

25-6788

No. _____

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED
AUG 18 2025
OFFICE OF THE CLERK
SUPREME COURT, U.S.

Antonio Jackson — PETITIONER
(Your Name)

VS.

State of Maryland — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Appellate Court of Maryland

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Antonio Jackson

(Your Name)

3512 7th Ave Rd

(Address)

Baltimore Md 21207

(City, State, Zip Code)

41437392201

(Phone Number)

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QUESTION(S) PRESENTED

1. Did the Appellate court's Affirmance of the coram nobis court's judgment, using quid pro quo findings not in the record to conclude Jackson has not proven his attorney provided ineffective assistance, constitute an abuse of discretion?
2. Does the Appellate court's Affirmance of the coram nobis court's judgment, base upon erroneous findings that Jackson had not proven he was suffering collateral consequences to warrant the extraordinary remedy of a hearing, constitute an abuse of discretion?

LIST OF PARTIES

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

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:

RELATED CASES

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CASES

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STATUTES AND RULES

OTHER

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[] is unpublished.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 _____; 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[] is unpublished.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 D to the petition and is

[] reported at Supreme Court of Maryland No 30 Sept Term, 2025; or,
[] has been designated for publication but is not yet reported; or,
[✓] is unpublished.

The opinion of the Circuit Court for Baltimore City, 1431060708 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.

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 May 28, 2025.
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 AND STATUTORY PROVISIONS INVOLVED

- Md Rule 15-206(a)
- Md Rule 15-207(a)(b)

STATEMENT OF THE CASE

On November 8, 1993, following trial in the Circuit Court for Baltimore City, a jury found Antonio Jackson, petitioner, guilty of first-degree murder, attempted second-degree murder, and related offenses. On January 4, 1994, the court sentenced him to life imprisonment plus 35 years. He took a direct appeal, and the appellate court affirmed. *Jackson v. State*, No. 1898, Sept. Term 1993 (unreported Oct. 12, 1994) (“Jackson I”).

Nearly two decades later, on October 10, 2012, petitioner filed a petition for a writ of actual innocence. On November 26, 2012, the circuit court denied the petition without a hearing. Petitioner appealed, and in an unreported opinion, the appellate court vacated the denial and remanded for a hearing. *Jackson v. State*, No. 2176, Sept. Term 2012, Md. App. LEXIS 1018 (June 11, 2015) (“Jackson II”).

On remand, the circuit court held a hearing on November 23, 2015. During that hearing, counsel for petitioner and the State reached a plea agreement: petitioner would plead guilty and be sentenced to life imprisonment with all but 30 years suspended, followed by five years’ probation. Before finalizing the agreement, the court held a bench conference outside petitioner’s presence to discuss additional background. The State acknowledged that if certain evidence (“Little Puppy” note) were admissible as a dying declaration, it could substantially affect the verdict, and that a retrial after more than two decades would be risky. Petitioner’s counsel later advised that Jackson wished to accept the plea to “go home and see my grandchildren.”

Following the bench conference, the court summarized on the record that the State was conceding the evidence was newly discovered and could have affected the verdict, and then granted the petition for a new trial. Immediately thereafter, Jackson entered his guilty plea. The court imposed life, suspended all but 30 years, with probation as agreed. Petitioner did not seek leave to appeal.

Nearly eight years later, on November 2, 2023, acting pro se, petitioner filed a petition for writ of error coram nobis challenging his 2015 guilty plea, alleging ineffective assistance of counsel and other errors. On February 29, 2024, the circuit court denied the petition without a hearing, concluding Jackson had not shown significant collateral consequences. The appellate court affirmed in *Jackson v. State*, No. 0335, Sept. Term 2024 (per curiam, Feb. 10, 2025) (“Jackson III”). The Maryland Supreme Court denied certiorari on May 23, 2025.

REASONS FOR GRANTING THE WRIT

Petitioner contends the appellate court erred by:

1. Upholding the coram nobis denial based on a quid pro quo theory not supported by the record, ignoring that the critical bench conference occurred outside his presence.
2. Concluding he was not prejudiced by counsel's failure to inform him of the State's concession that, if granted a new trial, the State would not retry the case.
3. Failing to address his specific collateral consequences arguments, instead relying on speculative reasoning about the negotiated plea.

INEFFECTIVE ASSISTANCE OF COUNSEL

Under *Strickland v. Washington*, 466 U.S. 668 (1984), petitioner must show deficient performance and prejudice. Here, counsel failed to inform Jackson before he pleaded guilty of the State's concession at the bench conference—that if the court granted a new trial, "he's walking" without retrial. This omission deprived him of the ability to make an informed decision.

In the guilty plea context, *Hill v. Lockhart*, 474 U.S. 52 (1985), requires showing that, but for counsel's errors, the defendant would have insisted on trial. Petitioner argues there is a significant probability he would have rejected the plea and proceeded on his petition for actual innocence had he known of the State's concession.

COLLATERAL CONSEQUENCES

Petitioner also argues the coram nobis court erred by failing to address the actual collateral consequences alleged, instead ruling on an unalleged consequence. This violated Md. Rules 15-206(a) and 15-207(a),(b) and influenced both the coram nobis and appellate court decisions.

CONCLUSION

For these reasons, the petition for writ of certiorari should be granted.

Respectfully submitted,
Antonio B. Jackson, pro se

APPENDIX