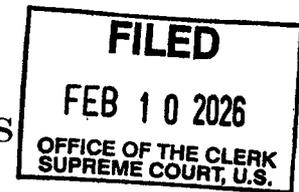


25-6941
No. 1

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



Steven Ingalls, Jr., Petitioner,
vs.
Keith Vinardi, Respondent-Warden.

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

PETITION FOR WRIT OF CERTIORARI

Steven Ingalls, Jr.
Petitioner, *pro se*
DOC #271088
IDOC-WVCF
6908 S. Old U.S. Hwy 41
Carlisle, IN 47838.

QUESTION PRESENTED

- I. Did the federal courts sow conflict in the 'debatability' standard for a habeas corpus petitioner to appeal, where the bases for denying relief plainly contradicted specific landmark rulings from the U.S. Supreme Court concerning jury instructions which confer unlawful mandatory conclusive presumptions?

LIST OF PARTIES

Petitioner, *pro se*:

Steven Ingalls, Jr.
DOC #271088
IDOC-WVCF
6908 S. Old U.S. Hwy 41
Carlisle, IN 47838.

For Respondent-Warden Keith Vinardi:

Mrs. Caroline Templeton
Deputy Attorney General of Indiana
302 W. Washington St.
Indianapolis, IN 46204;
(317) 233-1939
caroline.templeton@atg.in.gov

for Mr. Todd Rokita,
Attorney General of Indiana
302 W. Washington St.
Indianapolis, IN 46204.

RELATED CASES

- *Ingalls v. Vanihel*, No. 24-1293, U.S. Court of Appeals for the Seventh Circuit.
- *Ingalls v. Vanihel*, No. 2:22-cv-0229-MPB-MJD, U.S. District Court for the Southern District of Indiana.
- *Ingalls v. State*, No. 21A-PC-2050, Indiana Court of Appeals, Supreme Court.
- *Ingalls v. State*, No. 55C01-2003-PC-386, Morgan County Circuit Court, Indiana.

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APPENDIX B	February 1, 2024 Indiana Southern District Court Terre Haute Division Order denying habeas relief & COA.
APPENDIX C	December 30, 2025 Seventh Circuit Order denying rehearing & rehearing <i>en banc</i> (seeking a COA).
APPENDIX D	Apr 11, 2022 Indiana appeal opinion denying post-conviction relief (<i>Ingalls v. State</i> , 187 N.E.3d 233 (Ind. Ct. App. 2022)).
APPENDIX E	Aug 18, 2021 Morgan County, Indiana Circuit Court Findings of Fact and Conclusions of Law denying post-conviction relief.
APPENDIX F	May 25, 2022 Order denying transfer to the Indiana Supreme Court (<i>Ingalls v. State</i> , 188 N.E.3d 851 (Ind. 2022)).
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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 order denying certificate of appealability from the United States Court of Appeals for the 7th Circuit appears as **Appendix A** to this Petition and

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the United States District Court for the Southern District of Indiana, Terre Haute Division, appears as **Appendix B** to this Petition and

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The order denying panel rehearing and/or rehearing *en banc* from the United States Court of Appeals for the 7th Circuit appears as **Appendix C** to this Petition and

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 _____ to the petition and is

reported at _____;
 has been designated for publication but is not yet reported; or,
 is unpublished.

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 for the 7th Circuit decided my petition for certificate of appealability was on November 26, 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 for the 7th Circuit on December 30, 2025. A copy of that order appears as **Appendix C**.
- An extension of time to file the petition for a writ of certiorari was granted to and including _____, 20__ in Application No. _____.

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 _____, 20__. A copy of that decision appears at Appendix _____.

- No petition for rehearing was timely filed in my case.
- 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 _____, 20__, on _____, 20__, in Application No. ____, and a copy of the order granting said extension appears at Appendix ____.

The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The issues of this case invoke the 5th and 14th Amendment right to due process of law by way of the 6th Amendment right to effective counsel, all guarantees of the United States Constitution. This cause for relief was originally initiated under Indiana Post-Conviction Rule 1 concerning Petitioner's allegedly unlawful imprisonment.

U.S. Constitution, 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.

U.S. Constitution, Amendment 6: Rights of the accused.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.

U.S. Constitution, 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.

STATEMENT OF THE CASE

On June 23, 2017, Petitioner Steven Ingalls was arrested and charged with: Count 1: conspiracy to commit murder resulting in death; Count 2: neglect of a dependent resulting in death; and Count 3: neglect of a dependent resulting in serious bodily injury. Following a jury trial in May 2018, Ingalls was convicted on all counts and concurrently sentenced to thirty-nine years.

The Indiana Court of Appeals ordered both neglect convictions to be vacated on June 17, 2019, finding that the charges were “all the same event.” *Ingalls v. State*, 129 N.E.3d 815, footnote 3 (Ind. Ct. App. 2019). Discretionary transfer to the Indiana Supreme Court was summarily denied on September 5, 2019.

