

No. 25-7163

ORIGINAL

Supreme Court, U.S.
FILED
JAN 14 2026
OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

NaQuon Sumler — PETITIONER
(Your Name)

vs.

State of New York — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

New York State Supreme Court App. Div. No. KA-22-
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE) 01360

PETITION FOR WRIT OF CERTIORARI

NaQuon Sumler
(Your Name)

P.O. Box 2001
(Address)

Danville, NY 12929
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

Does Article 245 Apply to petitioners
Criminal case} after the people re-new
there Statement of readiness with the
New law that went into Effect January 1,
2020?

Did The State of New York refuse petitioner
Brady / Giglio material?

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

- People v. Jima Brown - 222 A.D. 3d 1362
Fourth Dept. - December 22, 2023
- People v. Timothy Brown - 214 A.D. 3d 823
Second Dept. - March 15, 2023
- People v. Mikhail Tevelev - 85 Misc. 3d 135(A)
Second Dept., Appellate Term - March 28, 2025
- New York Civil Liberties Union v. City of Rochester
43 N.Y. 3d 543 - Court of Appeals - February 20, 2025
- People v. Christopher Demillo - 60 Misc. 3d 759
County Court - January 7, 2020
- Griglio v. United States - 405 US 150 -
Supreme Court - 1972
- People v. Vaughn Sanders - 239 A.D. 3d 1403
Fourth Dept. - June 21, 2025
- Simonson v. International Bank, 14 N.Y. 2d 281, 289, 251
N.Y.S. 2d 433, 200 N.E. 2d 427 - Court of Appeals - June 4, 1964

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STATUTES AND RULES

Application to pending actions and proceedings

Procedural Changes to statutes are, in the absence of words of exclusion, deemed applicable to subsequent proceedings in pending actions.

Article 245

"Any Statement of Readiness must be accompanied by a valid certificate of compliance", effective January 1, 2020

OTHER

The government must disclose evidence that may be used to impeach any of its witnesses. Giglio obligation mandates only the disclosure of "material impeachment material"

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 A 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 _____ Supreme County 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 12-30-25.
A copy of that decision appears at Appendix A .

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

Fifth Amendment - Due Process

Sixth Amendment - The right to a Speedy Trial

STATEMENT OF THE CASE

Petitioner was charged and convicted on numerous Felonies which includes Rape^{1st}, Burglary^{1st} and was sentenced to 25 years with 20 years post-release.

During the pendency of trial, Discovery procedures were repealed, on new discovery procedures took effect January 1, 2020. While awaiting trial, petitioner maintained Innocents and Counsel filed motions which the state of New York (respondents) choose to voluntarily consent to the new discovery procedures. Petitioner requested impeachment material and was unilaterally denied that material but still proceed to trial.


REASONS FOR GRANTING THE PETITION

1. The trial court error, by allowing the respondents to proceed with new discovery procedures.
2. The respondents refused to produce Giglio material, that could help with petitioner Innocent's.
3. The respondents violated petitioner's speedy trial rights under either article, 240/245, by the respondents refusing impeaching evidence.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: March 9, 2026