

25-6949  
No. \_\_\_\_\_

FILED  
FEB 13 2026  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

**ORIGINAL**

IN THE  
SUPREME COURT OF THE UNITED STATES

SHEILA A. MCFARLAND-Petitioner

VS.

WARDEN, ERIN MALDONADO-Respondent

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED OF  
APPEALS, FOR THE SIXTH CIRCUIT

“WRIT OF CERTIORARI

SHEILA A. MCFARLAND #W098675  
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## QUESTIONS (S) PRESENTED FOR REVIEW

1. Whether the sixth circuits application of “double deference “under ADEPA and Jackson v. Virginia. Violates due process clause when the defendant was convicted without direct evidence, based solely on inference, disputed testimony, and not corroborated jail calls.
2. Whether a conviction for aggravated murder and conspiracy can constitutionally stand where the petitioner was not present, no witness, placed her at the scene, and the state’s witnesses contradicted themselves or recanted, yet the appellate court refused a certificate of appeal.
3. Whether rigid procedural default rules violate a pro se petitioners constitutional right to meaningful Habeas review when ineffective Assistance of counsel and bias.
4. Whether sixth circuit violates 28 U.S. 2253 by denying a certificate of appeal where reasonable jurists debate the sufficiency of evidence and constitutional irregularities in McFarland’s conviction
5. Governed by the certificate of Appeal (COA) requirements of the AEDPA Amendments to 28 USCS 2254 which governs habeas corpus proceeding indicated post in federal district. Apply to cases filed in the district court post AEDPA Amendments 28uscs 2253.
6. AEDPA A federal court may only grant Habeas relief if the state court decision was contrary to or an unreasonable application of clearly federal law

as evidence evincing such misconduct.

7. Whether the due process clause is violated when the state court is affirms a conviction for aggravated murder conspiracy based solely on circumstantial evidence of association and alleged motive where no reasonable doubt that MCFARLAND solicited aided, or agreed to the commission of the homicide as required by JACKSON V. VIRGINIA, 443 US 307 (1979).

8. Whether a claim that a sentence was imposed vindictively in violation of due process becomes moot for federal habeas purposes when the petitioner was later sentence notwithstanding the alleged constitutional violation at the original sentence.

9. Whether federal habeas courts apply an unconstitutionally excessive level of deference under AEDPA when reviewing sufficiency –of the evidence claims, effectively insulating state court decisions from meaningful elements of complicity beyond a reasonable doubt.

## LIST OF PARTIES

[x]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.

1. THE OHIO COURT OF APPEALS EIGHT APPELLATE DISTRICT,  
  
CUYAHOGA COUNTY, STATE V. MCFARLAND, NO.105570, 2018-OHIO-#  
  
111390,
2. THE SUPREME COURT OF OHIO-STATE V. MCFARLAND, 2020-OHIO-  
  
3343, (2020) ¶54 (2020) ¶3343¶90, ¶55, (2020) 111390, 105570,
3. THE UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF OHIO,  
  
Case #1-21-cv-01141-JPC
4. IN THE COURT OF COMMON PLEAS, Case CR, 16-604052-B
5. UNITED STATE COURT OF APPEALS FOR SIX CIRCUIT, NO  
  
25-3260
6. September 2, 2025, September 2, 2025, November 3, 2025, November 18, 2025.

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2025 order, September 2, 2025 judgement

**Appendix B** United States Court of Appeals, For the Sixth Circuit, NOVEMBER  
3, 2025 order NOVEMBER 18, 2025 order,

**Appendix C** United States District Court, Northern District of Ohio, Eastern  
Division, Judgment ENTRY JURISDICTION MARCH 31, 2025

**Appendix D** The Ohio Court of Appeals, Eighth Appellate District, Cuyahoga

County, JUDGEMENT MAY 24 2018, JOURNAL ENTRY AND  
OPINION DECEMBER 22, 2022

**Appendix E** In the court of Common Pleas Cuyahoga COUNTY January 20,  
2025

**Appendix F** THE SUPREME COURT OF OHIO CASE INFORMATION  
GENERAL INFORMATION; Case: Gen-2018-1116 Jurisdictional Appeal  
Filed 08/07/2018 & Case: Gen-2023-0264 Jurisdictional Appeal  
Filed 08/07/2018