Ingalls petitioned the trial Court for post-conviction (PCR) relief on March 5, 2020, which was denied on August 18, 2021. In its denial order (Appx. E), the PCR Court initially disregarded the State-Respondent’s conclusive admission to the accuracy of the trial records, and without any evidentiary support, found that “it is clear” that the error reflected in the certified trial transcript’s Court-spoken Jury Instruction 15 was only a type-o. (Appx. at 67 [Finding # 36]). The PCR Court nevertheless went on to conclude that trial counsel’s failure to object to that recorded presumption of guiltiness would have been harmless by virtue of other generally contradictory instructions, alongside the fact that the jury was provided with an optionally reviewable set of properly typewritten jury instructions.

Ingalls appealed but was denied on his merits on April 11, 2022.

(Appx. D: *Ingalls v. State*, 187 N.E.3d 233 (Ind. Ct. App. 2022)). Discretionary transfer to the Indiana Supreme Court was summarily denied on May 25, 2022 (Appx. F).

Ingalls filed a 28 U.S.C. § 2254 Petition for Writ of Habeas Corpus in the Indiana Southern District Court on June 10, 2022. Though the District Court pointed out the state appellate court's brevity in addressing Ingalls' jury instruction issue, it upheld the denial on February 1, 2024 (Appx. B) without identifying *any* legal standards, adopting the state courts' conclusions rather than crediting the authority of his cited SCOTUS rulings.

Ingalls filed a timely application for a certificate of appealability with the Seventh Circuit Court of Appeals, which was summarily denied on November 26, 2025 (Appx. A). Ingalls then filed a timely petition for rehearing and/or rehearing *en banc*, which was also denied without vote on December 30, 2025 (Appx. C). This petition for certiorari ensues.

REASONS FOR GRANTING THE PETITION

The denials of Petitioner's certificate of appealability, despite the obvious debatability of his unlawful jury instruction issue on habeas corpus, shows bold conflict against numerous cases from the U.S. Supreme Court regarding the same important issue. Enforcing an objectively fair threshold for appeal implicates the very essence of equal justice in criminal law for all habeas inmates whose judges turn away from relying on precedent-based legal reasoning. In that spirit, it is necessary to restore uniformity concerning the following conflicts at law.

For a certificate of appealability to issue, Petitioner must show that "reasonable jurists" would find the Court's "assessment of the constitutional claims debatable or wrong." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

"The COA inquiry, we have emphasized, is not coextensive with a merits analysis. At the COA stage, the only question is whether the applicant has shown that jurists of reason could disagree with the district court's resolution of his constitutional claims or that jurists could conclude the issues presented are adequate to deserve encouragement to proceed further."
Buck v. Davis, 580 U.S. 100, 115 (2017).

GROUND I

a. Unconstitutional mandatory conclusive presumption.

"The Due Process Clause of the Fourteenth Amendment 'protects the accused against conviction except upon proof beyond a reasonable doubt of every fact necessary to constitute the crime with which he is charged.'"
In re Winship, 397 U.S. 358, 364 (1970).

The reviewing courts conflict with firmly established law in disregarding the Respondent's conclusively binding admission that Petitioner's jury trial court had erroneously spoken its Jury Instruction 15 to command ¹ a mandatory conclusive presumption on the contested elements concerning criminal *awareness* and *causation*, which his court-appointed trial counsel did not object to:

"Number fifteen, a person engages in conduct knowingly if when he engages in this conduct he's aware of a high probability that he is doing so. *If a person is charged with felony causing a result by his conduct, he must have been aware of a high probability **this** conduct would cause such result.*"
(erroneous statement italicized) (Court-altered words in bold).

(App. 97:4 [Tr. IX 236]; also recited at App. 10: Order denying writ [p. 7]; stipulated at App. 90-91: PCR discovery-admissions [pp.1, #s 1]).

¹ The Court has disapproved the use of mandatory conclusive presumptions not merely because it conflicts with the overriding presumption of innocence with which the law endows the accused, but also because it 'invades the fact finding function' which in a criminal case the law assigns solely to the jury. *Carella v. California*, 491 U.S. 263, 268 (1989).

Only the trial court's optionally reviewable *typewritten* instructions properly stated:

“Number fifteen, a person engages in conduct knowingly if when he engages in this conduct he's aware of a high probability that he is doing so. If a person is charged with **knowingly** causing a result by his conduct, he must have been aware of a high probability his conduct would cause such result.”

(App. 9-10: Order denying writ [pp. 6-7]).

The District Court initially ignored the Respondent's conclusive admission to the accuracy of the trial transcripts by reciting that the PCR Court found it was a “type-o,” but thereafter acknowledges that the trial Court had “misread” Instruction 15 (App. 10: Order denying writ [p. 7]).

The State-Respondent argued that verbal Instruction 15 “commands the jury to make a finding that the charged individual was aware of a high probability that his conduct would cause the result necessary to support a guilty verdict”

(App. 89: Respondent's proposed findings and conclusions [p. 16]).

