

No. 25-7307

ORIGINAL

Supreme Court, U.S.  
FILED  
JUN 11 2025  
OFFICE OF THE CLERK

IN THE  
SUPREME COURT OF THE UNITED STATES

TIMOTHY WAYNE ROBINSON — PETITIONER  
(Your Name)

vs.

ABIGAIL CAUDILL, WARDEN — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS, FOR THE SIXTH CIRCUIT.  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

TIMOTHY WAYNE ROBINSON  
(Your Name)

NORTHPOINT TRAINING CENTER  
(Address)

P.O. BOX 479 BURGIN, KENTUCKY 40310.  
(City, State, Zip Code)

N/A  
(Phone Number)

**QUESTION(S) PRESENTED**

THE PETITIONER, TIMOTHY WAYNE ROBINSON ARGUES ONLY ONE ARGUMENT ABOUT EQUITABLE TOLLING AS TO WHY HE DESERVES EQUITABLE TOLLING IN HIS CASE AT BAR.

PETITIONER TIMOTHY WAYNE ROBINSON HAS ONE MAIN QUESTION FOR THIS UNITED STATES SUPREME COURT JUDGES AND THE QUESTION IS THIS?

ARGUMENT

WHETHER THE PETITIONER QUALIFIES FOR EQUITABLE TOLLING FROM DECEMBER 2016, UNTIL MAY OF 2017, BECAUSE OF THE TIME FRAME THAT UNAVOIDABLY AROSE FROM CIRCUMSTANCES BEYOND THAT LITIGANT'S CONTROL?

Other Arguments?  
Actually Innocent.

## 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

See attached paper-work.

Page 2 AND SO, Forth.

Main Argument and Case Law,  
as to why Petitioner, Deserves  
Relief and Actually Innocent  
argument and Related Case Law.

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## TABLE OF AUTHORITIES CITED

### CASES

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### STATUTES AND RULES

See page for Full statute and Rules.

All Arguments are Backed with Facts  
OF My Case at Hand. I am A  
First Timer AT Filing in this Supreme  
Court. I AM PRO-SE. INMATE.

### OTHER

I Timothy Wayne Robinson am just trying  
to prove, I Deserve Equitable Tolling,  
and I am Actually Innocent of  
The Crime. I need A Hearing.

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 A to the petition and is

reported at UNITED STATES COURT OF APPEALS FOR ; or, THE SIXTH CIRCUIT.  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

reported at UNITED STATES DISTRICT COURT ; or, LEXINGTON KY.  
 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 \_\_\_\_\_; or,  
 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 decided my case was MAY 21st, 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 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 \_\_\_\_\_.  
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**

Constitution of the United States  
5<sup>th</sup> amendment and 14<sup>th</sup> Amendment  
was violated through the ~~due~~ process.  
Double Jeopardy clause.

Timothy Wayne Robinson's claim  
is that he suffered prejudice because  
under Strickland v. Washington,  
set forth the standard of review for  
an Ineffective Assistance of Counsel  
claim.

PETITIONER, TIMOTHY WAYNE ROBINSON STATES, THAT HIS  
WHOLE CASE VIOLATES THE 5th, 6th AND THE FOURTEENTH  
AMENDMENT'S TO THE UNITED STATES CONSTITUTION AND  
THE KENTUCKY CONSTITUTION THAT GOVERNS THIS GREAT STATE  
OF AMERICA.

PETITIONER ALSO STATES THAT TIMOTHY WAYNE ROBINSON  
SUFFERED PREJUDICE BECAUSE UNDER STRICTLAND V. WASHINGTON,  
466 UNITED STATES 668, 104 S. Ct. 2052, 80 L. Ed. 2d 674 (1984).

## STATEMENT OF THE CASE

MR. TIMOTHY WAYNE ROBINSON WAS CHARGED WITH THE MOST PREJUDICIAL CRIMES IMAGINABLE IS SEXUAL ABUSE OF A CHILD, BUT NOT JUST A CHILD, TIMOTHY WAYNE ROBINSON'S OWN SON. (Z.R.).

