

25-7353

ORIGINAL

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MAR 17 2026
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IN THE

SUPREME COURT OF THE UNITED STATES

Ryan m. Pittman — PETITIONER
(Your Name)

vs.

State of Washington — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Washington state court of Appeals Division II
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Ryan m. Pittman 673381L
(Your Name)

Coyote Ridge Corrections Center
(Address)

P.O. Box 769 Connell, wa 99326
(City, State, Zip Code)

N/A
(Phone Number)

QUESTIONS PRESENTED

Whether a state may affirm a criminal conviction while declining meaningful appellate review of preserved federal constitutional claims particularly claims of prosecutorial misconduct on the ground that the appellate record is incomplete where omissions are attributable to state practices rather than the defendant.

Whether the Sixth and Fourteenth Amendments require a state to provide a record sufficient to permit effective appellate review of fair-trial claims, and whether affirmance based on a state-created incomplete record conflicts with this Court's decisions requiring meaningful access to appellate review.

Whether reliance on record deficiencies to deem preserved constitutional claims unreviewable constitutes a structural due process violation requiring reversal.

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

1
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TABLE OF AUTHORITIES

United states constitution

U.S. Const. amend. VI

U.S. Const. amend. XIV

United states statutes

28 U.S.C § 1257(a)

United states supreme court cases

Griffin v. Illinois, 351 U.S. 12 (1956)

Draper v. Washington, 372 U.S. 487

(1963)

Berger v. United states, 295 U.S 78.

(1935)

Washington state constitution

Wash. Const. art, 1 § 22

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Proof of service

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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 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 _____ 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 _____.

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 September 3 2025
A copy of that decision appears at Appendix A/C. January 15th 2026

A timely petition for rehearing was thereafter denied on the following date: 1-7-2026, and a copy of the order denying rehearing appears at Appendix C.

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).

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8 JURISDICTIONAL STATEMENT

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10 * This court has Jurisdiction under
11 28 U.S.C § 1257 (a) *

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13 On September 3, 2025, the Washington
14 Court of Appeals, Division II, affirmed
15 Petitioners convictions. Petitioner sought
16 discretionary review in the Supreme
17 Court of Washington. On January 7th,
18 2026, that court denied review, rendering
19 the judgment final.

20
21 This Petition is timely filed within 90
22 days of the denial of review.
23 Federal constitutional issues were
24 raised at trial, on direct appeal,
25 and through petitioners statements
26 of Additional Grounds and Supplemental
27 filings.
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8 CONSTITUTIONAL AND STATUTORY PROVISIONS

9 * SIXTH AMENDMENT *

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11 In all criminal prosecutions, the
12 accused shall enjoy the right to
13 a speedy and public trial, by an
14 impartial jury, and to have the
15 assistance of counsel for his defense.
16

17 * FOURTEENTH AMENDMENT *

18
19 No state shall deprive any person
20 of life, liberty, or property without
21 due process of law.
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23 * 28 U.S.C § 1257 (a)

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25 Final judgment rendered by the
26 highest court of a state may be
27 reviewed by the Supreme Court
28 where constitutional rights are
29 claimed.
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4 STATEMENT OF THE CASE

5 A. Trial proceedings
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7 Petitioner was charged in Pierce
8 County Superior Court with multiple
9 felony offenses involving allegations
10 by two minors. Petitioner moved to
11 sever the counts relating to each
12 alleged victim, arguing that Joinder
13 would cause cumulative prejudice
14 and jury confusion. The trial court
15 denied severance but permitted
16 renewal during trial. The case
17 proceeded to a single jury trial.
18 The jury returned guilty verdicts
19 on multiple counts, and judgment
20 and sentence were entered,
21

22 B. Record Preservation Issues
23

24 Multiple continuances and case
25 management hearings occurred
26 that were not fully transcribed
27 or preserved, including proceedings
28 involving discovery delays, witness
29 preparation, and time-for-trial
30 matters.

1 - cont.

2 On appeal, Petitioner argued that
3 the absence of a complete verbatim
4 record prevented meaningful review
5 of preserved constitutional claims.
6 The court of Appeals acknowledged
7 record gaps but declined relief and
8 treated several constitutional claims
9 as waived or unsupported.

11 C. Prosecutorial Conduct

12
13 During trial and closing argument,
14 the prosecution made statements
15 petitioner contended: (1) argued facts
16 outside the record; (2) implied personal
17 belief in witness credibility; and (3)
18 appealed to sympathy and prejudice.
19 Petitioner raised these issues at trial,
20 on appeal, and in Statement of
21 Additional Grounds. The Court of
22 Appeals rejected the claims.

