

QUESTION(S) PRESENTED

Whether the Fifth and Sixth Amendments permit a federal conviction where:

- (1) The only evidence linking the petitioner to the alleged offenses consists of testimonial hearsay from a witness lacking personal knowledge, admitted in violation of Federal Rules of Evidence 602 and 802; and
- (2) The court of appeals permits conviction based on such testimony, while other circuits require exclusion of testimony where the witness could not have perceived the facts asserted, creating a circuit conflict warranting this Court's review.

LIST OF PARTIES

A list of all parties to the proceeding in the court whose judgment is the subject of this petition is provided below. If a party is a corporation with a stock ticker symbol, that symbol is also included.

Rollie Deshawn Lamar
United States of America

RELATED CASES

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF KENTUCKY, CENTRAL DIVISION; 600 F. Supp. 3d 714; 2022 U.S. Dist. LEXIS 76438
No. 5:22-mj-05138-MAS-1 (April 27, 2022, Decided)

UNITED STATES OF AMERICA, Plaintiff - Appellee, v. ROLLIE DESHAWN LAMAR, Defendant - Appellant. UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT; 2025 U.S. App. LEXIS 18562; 2025 LX 270834; 2025 FED App. 0361N (6th Cir.)
No. 24-5841 (July 23, 2025, Decided)

United States v. Waide. 2025 U.S. Dist. LEXIS 105636, 2025 WL 1584676 (June 4th, 2025, Decided)

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TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Crawford v. Washington, 541 U.S. 36 (2004)

Jackson v. Virginia, 443 U.S. 307 (1979)

United States v. Lopez-Medina, 596 F.3d 716 (10th Cir. 2010)

STATUTES AND RULES

U.S. Const. Amend. V

U.S. Const. Amend. VI

Fed. R. Evid. 602

Fed. R. Evid. 802

28 U.S.C. §1254(1)

OTHER

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

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X unpublished.

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

X reported at 600 F. Supp. 3d 714 _____; or,
has been designated for publication but is not yet reported; or,
unpublished.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,
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,
unpublished.

JURISDICTION

X. For cases from federal courts:

The date on which the United States Court of Appeals decided my case was July 23, 2025.

A timely 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

U.S. Const. Amend. V (Due Process Clause)

U.S. Const. Amend. VI (Confrontation Clause)

Federal Rule of Evidence 602

Federal Rule of Evidence 802

STATEMENT OF THE CASE

Petitioner was convicted in the United States District Court for the Eastern District of Kentucky of conspiracy to distribute marijuana and money laundering.

The Government introduced no physical evidence, no seized contraband, and no financial records linking Petitioner to any unlawful activity.

Instead, the prosecution relied entirely on the testimony of a single witness who:

Did not observe Petitioner engage in any drug transaction;

Did not witness any exchange of money;

Was not present at any alleged meeting or agreement involving Petitioner.

Despite repeated objections under Federal Rules of Evidence 602 & 802, the testimony was admitted.

The Sixth Circuit affirmed, holding that the jury could infer participation from this testimony, despite the absence of admissible firsthand evidence.

REASONS FOR GRANTING THE PETITION

The convictions rest entirely on evidence barred by the Federal Rules of Evidence.

Rule 602 requires personal knowledge. The Government's sole witness admitted she never observed any transaction involving Petitioner.

Rule 802 bars hearsay absent a valid exception. No exception applies.

The Sixth Circuit permitted conviction based on speculation dressed as testimony. This Court has never sanctioned a conviction on such a record.

Review is necessary to resolve a circuit conflict.

The Tenth Circuit requires strict enforcement of Rule 602 and excludes testimony where a witness could not have perceived the facts asserted. *United States v. Lopez-Medina*, 596 F. 3d 716 (10th. Cir. 2010)

The Sixth Circuit permits convictions based on inference from such testimony.

This divergence invites arbitrary application of federal evidentiary rules in criminal cases.

Due process sets a constitutional minimum.

In Jackson v. Virginia, this Court held that conviction requires sufficient 11 of 17 evidences for a rational trier of fact.

Here, there was none.

Allowing conviction of speculation lowers the constitutional floor below what due process permits.

The decision below nullifies the Confrontation Clause.

In Crawford v. Washington, this Court held that testimonial hearsay is inadmissible absent confrontation.

Here, the Government's case depended entirely on testimonial statements unsupported by firsthand knowledge.

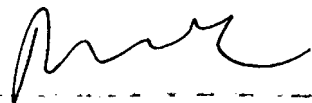
Testimony lacking personal knowledge is not merely weak; it is no evidence at all.

CONCLUSION

When a citizen is convicted of a felony without contraband, records, personal-knowledge testimony, and in open defiance of the Federal Rules of Evidence, the Constitution has not merely been ignored - it has been erased. This Court should grant the writ and restore the guarantees of the 5th and 6th Amendments and settle the Circuit split between the 6th and 10th Circuits along with Federal R. Evidence 602 and 802.

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: April 3rd, 2026