

No. **25-7587**

**ORIGINAL**

Supreme Court, U.S.  
FILED

APR 10 2026

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

MICHAEL C. ROMIG, pro se — PETITIONER  
(Your Name)

vs.

COMMONWEALTH OF PENNSYLVANIA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO  
Supreme Court denied discretionary review 324 MAL 2025  
State Court of Appeals

Superior Court of Pennsylvania 997 MDA 2024  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Michael C. Romig OK-6374 pro se  
(Your Name)

S.C.I. Frackville

1111 Altamont Blvd.  
(Address)

Frackville, Pennsylvania 17931  
(City, State, Zip Code)

N/A  
(Phone Number)

### QUESTION(S) PRESENTED

1.) Was Petitioner denied meaningful effective assistance of Court appointed counsel (preliminary hearing, trial, direct appeal, and PCRA) to get and maintain conviction?

Suggested Answer: YES

2.) Is effective assistance of counsel an ongoing problem in the state of Pennsylvania, of which needs addressed, to allow litigants a fair trial and due process?

Suggested Answer: YES

3.) Did Petitioner exercise due diligence according to the record to attempt to rectify counsels deficiency with respect to the Bradly approach?

Suggested Answer: YES

5.) Did the Superior Court error, in that newly discovered facts exception also fails, where the Trial Court failed to appoint new counsel when the Superior Court remanded to them on stewardship claim of PCRA counsel (Scoot N. Pletcher) by way of November 30, 2020 order (see Docket Entry @ 1168 MDA 2020) ?

Suggested Answer: YES

## LIST OF PARTIES

[X] 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:

**Petitioner:**

Michael C. Romig OK-6374  
S.C.I. Frackville  
1111 Altamont Blvd.  
Frackville, Pennsylvania 17931

**Respondents:**

For the Commonwealth of Pennsylvania  
Torquato, Christopher Robert  
Mifflin County District Attorney's Office  
Mifflin County Da's Office  
20 North Wayne Street  
Lewistown, Pennsylvania 17044  
Phone: (717) 248-9800

## RELATED CASES

All cases have been previously litigated and disposed

- Prelim Hearing, Magisterial District Judge Jonathan W. Reed 58-3-02  
(\*Transcripts were made of hearing, 997 MDA 2024 refused to accept\*)

- Trial Court CP-44-CR-0000560-2016

- Direct Appeal Superior Court Com. v. Romig, 203 A.3d 322, 2018 Pa. Super  
Unpub LEXIS 4697 2018 WL6598400 (Dec. 17, 2018) No. 400 MDA 2018

- Direct Appeal Supreme Court Com. v. Romig, 654 Pa. 423, 215 A.3d 561, 2019  
Pa. LEXIS 3362 2019 WL 2510894 (June 18, 2019) No. 29 MAL 2019

- Trial Court First PCRA CP-44-CR-00560-2016

PCRA Superior Com. v. Romig, 258 A.3d 552, 2021 Pa. Super. Unpub LEXIS 1692  
2021 WL 2624701 (June 25, 2021) No. 1168 MDA 2020

- PCRA Supreme Com. v. Romig, 284 A.3d 115: 2022 Pa. LEXIS 12302022  
Pa. LEXIS 1230 (August 23, 2022) No. 100 MAL 2022

- Federal Habeas Corpus Romig v. Brittain, 2023 U.S. Dist. LEXIS 212576  
(M.D. Pa. , November 29, 2023)  
No. 4;22-cv-01628

- Second PCRA Superior Court Com. v. Romig No. 997 MDA 2024

- Second PCRA Supreme Court Com. v. Romig No.324 MAL 2025

## TABLE OF AUTHORITIES CITED

### CASES

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Michael S. Gingerich. F-3

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 Superior Court J-S16027-25 No. 997 MDA 2024; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

The opinion of the \_\_\_\_\_ Superior \_\_\_\_\_ court appears at Appendix A to the petition and is

☒ reported at J-S16027-25 No. 997 MDA 2024; 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 1/21/2026.  
A copy of that decision appears at Appendix E.

☐ 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. Constitution Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

### - U.S. Constitution Amendment XIV

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.



## STATEMENT OF THE CASE

Appellant was arrested August 3, 2016 stemming from an alleged assault inside Appellant's home on the evening of August 2, 2016. The arrest was a result of a warrant issued by MDJ Jonathan W. Reed (Issuing Authority). Appellant was detained by State Police, where MDJ Jonathan W. Reed set bail at preliminary arraignment \$150,000.00. A preliminary hearing was held September 14, 2016 (trans. provided by appellant) before MDJ Jonathan W. Reed (Final Issuing Authority). April 18, 2017 nominal bail was granted by Judge Aaron Gingrich and posted same day, where Appellant was released to State Parole for violations as a result of charges and moved to S.C.I. Huntingdon. Appellant reached his maximum expiration sentence of parole and was released on or about June 17, 2017. Appellant appeared on his own recognizance for a hearing on his motion to Suppress Physical Evidence & to Compel Funds for Expert Witness/Services, where both were denied at a July 10, 2017, where Appellant also had Jury Selection that same day. Appellant also appeared for July 18, 2017 Jury Trial, after being convicted Judge David W. Barron reimposed bail to \$150,000.00, and Appellant was again taken into custody. Sentencing was deferred until September 14, 2017, where Appellant was sentenced to 9½ to 30 years imprisonment in a state correctional facility. Post Sentence motions were filed (by trial counsel Michael S. Gingerich) September 25, 2017 and argued by retained counsel Christian A. Kerstetter at a hearing January 4, 2018, after trial counsel withdrew. Post Sentence Motion was denied in entirety February 5, 2018.