**Appendix G** Copies of Transcripts of verification that Shelia McFarland did not  
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- PG 236 line 10-25 korri Henderson arrest
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- PG 250 line 2-13 statement of the voicemail
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- PG 290 line 24-25 never said sheila threaten her
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- PG 293 line 10-25 K.H stating sheila called her 5:00or5:30 am
- PG 294 line 1-25 KH admitted it was brownlee phone sheila used
- PG 295 line 1-25 K.H admitted sheila never threaten her or Robert Williams
- PG 300 line 3-10 K.H false statement about a call 5:00or5:30 am
- PG 317, line 2-25 statement K.H made to the police about phone threats
- \*POLICE REPORT 15-08287
- PG 660 Proof of no calls was made after 3:11 a.m. and 11:49 a.m.  
\*Police Report 15-08297
- PG 740 check up call

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- PG 435 line 8-25 Ryan gave the gun to CHRIS BROWNLEE
- PG 457 line 2-25 Ryan made a false statement that he receive a text from Sheila about their firearms,
- PG 458 line 6-25 Ryan correcting his statement
- PG 462 line 1-25 Ryan disposed of the gun in a abandoned car, and a
- PG 470 line 2-25 Ryan statement that the state didn't ask him to withdraw his plea deal after his truthful statements,
- PG 473 line 12 McFarland arrest 10-25-2015 and straight released on 10-26-2015(no phones was ever made on these day)
- PG 487 line 1-25 Ryan Motley was question did he agree to tell the truth about if it was more than rough Williams up, his roughing him up got out of controll
- PG 497 line 20-23 About the gun, where he had the gun
- PG 498 line 2-6 Motely stated he gave the gun to Chris Brownlee
- PG 509 line 7-25 The state never provided the test results
- PG 782 line 10-13 The court stated that McFarland was not in possession
- PG 520 line 1-9 Polygraph didn't deal with Sheila, Never seen the results
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- PG 782 line 10-13 The court stated that McFarland was not in possession of a gun

#### **Appendix J RAHKEE YOUNG TRANSCRIPT**

- PG 603- admitted he lied to the police about where Ryan received the gun

- AFFIDAVIT February 7, 2023—changed his testimony of truth about Shelia McFarland
- Complaint #A1, 15-08311, date of report 11-14-15, 3 pages-Witness failed the polygraph test, his testimony as to the investigation

#### **APPENDIX K**

- PG 150 line 3-7 Comment about under Dogs
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- PG 718 line 20-22 Sheila McFarland has power over
- PG 722 line 16-25 that proves Sheila had the gun how I was in Euclid jail
- PG 740 line 1-25 the check up call 5:00 or 5:30 am that never happen

#### **APPENDIX L**

- PG 168 line 1-6 the witness calling balls and strikes
- PG 172 line 20 -25 Embarrassing the juror
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#### **APPENDIX M**

- HONORABLE MELODY J.STEWART, P.J- (Rules of Appellate Procedure)  
Dissents with separate dissenting opinion

## TABLES OF AUTHORITIES CITED

### CASES:

Brady V. Maryland, 373 U.S. 83 (1963)

Strickler v. Greene, 527 U.S. 263 (1999)

Naupe v. Illinois, 360 U.S.264 (1959)

Jackson vs. Virginia 443 U.S. 307 (1979)

