

IN THE SUPREME COURT OF THE UNITED STATES OF AMERICA

October Term 2026

SEAN CHRISTOPHER WILLIAMS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

**PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

6th Circuit Case No. 25-5174

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Christopher Williams appointed under
the provisions of the Criminal Justice
Act, 18 U.S.C. §3006A*

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QUESTION PRESENTED

Whether Procedural Due Process requires the United States to state in the charging instrument what “jurisdictional hook” it is relying on to prove the interstate commerce element of 18 U.S.C. §2251(a) such that a Defendant is properly on notice?

PARTIES TO THE PROCEEDING

Pursuant to United States Supreme Court Rule 14(1)(b), your Petitioner states that the parties to this Petition are:

Petitioner: Sean Christopher Williams

Respondent: United States of America

The opinion of the United States Court of Appeals for the Sixth Circuit is only as to the Petitioner Sean Christopher Williams. Petitioner is not aware of any other Petition for Writ of Certiorari in this case.

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The Petitioner Sean Christopher Williams respectfully prays that a Writ of Certiorari issue to review the Judgment and Opinion of the United States Court of Appeals for the Sixth Circuit entered in the above-styled proceeding on May 11, 2026.

OPINIONS BELOW

(1) Judgment in a Criminal Case, *United States of America v. Sean Christopher Williams*, Case No. 2:23-cr-00111-1, United States District Court for the Eastern District of Tennessee, February 24, 2025. (Appendix 1)

(2) Opinion, *United States of America v. Sean Christopher Williams*, Case No. 25-5174, United States Court of Appeals for the Sixth Circuit, May 11, 2026. (Appendix 2)

STATEMENT OF JURISDICTION

The Opinion and Final Judgment of the United States Court of Appeals for the Sixth Circuit was entered on May 11, 2026, affirming the Petitioner's conviction and sentence of 1,080 months following a trial in the United States District Court for the Eastern District of Tennessee. Williams was convicted of three (3) counts of Sexual Exploitation of a Minor in violation of 18 U.S.C. §2251(a) and (e). The District Court entered a Final Judgment on February 24, 2025.

The United States Court of Appeals for the Sixth Circuit had jurisdiction over Williams's appeal pursuant to 28 U.S.C. §1291, which confers upon the United States Court of Appeals jurisdiction from all final decisions of the District Courts of the United States. *See, 28 U.S.C. §1291 (West 2026).*

Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §1254(1), which provides that cases in the Courts of Appeal may be reviewed by the Supreme Court by Writ of Certiorari granted upon the petition of any party. Jurisdiction is also invoked by United States Supreme Court Rules 10 and 13. *See, 28 U.S.C. §1254(1) (West 2026).*

CONSTITUTIONAL PROVISION INVOLVED

The Fifth (5th) Amendment to the United States Constitution provides in relevant part that “No person shall be...deprived of life, liberty, or property, without the due process of law.”

US CONST., amend V

STATUTORY PROVISION INVOLVED

18 U.S.C. §2251(a) provides –

“(a) Any person who employs, uses, persuades, induces, entices, or coerces any minor to engage in, or who has a minor assist any other person to engage in, or who transports any minor in or affecting interstate or foreign commerce, or in any Territory or Possession of the United States, with the intent that such minor engage in, any sexually explicit conduct for the purpose of transmitting a live visual depiction of such conduct, shall be punished as provided in subsection (e), if such person knows or has reason to know that such visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, or mailed, if that visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, or if such visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce or in an affecting interstate or foreign commerce or mailed.”

18 U.S.C. §2251(a) (West 2026).

STATEMENT OF THE CASE

A.

