminary examination hearing.

This issue raises a serious question about the legality of laws passed by the legislature (M.C.L.A. 767.3 & M.C.L.A. 767.4), which, . . . authorize a judge to investigate, subpoena witnesses, and issue arrest warrants, but they do not authorize the judge to issue indictments, and if a criminal process begins with a one-man grand jury, the accused is entitled to a preliminary examination before being brought to trial. *People v Peeler*, 509 Mich. 381, 400 (2022).

The second mistake, the court of appeals passed on Petitioner's issue raised in that court, when it had the opportunity to deal with the treatment petitioner received during the investigation stage of the hearings used to indict him.

THE PURPOSE OF A PRELIMINARY EXAMINATION

In *People v Plunkett*, 485 Mich. 50, 57 (2010), The Michigan Supreme Court held: ". . . The purpose of preliminary examination is to determine whether, a felony has been committed and (whether) there is probable cause for charging the defendant therewith . . ."

Since Petitioner never waived his preliminary examination his due process was violated and should not be permitted to stand. In *People v Carines*, 460 Mich. 750, 763 (1999), The Michigan Supreme Court held: "In order to receive relief on a forfeited claim of constitutional error, a defendant must prove that (1) error occurred, (2) the error was plain, i.e. clear or obvious, and (3) the plain error affected substantial rights."

First, the error occurred as the preliminary examination never happened, as Petitioner was indicted by a one-man grand jury.

Second, the error was plain, meaning clear and obvious, as M.C.L.A. 767.4 refers to a “hearing on the complaint or indictment” and disqualifies the judge who conducts the inquiry from being the examining magistrate at that hearing. It is unclear what hearing that language could be referring to other than a “Preliminary Examination.” *People v Peeler*, 509 Mich. 381, 392 (2022).

Third, the plain error affected substantial rights, where the preliminary examination is a statutory right, as a legislative construct, making it a substantial must. Due Process has to be upheld. “The failure to object even when purposeful or strategic – does not constitute the clear, outward expression of satisfaction with a trial court’s decision that is necessary to find waiver.” *People v Vaughn*, 491 Mich. At 663-664 (2012). The court in *People v Davis*, 509 Mich. 52, 75 (2022), held: “We take this opportunity to hold that a forfeited structural error creates a formal presumption that this prong of the plain-error standard has been satisfied.” There is substantial overlap between the characteristics of structural errors (i.e., they render a trial fundamentally unfair) and The standard under the *Carines* prong ‘serious effect on the fairness, integrity, or public reputation of the proceeding’. The intentional relinquishment or abandonment of a known right, and one who waives an issue cannot later seek appellate review of that issue. *People v Carines*, 460 Mich. 750, 752, n 7 (1999).

Petitioner was not afforded a preliminary examination which is a critical stage of due process in Michigan jurisprudence. This hearing would have aided Petitioner at trial, as everyone is entitled a preliminary examination under the law.

This miscarriage of justice prejudiced Petitioner as he did not have the advantage of a preliminary examination to help establish his innocence at trial.

A JURISIDCTIONAL DEFECT CAN BE RAISED AT ANY TIME

An unconstitutional or unqualified plea of guilty does not preclude review of so-called jurisdictional defect. *People v Reid* 420 Mich. 326, 342 (1985). Those defects that have been classified as "jurisdictional" are generally those which would prevent a trial from occurring in the first instance. When Judge Thomas E. Jackson (Wayne County Circuit Court) conducted the one-man grand jury, then indicted Petitioner, it was *void ad initio* as a preliminary examination was never conducted. As the Court recognized in *People v Phillips*, 383 Mich. 464, 471 (1970); "Procedural rights may indeed be as important as substantive rights, ..." Knowing the purpose and importance of a preliminary examination in Michigan, and by not providing Petitioner with one, is a violation of his due process.

CONCLUSION

Petitioner followed the timely procedures required at this stage for fairness in this case brought against him in the Wayne County Circuit Court.

Additionally, this issue was preserved by Petitioner filing a timely motion to correct an invalid sentence and to vacate conviction, in the trial court, which was an attack on his sentence after being remanded. He then went on to file his direct appeal in the Michigan Court of Appeal, which

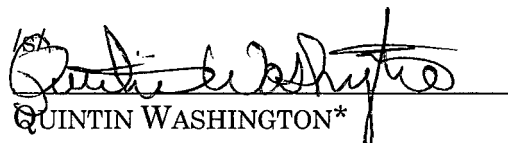
Affirmed his conviction. Petitioner then sought review in the Michigan Supreme Court which denied leave to appeal.

The State and the Petitioner are entitled to a prompt examination and determination by the examining magistrate in all criminal causes. M.C.L.A. 766.1. The prosecutor may waive the State's right to a preliminary examination, however, the Petitioner does not.

RELIEF SOUGHT

WHEREFORE, Petitioner submits that he has presented the Court with compelling reasons for consideration and ask that this Court grant the petition for a writ of certiorari, further Petitioner ask that the Court reverse his convictions and remand this matter to the Third Judicial Circuit Court for the County of Wayne, State of Michigan for a new trial, or in the alternative remand this case, with appropriate instructions, to Sixth Circuit Court of Appeals for reconsideration of the issues raised under the 14th amendment to the United States Constitution.

Respectfully submitted,


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Dated: September 30, 2025