TIMOTHY WAYNE ROBINSON LIVED IN A (3) THREE BEDROOM MOBILE HOME IN LINCOLN COUNTY KENTUCKY, AND THE COUPLES (7) SEVEN CHILDREN AND (1) ONE OF TIMOTHY'S STEP-DAUGHTERS.

TIMOTHY'S BROTHER, JAMES MATTHEW ROBINSON VISTED TIMOTHY'S HOME REGULARLY, OFTEN DRINKING BEER WITH TIMOTHY WAYNE ROBINSON.

AFTER A (3) THREE DAY TRIAL, A LINCOLN COUNTY GRAND JURY FOUND TIMOTHY WAYNE ROBINSON AND JAMES MATTHEW ROBINSON, GUILTY ON ALL CHARGES AND RECOMMENDED A SENTENCE OF LIFE IMPRISONMENT.

TIMOTHY WAS FOUND GUILTY ON ONE COUNT OF SODOMY-~~LIFE SENTENCE~~ AND ONE COUNT OF INCEST (50) FIFTY YEARS AND ONE COUNT OF USE OF A MINOR IN A SEXUAL PERFORMANCE (20) TWENTY YEARS AND TIMOTHY ALREADY WAS SERVING (20) TWENTY YEARS FOR A CRIME TIMOTHY WAYNE ROBINSON NEVER COMMITTED, BUT BECAUSE TIMOTHY COULD-NOT TAKE DOWN A TEAM OF LIER'S, HE TRIED TO RUN BUT NOTHING COULD EVER MAKE A FATHER WHO LOVES HIS CHILDREN SAY HE WOULD COMMITTSUCH A SICK CRIME ON HIS OWN SON.

PETITIONER TIMOTHY WAYNE ROBINSON WANTS TO GO ON RECORD RIGHT NOW STATING THAT TIMOTHY AND HIS BROTHER JAMES MATTHEW ROBINSON WAS "SET-UP" BY THE DETECTIVE RODNEY G. WREN AND ALSO BY CHRISTINE HMIELESKI AND ALECIA-FLOYD. THERE ARE A-LOT TO TIMOTHY WAYNE ROBINSON'S CASE THAT NEED'S TO COME TO LIGHT, BUT DO TO THE COURTS NOT ALLOWING TIMOTHY OR JAMES MATTHEW ROBINSON TO HAVE A EVIDENTIARY HEARING. THE REAL TRUTH OF THIS CASE, IS HIDDEN IN PLAIN SIGHT.

WHETHER-OR-NOT, THE UNITED STATES COURT OF APPEALS, ERRORED,  
IN-NOT GRANTING PETITIONERS, MOTION FOR EQUITABLE TOLLING,  
WHEN UNAVOIDABLY AROSE FROM CIRCUMSTANCES, BEYOND THAT  
LITIGANT, TIMOTHY ROBINSON'S CONTROL?

PETITIONER, TIMOTHYWAYNE ROBINSON ARGUES AND CLAIMS, THAT  
"HE" IS ENTITLED TO EQUITABLE TOLLING, IN HIS WRIT OF HABEAS  
CORPUS, BECAUSE TIMOTHY WAYNE ROBINSON FILED HIS Rcr 11.42  
MOTION IN AUGUST OF 2016, AND THE LINCOLN COUNTY CIRCUIT  
COURT JUDGE, HON. DAVID A. TAPP, DENIED TIMOTHY'S Rcr 11.42  
MOTION IN DECEMBER OF 2016, BUT THEN IN JANUARY 4th OF 2017,  
PETITIONER TIMOTHY WAYNE ROBINSON APPEALED HIS RCr 11.42 MOTION  
WITH HIS NOTICE OF APPEAL, BUT DUE TO UNAVOIDABLY AROSE FROM  
CIRCUMSTANCES BEYOND THAT LITIGANT'S CONTROL, TIMOTHY  
WAYNE ROBINSON WAS UNTIL MAY OF 2017, GETTING THE LONG  
DELAY, WHICH WAS OUT OF TIMOTHY'S CONTROL, FROM DECEMBER TO  
MAY OF 2017, CLEARED UP. NOW D.P.A. WAS INVOLVED DURING  
THIS TIME TO HELP, PETITIONER WITH THIS SITUATION ON HIS  
APPEAL, SO, THEREFORE I AM CALLING ON THE GREATEST AND HIGHEST  
SUPREME COURT OF THE LAND, TO ISSUE AN ORDER FOR D.P.A. TO  
HELP, ASSIST TIMOTHY WAYNE ROBINSON ON CLEARING UP THE  
REASON(S) FOR THE DELAY AND EXPLAIN WHAT CAUSED THE DELAY?