### CONSTITUTIONS:

Sixth Amendment, U.S. Constitution, Ohio Constitution, Article I§10

Fourteenth Amendment U.S. Constitution, Ohio Constitution, Article I§16

Eighth Amendment U.S. Constitution, Ohio Constitution, Article I§9

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 for the Sixth Circuit  
Appears at Appendix and to the petition and is

reported at 2025 U.S. App.LEXIS 22793\* | 2025 LX 353578 | 2025 WL  
2831997

reported at 2025 U.S. App.LEXIS 30217\* | 2025 LX 508270

The opinion of the United States District Court, Northern District of Ohio,  
Eastern Division appears at Appendix C to the petition and is

reported at 2024 U.S.Dist. LEXIS 166862\* | 2024 LX 57156 | 2024 WL  
4171768

reported at 776 F.Supp.3d 676 \* | 2025 U.S. Dist. LEXIS 60036\*\* | 2025 LX  
32358 | 2025 WL 957192

## JURISDICTION

For cases from federal courts:

The date on which the United States Court of Appeals for the Sixth Circuit decided my case was September 2, 2025

A timely petition for rehearing was denied by the United States Court of Appeals for the Sixth Circuit on the following date: November 3, 2025 and November 18, 2025

The jurisdiction of this Court is invoked under 28 U.S.C. §1254 (1). Ninety (90) Days from the order denying the rehearing.

## CONSTITUTIONAL AND STATUTORY PROVISION INVOLVED

U.S. Constitution Amendment V-Due Process Clause

U.S. Constitution Amendment XIV-Due Process Clause and Equal Protection

28 U.S.C.S § 2253 (c) Certificate of Appealability

28 U.S.C.S § 2254 –Federal Habeas Corpus statement of the case

Petitioner was convicted in Ohio State court 2017 of aggravated murder and related offenses, McFarland was not present at the scene, no witness place her at the scene and much of the state's case relied:

- Disputed phone records
- Uncorrobated statements from drug-involved witnesses
- Inferences of complicity
- Jail calls interpretation was never Authenticated by an expert,
- A theory that at McFarland must have participated because she knew the individuals involved. Petitioner's trial counsel failed to challenge major inconsistencies:
- Witness, Korrie Henderson admitted Sheila did not threaten her.
- Witness DWANYE JACKSON "DUKE" Repeatedly stated he mostly dealt with Mann not SHEILA A. MCFARLAND key witness RYAN MOTLEY later swore he was pressured into naming other.
- NO DNA, finger prints, or physical evidence linked MCFARLAND to any weapon or scene,

## STATEMENT OF THE CASE

On October 25, 2015, Sheila McFarland was in the car with Eddie Brownlee and was pulled over by an unmarked truck. The officers forced Brownlee out of the vehicle and ordered that McFarland follow him away from the vehicle. McFarland was then detained in the back of green truck and transported to the Euclid police department. McFarland then questioned the officer as to the reasoning of the detainment. He stated "that this was an investigation because of call concerning selling drugs". McFarland was not read any Miranda rights or presented with any warrants or indictments. No calls were made during McFarland detainment on October 25, 2015 or October 26, 2015. Sheila McFarland was released with no charges of indictments being cleared. The prosecutor perjured and stated that McFarland was charged to the courts. (Transcript pg. 218 lines 11-25 Appendix F)

On November 26, 2015 the Euclid police department, kicked down the door of the hotel that McFarland was staying in, they removed Brownlee again, stating they had a warrant for drugs that was not presented to McFarland. Sheila McFarland was then arrested and charged with possession, drug trafficking, manufacturing drugs, no drugs were present and during the trial all charges were acquitted CR-15-6011477-B on March 2017. This part of the story is included because it leads and details concerning this claim.

On December 10, 2015, Sheila McFarland was sitting in Judge Dick Ambrose

court room when Anna Faraglia stormed in and began to question Sheila McFarland a couple of times, as to confirming her identify. Sheila McFarland was instantly arrested and escorted to Cuyahoga jail with no Miranda rights being presented once again. There was no warrant presented or indictment as to any charges. \*Ms. Faraglia that guided the arrest was also the leading prosecutor on all cases. December 11, 2015, McFarland was escorted to Euclid police department that is when the detective finally read McFarland her Miranda rights. McFarland was then position in front of a judge as to a bond hearing and again Ms. Faraglia stormed into the court room demanding a million-dollar bond.