24 D. Appellate Proceedings

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26 The Washington Court of Appeals
27 affirmed the convictions on
28 September 3, 2025. The Washington
29 Supreme Court denied discretionary
30 review on January 7, 2026.

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4 SUMMARY OF ARGUMENT
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6 This case presents a recurring
7 structural question concerning whether
8 state appellate courts may avoid
9 federal constitutional review by
10 by relying on record deficiencies
11 attributable to state practices. The
12 decision below cannot be reconciled
13 with this court's precedents requiring
14 that states afford criminal defendants
15 meaningful access to appellate review,
16

17 In *Griffin v. Illinois*, 351 U.S. 12 (1956),
18 and *Draper v. Washington*, 372 U.S. 487
19 (1963), this court held that states must
20 provide defendants with records sufficient
21 to permit effective appellate consideration
22 of constitutional claims. Here, preserved
23 claims including prosecutorial misconduct
24 and fair trial violations were deemed
25 unreviewable because portions of proceedings
26 were not preserved through state
27 practices. Permitting affirmance based
28 on state-created record gaps renders
29 appellate review illusory.
30

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2 This case is an ideal vehicle.
3 The federal issues were preserved,
4 addressed by state courts, and require
5 no further factual development.
6 Without this Courts intervention, enforcement
7 of federal constitutional protections will
8 vary with local record-preservation
9 practices, producing uneven application
10 of national rights.

11

12 REASONS FOR GRANTING THE PETITION

13

14 1. State Courts May Not Rely on
15 State-Created Record Deficiencies
16 to Avoid Review of Federal Constitutional
17 Claims

18

19 This case presents whether appellate
20 courts may affirm convictions while
21 declining review of preserved constitutional
22 claims due to incomplete records created
23 by state practices. Meaningful appellate
24 review is core component of due process.
25 When appellate courts rely on record
26 gaps caused by state procedures,
27 constitutional claims are insulated
28 from review.

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2 This court has long recognized that
3 meaningful appellate review is essential
4 to due process. In Griffin, the court held
5 that states must provide defendants
6 with the basic tools necessary to
7 pursue appellate review. In Draper, the
8 Court emphasized that states must
9 furnish a record sufficient to permit
10 effective appellate consideration of
11 constitutional claims. The decision
12 below conflicts with those precedents.
13 Here, preserved claims including prosecutorial
14 misconduct and fair-trial violations
15 were deemed unreviewable because
16 portions of proceedings were not
17 preserved through state practices.

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21 II. THE DECISION BELOW CONFLICTS WITH
22 Due Process and Fair-Trial Jurisprudence

23
24 Petitioner alleged prosecutorial misconduct
25 involving improper argument and vouching
26 conduct this Court has long condemned.
27 See Berger v. United States, 295 U.S. 78 (1935).
28 The state court declined substantive
29 constitutional review and instead relied
30 on procedural deficiencies, undermining
31 federal guarantees of a fair trial
32 and effective appellate review.

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III. THE CASE PRESENTS A RECURRING NATIONAL ISSUE

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Incomplete records, unrecorded hearings, and procedural defaults increasingly prevent appellate courts from reviewing constitutional claims. Defendants often cannot reconstruct missing records after trial. Without this court's intervention, federal constitutional protections will vary depending upon local record-preservation practices. This case is an ideal vehicle: the federal issues were preserved, addressed by state courts, and require no further factual development.

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CONCLUSION

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

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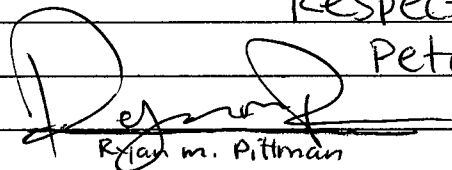
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Respectfully Submitted

Petitioner, Pro se



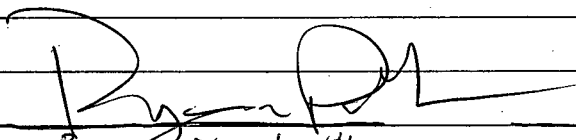
Ryan M. Pittman

3/11/26
Date

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CERTIFICATE OF COMPLIANCE

I Certify that this petition complies with Supreme Court Rule 33.1(g). According to word count by petitioner, this petition contains 9,000-1 words, excluding the appendix.


Ryan Michael Pittman 3/11/26
DATE