I TIMOTHY WAYNE ROBINSON AM REQUESTING THE UNITED STATES SUPREME  
COURT'S HELP, BECAUSE I AM AN INNOCENT FATHER, WHO WANT'S  
NOTHING MORE THAN FOR A CHANCE AT THE REAL TRUTH AND NOTHING  
BUT THE REAL TRUTH TO BE TOLD, OUT THE MOUTH OF TIMOTHY'S OWN  
SON Z.R. THIS SUPREME COURT SHOULD GRANT TIMOTHY'S REQUEST  
AND ISSUE AN ORDER FOR D.P.A. TO HELP ASSIST IN THE ROBINSON  
CASE AT HAND, BECAUSE THIS CASE IS AND HAS UNUSUAL CIRCUMSTANCES.  
AS IN, WALLACE V. KATO, 549 U.S. 384, 396 § 2007).

PETITIONER TIMOTHY WAYNE ROBINSON ARGUES AND CLAIMS THAT "HE" IS ENTITLED FOR EQUITABLE TOLLING FOR THE FOLLOWING REASON'S STATED BELOW.

EQUITABLE TOLLING ALLOWS COURTS TO REVIEW TIME-BARRED HABEAS PETITIONS "PROVIDED THAT A LITIGANT'S FAILURE TO MEET A LEGALLY-MANDATED DEADLINE UNAVOIDABLY AROSE FROM CIRCUMSTANCES BEYOND THAT LITIGANT'S CONTROL." ROBINSON V. EASTERLING, 424 F. APP'X 439, 442 (6th Cir. 2014.) (QUOTING ROBERTSON V. SIMPSON, 624 F.3d 781, 783(6th Cir. 2010)). BOTH INEFFECTIVE ASSISTANCE OF COUNSEL AND A SUBSTANTIAL INVOLUNTARY DELAY IN LEARNING ABOUT THE STATUS OF THEIR APPEALS" MAY CONSTITUTE EXTRAORDINARY CIRCUMSTANCES SUFFICIENT TO WARRANT RELIEF.) ROBINSON, 424 FED. APP'X AT 442. HOWEVER, BOTH CIRCUMSTANCES ONLY WARRANT TOLLING IF THEY WERE BOTH BEYOND THE CONTROL OF THE LITIGANT AND UNAVOIDABLE WITH REASONABLE DILIGENCE.

THUS, TO DEMONSTRATE HE IS ENTITLED TO EQUITABLE TOLLING, A HABEAS PETITIONER MUST ESTABLISH :1) HE HAS DILIGENTLY PURSUED HIS RIGHTS, AND 2.) THAT SOME EXTRAORDINARY CIRCUMSTANCES STOOD IN HIS WAY AND PREVENTED TIMELY FILING. HOLLAND, 130 S. Ct. at 2562, SEE ALSO, ROBINSON, 424 F. APP'X at 442 (EXPLAINING THAT PRIOR TO HOLLAND, THE SIXTH CIRCUIT USED THE FIVE FACTORS ELICITED IN DUNLAP V. UNITED STATES, 250 F. 3d 1001(6th Cir. 2001.) TO DETERMINE EQUITABLE TOLLING UNDER AEDPA). SUCH EQUITABLE TOLLING, HOWEVER, IS RARE, GRANTED SPARINGLY, AND EVALUATED ON A CASE-BY-CASE BASIS, WITH THE PETITIONER RETAINING THE "ULTIMATE BURDEN OF PERSUADING THE COURT THAT HE OR SHE IS ENTITLED TO EQUITABLE TOLLING. "ATA V. SCOTT, 662 F. 3d 736, 741 (6th Cir. 2011.), KING V. BELL, 378 F. 3d 550, 553, (6th Cir. 2004).