Sheila McFarland was then detained never to return home. Several lawyers came to see McFarland, Donald Butler and Thomas Shaughnessy which whom came at several different times, they were ineffective as to the assistance of McFarland. They stated false allegations as to the charges that were being brought against McFarland. McFarland tried to explain that everything they were saying was not factual and the allegation was not true. Providing them with the truth of McFarland's testimony.

McFarland presents to this court actual factual proof to show how the determination of her life sentence deterred the jury based on fabricated theory that was a grave / miscarriage of injustice. McFarland being charged stemmed from false allegation of giving a gun to Ryan Motley which evidence to prove this was not true is included in Appendix H. The phone call that was falsely implemented by

McFarland never existed. The date the conversation was to exist was on October 25, 2015, Sheila McFarland was detained in Euclid jail On October 25 -26, 2015. *Id*

The given testimonies by witnesses is needed to present to show how this claim needs to be reviewed.

Mr. Motely stated under oath how he was involved, telling the court that he meets Eddie Brownlee in person, not by telephone to discuss the crime. (Transcript Pg. 18, lines 9-25, Appendix H) Ryan Motley stated Sheila McFarland played no role in getting the hammer, or any contact (Transcripts, Pg. 22 line 5-25 Appendix H)

\*\*\*Ryan Motely confessed to retrieving the gun from the hotel, stating how and when? (Transcripts, Pg. 420, lines 1-23 and Pg. 421 lines 3-20 Pg.471, line 1-25 Transcript pg. 474, line 1-7, Appendix H)\*Noting again he confesses to the gun being the only thing he took from the hotel room, not that he got the gun from McFarland.

Ryan Motley even stated again that he already went and grabbed the gun, that he had already got the gun. (Transcript pg. 431, lines 1-10 Appendix H) Ryan Motley's plea deal was going to be reversed if he did not tell the truth, so his testimony was creditable because it remained the same he never changed his story. (Transcripts Pg.471 lines2-25 Appendix H)

This shows that Sheila McFarland never was involved in giving or receiving with any activity involving a gun, McFarland was never present. *Id*

McFarland presents these parts of the transcripts to present her innocents

and to provide to this court how the state of Ohio conflicts perjury to portray a charge against human mankind.

McFarland was detained in Euclid jail as to the incident on the above date on October 25, 2015. *Id* This is when Motley eased his way into the hotel room and retrieved a gun, not from Shelia McFarland. *Id*

During McFarland trial, Mr. Motely confessed to this allegation as to being true. Ryan Motley agreed to be subject to a polygraph exam testify (Transcripts Pg. 7 line 9-15 Appendix H) \*\*The prosecutor maintained a major violation involving prosecutorial misconduct by not providing important information as to the polygraph. (Transcripts Pg. 509 lines 1-23 Appendix H).

\*\*A key witness of the case Rahkee Young, failed a polygraph test, being that he was questioned about Sheila McFarland involvement, his information was hidden from the case. *Brady Violation* (Euclid Police Department Supplementary Report, A2. Complaint Number 15-08311, 15-CRA1277 Appendix I) Rahkee Young also testified under oath at Brownlee trial that he lied about McFarland handing over a gun. (Transcript pg. 603, lines 6-25 Appendix I) this is the witness that falsified information as to seeing Shelia McFarland hand off a gun.

If the jury would have known any of this factual evidence, there could have been no way that McFarland would have been convicted. \*Melody J. Stewart, P.J., stated in regards to McFarland conviction "I therefore dissent and would find the evidence insufficient to sustain her conviction. Appendix L

The evidence being presented is factual actual evidence that has been ignored or not reviewed. McFarland presents this claim to this court giving all of the evidence to show that there was no involvement on McFarland's behalf.

Prosecutor stated that phone calls were made at the county jail during McFarland stay on October 25, 2015 using this false allegation to present a case.