Likewise, the PCR Court concluded in pertinent part that “The words of Final Instruction #15 make clear that the jury was required to find that Ingalls had the prescribed awareness” (App. 69, #55: PCR Court's findings and conclusions [p. 13]), which thus relieved the state of those burdens of proof in violation of Due Process under the 5th and 14th Amendments to the U.S. Constitution.

b. SCOTUS defers to the *spoken* instructional error on review.

“The threshold inquiry [...] is to determine the nature of the presumption it [the jury instruction] describes [...] That determination requires careful attention to the words actually spoken to the jury, for whether a defendant has been accorded his constitutional rights depends upon the way in which a reasonable juror could have interpreted the instruction.”

(*Sandstrom v. Montana*, 442 U.S. 510, 514-17 (1979)).

However, all of Petitioner’s reviewing courts, without lending any supportive reasoning, disregarded *Sandstrom’s* above-cited rule that it is the “actually spoken” words that determine the prejudicial nature of a conclusive presumption and how a juror could have interpreted such an instruction. Without citing to a single legal authority or pointing towards any supportive reasoning, they upheld as curative the mere fact that Ingalls’s jury had *access* to a properly typewritten Instruction 15 (App. 10-11: Order denying writ [pp. 7-8]).

But it remains totally undisputed, and a legally dispositive fact, that the trial Court only instructed the jury that they “may” review those typeset instructions *if* they had further questions “in the jury room” (*id.*). However, no evidence exists to show if the jurors ever consulted those typeset instructions. Even had they, the typeset Instruction 15 did not discuss, much less redress, the erroneous presumption of felony awareness and causation that the trial judge had actually spoken into error, but instead only distinguished the ‘knowing’ element as a legal term of art.

c. Courts also contradict well-reasoned SCOTUS rulings that other general instructions are not constitutionally curative.

The District Court's conclusion upholding that the general 'burden of proof' and 'presumption of innocence' trial Instructions were curative (App. 10) clearly contradicted the following rulings from Petitioner's recited SCOTUS precedents:

"As we explained in *Sandstrom*, general instructions on the State's burden of persuasion and the defendant's presumption of innocence are not 'rhetorically inconsistent with a conclusive or burden-shifting presumption,' because [the] jury could have interpreted the two sets of instructions as indicating that the presumption was a means by which proof beyond a reasonable doubt as to [the contested element] could be satisfied' [...] These general instructions as to the prosecution's burden and the defendant's presumption of innocence do not dissipate the error in the challenged portion of the instructions."
(*Francis v. Franklin*, 471 U.S. 307, 319-20 (1985)).

The District Court also upheld as curative of prejudice the fact that trial Court instructed "the jury to consider all of the instructions as a whole" (App. 10), which also contradicted both the reasoning and outcomes of numerous case rulings from this Court, including *Sandstrom* and *Francis* (as both cases involved such overarching instructions):

"Nothing in these specific sentences or the charge as a whole makes clear to the jury that one of these contradictory instructions carries more weight than the other. Language that merely contradicts and does not explain a constitutionally infirm instruction will not suffice to absolve the infirmity. A reviewing court has no way of knowing which of the two irreconcilable instructions the jurors applied in reaching their verdict." (*Francis* at 322, also citing *Stromberg v. California*, 283 U.S. 359, 368 (1931)).

No other instructional language has been identified as having 'explained' that the particular infirmity of this court-spoken Instruction 15 could not be applied as a presumptive means to assume guilt of criminal awareness and causation.

d. Counsel's ineffectiveness.

Since counsel's failure to object to said Instruction 15 is both prejudicial and thus professionally deficient according to these long established U.S. Supreme Court cases and their specific rulings, reasonable jurists should have found this issue worthy of appellate review under a fully objective application of law including *Strickland v. Washington*, 466 U.S. 668 (1985) for constitutionally ineffective assistance of counsel claims under the 6th Amendment.

The lower courts' refusal to permit this issue to see the light of day on appellate review is not merely a run-of-the-mill adverse decision, but overturns all of these previously undisturbed standards concerning mandatory conclusive presumptions upside-down on their head, without a single reason or explanation.

CONCLUSION

The petition for a writ of certiorari should therefore be granted.

Respectfully submitted,
this 9th day of February, 2026.

Petitioner Steven Ingalls

Steven Ingalls, Jr.
Petitioner

No.

**IN THE
SUPREME COURT OF THE UNITED STATES**

Steven Ingalls, Jr., Petitioner,
vs.
Keith Vinardi, Respondent-Warden.

CERTIFICATE OF COMPLIANCE

As required by Supreme Court Rule 33.1(h), I certify that the petition for a writ of certiorari contains 2,125/ 9,000 words, excluding the parts of the petition that are exempted by Supreme Court Rule 33.1(d).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 9, 2026.



Steven Ingalls, Jr.
Petitioner, *pro se*
DOC #271088
IDOC-WVCF
6908 S. Old U.S. Hwy 41
Carlisle, IN 47838.