THEREFORE, PETITIONER TIMOTHY WAYNE ROBINSON HUMBLY PRAY'S THIS GREAT AND HONORABLE UNITED STATES SUPREME COURT GRANT PETITIONERS MOTION FOR EQUITABLE TOLLING, BECAUSE OF THE TIME FRAME THAT UNAVOIDABLY AROSE FROM CIRCUMSTANCES BEYOND THAT LITIGANTS CONTROL.

Whether There IS Sufficient Evidence To Sustain Robinson's Sodomy Conviction, Because Timothy and James Matthew Robinson Are actually Innocent?

Petitioner Timothy Wayne Robinson argues that The Record, on it's Face Shows and proves, that Z.R.'S prior Testimonial, OUT-OF-COURT STATEMENTS, ARE Enough Evidence, that proves, Timothy's and James Matthew Robinson's "claim", Of Actual Innocence. Petitioner, Timothy Wayne Robinson argues that he is entitled to The Actual Innocence exception to the Statute Of Limitations. A Federal COURT Can Consider The Merits of an Untimely 2255 Motion If the Petitioner establishes that "HE" Is Factually Innocent of the crime for which HE Was Convicted. SEE: MARTIN V. McNEIL, 633 F. 3d 1257, 1268 (11th Cir.) (The actual Innocence Exception is exceedingly Narrow in Scope, and The Petitioner Must Demonstrate That He IS Factually Innocent Rather Than Legally Innocent. IN McQUIGGIN V. PERKINS, 569 U.S. 383, 133, S. Ct. 1924, 1928, 185 L. Ed. 2d 1019 (2013), The Supreme Court Held That Actual Innocence, IF PROVED, Serves A Gateway through which A Petitioner May Pass Whether The Impediment Is A Procedural Bar... OR AS IN, THIS CASE, Expiration of The Statute Of Limitations. However, The Supreme COURT ALSO Notably Cautioned that Tenable Actual-Innocence Gateway Pleas ARE RARE.

A Petitioner Does-Not Meet The Threshold Requirement Unless He Persuades The District Court That, In Light Of The New Evidence, No Juror, Acting Reasonably, Would have Voted to Find Him Guilty Beyond A Reasonable Doubt. (Quoting) SCHLUP V. DELO, 513 U.S. 298, 329, 115 S. Ct. 851, 868, 130 L. Ed. 2d 808 (1995). (Other Citation Omitted).

Therefore, Petitioner, Timothy Wayne Robinson Argues that He is entitled To The Actual Innocence Exception, Because He is Actually Innocent OF The Sexual Crime Charges, For, Which, He Was Convicted, In the Lincoln County Circuit Court Trial. Under The ACTUAL INNOCENCE EXCEPTION- AS Interpreted By Current Supreme Court Doctrine- A Petitioner Procedural Default is excused IF HE CAN SHOW That He is Actually Innocent of THE Crime OF CONVICTION. Petitioner Timothy Wayne Robinson Can prove "He" Himself Is Actually Innocent OF The Sexual Crimes Charged at hand, And to prove Timothy Wayne Robinson's Actual Innocent Claim, Z.R.'S OUT-OF-COURT Testimonial Statements, ARE Solid Fact's, That proves Robinson's Argument.