1. This case arises from 2015 shooting death of Robert Williams, petitioner McFarland wasn't present at the homicide and did not fire a weapon, The undisputed evidence at trial established that the fatal shot were fired by Ryan Motley, who later pleaded guilty and admitted sole responsibility for the shooting.

*Id*

2. Despite the absence of physical evidence, testimony, or direct proof placing McFarland at the scene, the state prosecuted her under theory of complicity and conspiracy, asserting that McFarland aided or encouraged the offense based on allege telephone communication, associations, with co-defendants, and inferences drawn from circumstantial evidence.

3. At, the state's case relied primarily on testimony, from witnesses involved in drug activity (Dwayne Jackson) (Kori Henderson) whose statement were inconsistent and, at times contradictory, Jackson testified that his drug transactions were conducted with Eddie Brownlee and that petitioners were incidental and limited. Henderson testified that the threatening statement she reported to Euclid police was made against Brownlee and unknown callers Henderson did not identify McFarland name in the police report was made on 11-13-2015 report #15-08297.

## REASONS FOR GRANTING THE PETITION

- I. The Sixth Circuit's Application of AEDPA and Jackson vs. Virginia 443 U.S. 307 (1979) creates an unconstitutional barrier to meaning review. Under "double deference a federal court must uphold a conviction unless no fair -minded jurist could agree with the state court. McFarland's case is built entirely on assumptions and disputed statements, these standards require meaningful review. This court has the ability to review with reverence the irrational fact-findings that have been permitted.
- II. McFarland's conviction rest on assumptions, not evidence- raising a federal due-process question appropriate for the United States Supreme court review: Sheila A. McFarland was convicted without being present at the scene or involve in the planning of this crime. There was no evidence presented as factual /actual proof of planning to harm anyone or McFarland having any knowledge of handing over a gun to Motley. Every witness testimony was under oath was transcribed legally as to the truth of McFarland not being involved. Appendices The theory that sharing a phone with someone equals complicity. This violates Jackson v. Virginia 443 U.S. 307 (1979) which requires evidence beyond a reasonable doubt, not speculation. The Ohio Supreme Court relied on a "meeting" that no witness confirmed she planned.

III. Procedural default should not bar constitutional review where ineffective counsel and judicial bias prevent proper raising of claims. McFarland trial Judge and trial attorneys discourage her from testifying at sentencing made comments showing predisposition. They oversaw plea discussions involving co-defendants presiding all stages of the case that;

- Failed to request accomplice-testimony instructions
- Failed to object to prosecutor statements
- Failed to object to prosecutorial statements
- Failed to challenge cell-site reliability
- Failed to raise Brady issues or police
- Reports conflicts

The sixth circuit ignored these due-process issues by labeling them defaulted”

IV. A Reasonable jurists could debate the sufficiency and fairness of McFarland’s trail-therefore this court has held that a Certificate of Appealability should issue where the issue is debatable, the record is unclear and constitutional rights are implicated.

McFarland has presented substantial constitutional questions, but the sixth circuit summarily denied them.

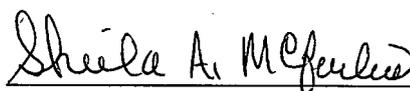
This court’s intervention is warranted. For the reasons stated, petitioner respectfully asks this court to grant a “writ of certiorari”.

## CONCLUSION

This case was presented with an indictment due to a phone call that never happened on October 25, 2015 @ 8:32 p.m. and the accusation that McFarland gave a gun to Ryan Motley on the day of the murder and she was not present and the statements from Ryan Motley presents the truth of facts that Shelia McFarland did not give him a gun at all, he was able to receive it from the hotel. Shelia McFarland comes forth respectfully to show, prove, and present the evidence of her non-involvement in the matter that gave her 23 years to life that she did not participate.

For the reason stated, Sheila A. McFarland respectfully asks this court to grant "Writ of Certiorari".

Respectfully submitted,



SHEILA A. MCFARLAND #W098675

OHIO REFORMATORY FOR WOMEN

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