Christian A. Kerstetter withdrew as Appellant was unable to continue to pay him. The trial court apponited Justin Paul Miller to file direct appeal, where this Court affirmed judgment @ No. 400 MDA 2018 (J-S69011-18) December 17, 2018. Petition for Allowance of Appeal was denied by the Supreme Court June 18, 2019. Appellant filed a pro se first PCRA September 17, 2019, trial court appointed Scott N. Pletcher who filed Amended PCRA December 30, 2019, where it was later briefed, a hearing was held, again later the trial denied the same August 21, 2020. A pro se Notice of Appeal was filed with this Court September 11, 2020. This Court ultimately affirmed again on June 25, 2021 (No. 1168 MDA 2020). Allowance of Appeal was again denied by the Supreme Court August 23, 2022 (No. 100 MAL 2022). Appellant proceeded pro se and filed a 2254 habeas corpus in the United States District Court (Middle District) No. 4:22-cv-01628, where District Court denied the Petition of Habeas Corpus from a State Conviction. Appellant then filed a motion to alter judgment (59e), of which was denied December 22, 2023. Appellant then mistakenly filed Certiorari in the Supreme Court of the United States, where they directed Appellant to first appeal to the United States Court of Appeals. 28 USC 1254. This Second PCRA was filed with the trial court March 28, 2024. The trial court denied/dismissed the PCRA. Superior Court affirmed on May 23, 2025 No.997 MDA 2024. The Supreme Court denied Petition for Allowance of Appeal January 21, 2026. This writ of certiorari follows.

## REASONS FOR GRANTING THE PETITION

Through out these proceedings I have been shuffled through multiple court appointed attorney's. All of which have been ineffective by failing to object to the lack of necessary medical expert testimony (outlined in preliminary hearing transcript), failed to object to jury instructions, failed to properly question victim and witnesses and move for impeachment, direct appeal counsel failed to properly brief justification jury instructions, PCRA counsel failed to zealously review all counsels ineffectiveness. This Petitioner even raised counsels ineffectiveness on PCRA appeal properly (Superior Court No. 1168 MDA 2020, remand to trial court November 30, 2020 order, and Supreme Court No. 276 MT 2021/92 MM 2021 December 28, 2021 order also remanding to the trial court) where counsel was kept on despite Petitioner clear dissatisfaction in his actions. This satisfied the standards of Commonwealth v. Bradley, 261 A.3d 381, 404 n.18 (Pa. 2021), that despite Petitioner's clear outline of this in his brief the Superior Court failed to acknowledge this fact in it's May 23, 2025 opinion. All of court appointed counsel's actions/inactions waived Appellant's rights or maintained a conviction that would not have occurred with skilled counsel otherwise. The Superior Court would not allow me to add transcripts from Preliminary Hearing that was in fact transcribed on 9-14-2016 (see appendix F-1 to F-3). Preliminary hearing counsel who was also trial counsel told me that the transcript were part of the record when they were not.

This information if used at trial and ~~direct~~ appeal would have changed the outcome of the case. As the part of the transcript on page 35 an objection was given by Counsel Michael Gingerich regarding medical records that could not be cross examined, where the MDJ Jonathan W. Reed bound charges over to trial with instructions that " as long as someone involved in preparing them would be present at trial " for cross, of which did not take place and would have significantly changed the outcome of trial and or appeal, but the proper information was not available due to court / clerk interference, as well as ineffective assistance of trial counsel for failing to file a pretrial habeas corpus motion regarding the same.

Further it is clear that this Petitioner despite the Superior Court's claim that Appellant did not challenge trial counsel's effectiveness for failing to object to the court's instruction (foot note 1 Superior Court opinion 997 MDA 2024), by the trial Court's April 22, 2024 order at the fifth paragraph it is clear that this Petitioner did challenge the trial counsel's effectiveness.

Lastly, this petition is timely as it was filed after the district court's opinion where Petitioner learned that he was procedurally defaulted, and that the same was at the hands of his counsel's to include trial, direct appeal, and PCRA.

For theses reasons This Petitioner beléives that this Honorable Court should remand this case to the PCRA court for a warranted hearing on theses matters.

Additionally, State Courts below have continually used in their opinions that this Petitioner "showed naked pictures of himself on his cell phone to McTavish, when no evidence of this via picture was presented at trial, where the State police had my cell phone and returned it after the incident. These allegations were an attempt to maintain the conviction and or circumvent a cause for the incident. Further this was not brought up at the preliminary hearing or included in any pretrial discovery, where it should not have been used at trial.

The Superior Court refused to accept Petitioners supplement to the record as it was not included in the Commonwealth's/Court's certified record.(see appendix F-1 to F-3) Where trial counsel at my request said it was linked to CR-560-2016 and is a part of the record. This is marginally reason this case made it this far, as trial counsel was ineffective, as well as the Commonwealth/Court used government interference by blocking these documents from appellate and trial court. Thus showing violations to Petitioner's Constitutional Rights, an unreliability in conviction, as well a serious miscarriage of justice.

This Petitioner has continually attempted to challenge this conviction for 9½ years with due diligence, because it is not right.

Petitioner believes it important to look at Commonwealth v. Ronald K. Mayo, 272 Pa. Super. 115; 414 A.2d 696; 1979 Pa. Super. LEXIS 3297, as well as Commonwealth v. Johnston, 438 Pa. 485; 263 A.2d 376; 1970 Pa. LEXIS 812;41 A.L.R.3d 576.

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Michael C. Romig

Michael C. Romig OK-6374

Date: April 10<sup>th</sup> 2026

*Amended and Mailed: June 1<sup>st</sup>, 2026*