Petitioner Timothy Wayne Robinson Argues AND Proves, that "HE" is actually Innocent, Because Z.R.'S OUT-OF-COURT Testimonial Statements, Carries More Weight, than Z.R.'S "ONE"- STATEMENT MADE AT TRIAL, Which Was hearsay testimony, Because There Is NO- Physical Evidence of Any- Kind That proves petitioner Committed the Crime Against (Z.R.), In Fact All The Evidence in the Robinson Case at Hand, MORE Than Proves, that, The Petitioner, Never Committed the crime, See: Z.R.'S Attached Statements, AS IN, CRAWFORD V. WASHINGTON, 541 U.S. 36, 68 124 S.Ct. 1354, 158 L. Ed. 2d 177 (2004).

### MORE "PROOF" OF "INNOCENCE"

PETITIONER TIMOTHY WAYNE ROBINSON HAS NEVER COMMITTED THESE CRIMES AGAINST HIS CHILDREN, WHO HE LOVES MORE THAN LIFE ITSELF, BUT BECAUSE HIS WIFE'S OLDEST DAUGHTER WAS JEALOUS OF HER MOTHER AND STEP-FATHER AT THE TIME TIMOTHY WAYNE ROBINSON, THIS SCHEME OF LIE'S WAS THE BEST POSSIBLE WAY TO SPLIT UP HER MOTHER AND TIMOTHY. SO, ALECIA FLOYD GOT THE SOCIAL WORKERS INVOLVED AND WHEN THEY COULD-NOT TAKE THE ROBINSON CHILDREN AWAY FROM TIMOTHY AND HER MOTHER RONDA, ALECIA THEN MOVED TO GET A REAL KSP. DETECTIVE TO GO AFTER HER STEP-FATHER TIMOTHY AND HER MOTHER RONDA. INDEED TIMOTHY'S STORY IS TRUE AND BACKED WITH TRUE FACT'S OF THE CASE, WHY ELSE WOULD THE KSP. DETECTIVE "SET-UP" TIMOTHY AND THEN COME BACK FIVE MONTHS LATER AND CHARGE TIMOTHY AGAIN, THIS TIME USE TIMOTHY'S OWN SON Z.R. TO GET TIMOTHY OFF THE STREET FOR LIFE IN PRISON... OH! THIS TOP FEDERAL COURT NEED'S TO GET INVOLVED AND SEE FOR THEIRSELF THE WRONG THAT NEED'S TO BE MADE RIGHT, TO TWO REAL INNOCENT BROTHERS THAT STAY IN PRISON OVER LIE'S. TIMOTHY HAS TRIED ALL THE WAY TO FEDERAL COURT TO GET A EVIDENTIARY HEARING, SO, Z.R. COULD SPEAK THE REAL ACTUAL TRUTH, INSTEAD OF THE LIE'S HE WAS PUT-UP TO TELL.

WHETHER Z.R.'S PRIOR TESTIMONIAL STATEMENTS MADE  
OUT-SIDE OF THE LINCOLN COUNTY CIRCUIT COURT-ROOM  
TO MANY INDIVIDUALS, ARE ENOUGH HARD PROOF THAT  
PROVES TIMOTHY'S AND JAMES MATTHEW'S ACTUAL INNOCENCE?

PETITIONER TIMOTHY WAYNE ROBINSON ARGUES AND CLAIMS THAT Z.R.'S PRIOR TESTIMONIAL STATEMENTS MADE OUT-SIDE THE LINCOLN COUNTY CIRCUIT COURT, TO MANY INDIVIDUALS ARE THE REAL HARD CORE PROOF OF THE REAL TRUTH, BECAUSE IF THE LINCOLN COUNTY GRAND JURY WOULD HAVE HEARD THE ORIGINAL TRUE STATEMENTS THAT Z.R. MADE FROM THE BEGINNING, INSTEAD OF WAITING ALONG TIME BEFORE DETECTIVE RODNEY G. WREN CONVINCED Z.R. TO START SPEAKING A DIFFERENT STORY, A STORY WHICH COST TWO ACTUALLY INNOCENT ROBINSON BROTHER'S, LIFE IN PRISON. THEREFORE, TIMOTHY WAYNE ROBINSON ARGUES AND CLAIMS THAT Z.R.'S PERJURED TESTIMONY THAT "HE" HIMSELF MADE INSIDE OF THE LINCOLN COUNTY CIRCUIT COURT-ROOM, IS A DEPRIVATIION OF ROBINSON'S RIGHTS GUARANTEED BY THE FEDERAL CONSTITUTION AND PRESENTS A QUESTION FOR WHICH, RELIEF MAY BE GRANTED THROUGH HABEAS CORPUS, IN FEDERAL COURTS. AS IN, MOONEY V. HOLOHAN, 294 U.S. 103, 55 S. Ct. 340, 79 L. Ed.

THE FOLLOWING TESTIMONIAL STATEMENTS MORE THAN PROVE TIMOTHY WAYNE ROBINSON'S CLAIM OF ACTUAL INNOCENCE AND SHOW'S THIS GREAT AND HONORABLE COURT, THAT Z.R.'S TRIAL TESTIMONY WAS PERJURED TESTIMONY, BECAUSE SOME-ONE GOT Z.R. TO CHANGE HIS STORY, BUT WHO?

THIS IS THE ANSWER TIMOTHY WAYNE ROBINSON HAS BEEN AWAITING ON FOR THE PAST (13teēn) YEAR'S, THIS COURT NEED'S TO GET INVOLVED.

THIS IS THE TRUE FACT'S OF THE PLAIN TRUTH OUT OF  
Z.R.'S OWN MOUTH THAT NO-HONORABLE COURT WILL GRANT  
A EVIDENTIARY HEARING ON, BECAUSE PETITIONER ROBINSON  
ONLY WANTS THE TRUTH-OUT OF Z.R. SO, "TWO" ROBINSON  
BROTHERS, CAN GET THE RELIEF THEY BEEN SEEKING FOR ~~1-4-4~~ YEARS.

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- (1) Z.R. DENIED THAT TIMOTHY WAYNE ROBINSON AND JAMES MATTHEW ROBINSON SEXUALLY ABUSED HIM WHEN QUESTIONED BY NUMEROUS INDIVIDUALS.
- (2) IN OCTOBER OF 2011 Z.R. TOLD A WOMAN FROM SOCIAL SERVICES THAT HE FELT SAFE AT HOME.  
Z,R, DENIED SEXUAL ABUSE WHEN HE SPOKE TO ANOTHER STATE WORKER IN 2012.
- (3) A COUPLE OF MONTHS LATER AT AN ORGANIZATION CALLED SUNRISE Z.R. AGAIN DENIED THAT HIS FATHER OR UNCLE JAMES MATTHEW HAD EVER TOUCHED HIM INAPPROPRIATELY.
- (4) A-LOT OF PEOPLE ASKED Z.R. ABOUT HIS FATHER TIMOTHY WAYNE ROBINSON AND UNCLE JAMES MATTHEW UNTIL HE ALLEGED SEXUAL ABUSE.
- (5) EVENTUALLY Z.R. ALLEGED SEXUAL ABUSE BY HIS FATHER TIMOTHY WAYNE ROBINSON AND UNCLE JAMES MATTHEW ROBINSON TO DETECTIVE RODNEY G. WREN AND A SOCIAL WORKER CHRISTINE HMIELESKI.
- (6) Z.R. WAS COACHED TO LIE ABOUT THIS WHOLE SCHEME, BECAUSE Z.R. COULD NOT REMEMBER WHEN THE PURPORTED SEXUAL ABUSE OCCURRED, DESPITE TESTIFYING THAT TIMOTHY ONLY HAD ANAL SEX WITH HIM ONCE, HE ALSO INDICATED THAT THERE WAS A TIME IN A BATHROOM IN THE TRAILER WHEN TIMOTHY AND JAMES MATTHEW BOTH HAD ANAL SEX WITH HIM.
- (7) THESE STATEMENTS PROVE THAT NEITHER TIMOTHY OR JAMES MATTHEW COMMITTED THESE CRIMES, BECAUSE Z.R. WAS PUT UP TO LIE.....

WHETHER THIS SUPREME COURT OF THE UNITED STATES BELIEVES  
IT OR NOT, PETITIONER TIMOTHY WAYNE ROBINSON IS ACTUALLY  
INNOCENT OF THE CHARGED OFFENCES AND THAT PETITIONERS SON  
Z.R. COMMITTED PERJURY TESTIMONY DUE TO THE FACTUAL EVIDENCE  
OF THE TRUE STATEMENTS MADE BEFORE THE ROBINSON TRIAL?

PETITIONER TIMOTHY WAYNE ROBINSON ARGUES AND CLAIMS THAT A  
FALSE STATEMENT MADE KNOWINGLY WHILE UNDER OATH IS PERJURY  
(PERJURE) (BOUVIER LAW DICTIONARY 2012) PERJURY IS A CLASS D FELONY,  
MAKING ANY STATEMENT UNDER OATH THAT THE SPEAKER KNOWS TO BE FALSE.  
PERJURY DOES NOT DEPEND ON WHETHER THE FALSE STATEMENT IS ONE OF  
FACT, BELIEF OR OPINION OR WHETHER THE FALSE-HOOD IS OBVIOUS  
OR NOT, SEE: O'BRIEN V. UNITED STATES, 962 A 2d 282, 315 ( D.C. 2008 ).  
FARRAKHAN V. TEXAS, 263 S.W. 3d 124, 131 (2006).  
POWELL V. MISSISSIPPI, 438 SO. 2d 367, ( 2008 ).  
NEW YORK V. ROBINSON, 260 A.D. 2d 508, 509 (1999).

FABRICATION (FABRICATE OR FABRICATED TESTIMONY) TRUTH, WHOLE  
TRUTH AND NOTHING BUT THE TRUTH: EXCULPATION, EXCULPATORY EVIDENCE,  
GIGLIO MATERIAL, SWORN STATEMENT OR UNSWORN STATEMENT FALLS  
UNDER (ETHICS) (LEGAL ETHICS). SUCH AS HEARSAY AND NOT ACTUAL FACT.

PETITIONER TIMOTHY WAYNE ROBINSON ASK'S THIS GREAT AND HONORABLE  
COURT, TO GRANT PETITIONERS PETITION ON THE FACT'S OF Z.R.'S  
TRUE STATEMENTS THAT PETITIONER TIMOTHY IS ACTUALLY INNOCENT, BUT  
BECAUSE TIMOTHY WAYNE ROBINSON "NEVER HAD ACCESS TO Z.R,'S TRUTH  
STATEMENTS BEFORE TRIAL, BECAUSE THOSE STATEMENTS WOULD OF HAD  
A DIFFERENT OUT-COME HAD THE TRUE STATEMENTS OF FACT BEEN PLACED  
INFRONT OF THE GRAND JURY, BUT, BECAUSE THEY WAS NOT IT VIOLATED  
TIMOTHY'S AND JAMES MATTHEW'S WHOLE DUE PROCESS OF LAW.

## REASONS FOR GRANTING THE PETITION

THE PETITIONER, TIMOTHY WAYNE ROBINSON ARGUES AND STATES THE FACT'S OF HIS CASE, AND THAT IS THAT EQUITABLE TOLLING SHOULD APPLY TO TIMOTHY WAYNE ROBINSON CASE FROM DECEMBER 2016, UNTIL MAY OF 2017, BECAUSE OF THE TIME FRAME THAT UNAVOIDABLY AROSE FROM CIRCUMSTANCES BEYOND THAT LITIGANT'S CONTROL, AND BECAUSE TIMOTHY WAYNE ROBINSON IS ACTUALLY INNOCENT OF THE CRIMES CHARGED AS IN SCHLUP V. DELO, BECAUSE TIMOTHY WAYNE ROBINSON'S NEW EVIDENCE THAT PROVES THAT HE NEVER COMMITTED THE CRIME AGAINST HIS SON "Z.R." SEE ATTACHED STATEMENTS OF FACT.

PETITIONER TIMOTHY WAYNE ROBINSON HUMBLY ASK'S THIS GREAT AND HONORABLE SUPREME COURT OF THE UNITED STATES TO GRANT HIS PETITION FOR A WRIT OF CERTIORARI AND REINSTATE HIS CASE IN THE UNITED STATES DISTRICT COURT AS TIMELY, OR AT LEAST  
*Grant Petitioner's Case to move Forward.*

*Respectfully submitted,  
Timothy wayne Robinson  
Timothy wayne Robinson  
N.T.C. #261338  
P.O. BOX 479  
Burgin, Ky 40310.*

# MEMORANDUM OF LAW

BY AUTHORITIES THAT CONFLICT WITH THE TESTIMONY OFFERED AT TRIAL.

THEREFORE, PETITIONER "TIMOTHY WAYNE ROBINSON" SUFFERED PREJUDICE BECAUSE UNDER STRICKLAND V. WASHINGTON, 466 UNITED STATES 668, 104 S.Ct.2052, 80L.Ed. 2d 674 (1984), SETS FORTH THE STANDARD OF REVIEW FOR AN INEFFECTIVE ASSISTANCE OF COUNSEL CLAIM: UNDER STRICKLAND, DEFENSE COUNSEL HAS AN AFFIRMATIVE DUTY TO MAKE REASONABLE INVESTIGATION FOR EVIDENCE. THE REASONABLENESS OF COUNSEL'S INVESTIGATION DEPENDS ON THE CIRCUMSTANCES OF THE CASE. Id AT 688, 104 S. Ct. AT 2065, 80 L. Ed 2d 694.

IN THE ROBINSON CASE AT BAR. THIS DETERMINATION IS MADE BY EXAMINING WHETHER THERE IS A REASONABLE PROBABILITY THAT THE JURY WOULD HAVE WEIGHED THE MITIGATING FACTORS THAT Z.R. OUT-OF-COURT TESTIMONY STATEMENTS THAT SHOULD HAVE BEEN ADMITTED INTO THE AGGRAVATING FACTORS DIFFERENTLY HAD COUNSEL PERFORMED ADEQUATELY. AS IN SKAGGS V. PARKER, 235 F. 3d 261, 274 (6th cir. 2000). ATTORNEY (STACY COONTZ) WAS THE DEFENSE THAT "TIMOTHY WAYNE ROBINSON" DEPENDED ON AND PUT ALL HIS TRUST IN THAT SHE WOULD SEE HIM THROUGH THE LIE'S THAT WAS CAST UPON HIM BUT ATTORNEY STACY COONTZ PERFORMANCE IS BELOW PROFESSIONAL STANDARDS, AND CAUSED THE PETITIONER TO LOSE WHAT HE OTHERWISE WOULD PROBABLY HAVE WON. UNITED STATES V. MORROW, 977 F. 2d 222, 229(6th cir. 1992).

THE CRITICAL ISSUE IS NOT WHETHER COUNSEL MADE ERRORS BUT WHETHER COUNSEL WAS SO THOROUGHLY INEFFECTIVE THAT DEFEAT WAS SNATCHED FROM THE HAND OF PROBABLE VICTORY.

THEREFORE, THE PETITIONER "TIMOTHY WAYNE ROBINSON" WAS PREJUDICED FROM THE VERY ONSET OF HIS CASE, BECAUSE OF THE REPRESENTATION THAT WAS PROVIDED BY THE DEPARTMENT OF PUBLIC ADVOCACY.

**CONCLUSION**

PETITIONER HUMBLY MOVES THIS GREAT AND HONORABLE COURT, TO GRANT HIM, HIS EQUITABLE TOLLING AND REVERSE HIS CASE, AT HAND.

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

THE PETITIONER HUMBLY ASK'S THIS HONORABLE COURT FOR EQUITABLE TOLLING BECAUSE TIMOTHY WAYNE ROBINSON IS ACTUALLY INNOCENT.

Respectfully submitted,

*Timothy Wayne Robinson*  
*Timothy Wayne Robinson #261338*

Date: 9-9-2025