1. On September 12, 2023, Williams was indicted in a three (3) count indictment returned in the United States District Court for the Eastern District of Tennessee. Count one (1) charged Williams with, on or about January 20, 2009, “knowingly employ, use, persuade, induce, entice, or coerce a minor, namely K.C. to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct” and that Williams “knew or had reason to know that such visual depictions would have been transported or transmitted using a means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or that such visual depictions were produced using materials that had been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including computer, or such visual depictions had actually been transported or transmitted using a means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce” in violation of 18 U.S.C. §2251(a) and (e).

Count two (2) included the same charge with the date being on or about May 20, 2020 and the victim identified as W.S. Likewise, Count three (3) was the same charge with the date being on or about December 23, 2020 and the victim identified as C.A.

2. The Government filed a Superseding Indictment on September 10, 2024. The Superseding Indictment was identical in all respects with the exception that the date in Count one (1) was changed to in or about June 2008 to in or about June 2009. The initials of the victims were also removed and replaced with identifiers “Minor Victim 1”, “Minor Victim 2”, and “Minor Victim 3.”

B.

3. Williams proceeded to trial which began on November 13, 2024. At the close of the Government’s proof, Williams moved for a Federal Rule of Criminal Procedure 29 Judgment of Acquittal. Specifically, Williams argued that the Government had failed to prove the element of interstate commerce and the case should be dismissed. The Court denied Williams’s motion:

“THE COURT: I have to admit that the Government’s evidence is slim about the interstate commerce nexus; however, there clearly is evidence the photographs were made in Tennessee and the devices were recovered in North Carolina, clearly indicating that they had to cross state lines. I suppose that’s the second part of the, the definition of interstate commerce, that the visual depiction had actually been transported using any means or facility of interstate or foreign commerce or in an affecting interstate or foreign commerce.

It seems to me that the proof that the images crossed state lines in the manner described is a sufficient interstate commerce nexus so the motion is denied.”

4. Williams did not offer any evidence. He renewed his Rule 29 motion at the end of all the proof, which was again denied.

5. After closing arguments, the Court instructed the jury on the elements of the charged crimes:

“Again, Count One of the Superseding Indictment charges the defendant with using a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction, in violation of Title 18 United States Code, Subsection 2251(a). For you to find the defendant guilty of this charge, you must find that the government has proved each and every one of the following elements beyond a reasonable doubt:

First: that the defendant used, employed, persuaded, induced, enticed, or coerced a minor, namely Minor Victim One, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct; and

Second: That (1) the defendant knew or had reason to know that the visual depiction would be transported or transmitted using any means or facility of interstate commerce or in or affecting interstate commerce; or (2) that the visual depiction had actually been transported or transmitted using any means or facility of interstate commerce or in or affecting interstate commerce; or (3) that the visual depiction was produced or transmitted using materials that were mailed, shipped, or transported in or affecting interstate commerce by any means, including a computer.

Now, I will give you more detailed instructions on some of these terms...

...The term interstate commerce means that the visual depiction or the production or transmission material crossed, or would cross, a state line.

The term means or facility of interstate commerce includes the internet or a cellular telephone.

The phrase affecting interstate commerce means having at least a minimal effect upon interstate commerce.”

The Court used the same instructions for counts two (2) and three (3).

6. The Jury found Williams guilty on all three (3) counts.

C.

7. Probation released Williams's presentence report on January 14, 2025. The presentence report set Williams's offense level at 43 and with a criminal history category of I, Williams's guidelines range was 1,140 months. This included 1,080 months for this case and a 60-month sentence in a companion case where Williams was convicted of escaping federal custody.

8. At sentencing, the District Court imposed a guidelines' sentence of 1,140 months, ordering that the sentences for each conviction be served consecutively.

9. Williams timely filed a Notice of Appeal.

D.

10. On Appeal Williams argued that his conviction must be reversed as the government failed to prove the essential element of interstate commerce. Specially, Williams argued that the devices which took the pictures were never recovered and thus there was insufficient proof of interstate commerce.

The Government's argument focused on the third method of proving interstate commerce which the Sixth Circuit Court of Appeals found persuasive:

"To convict Williams, the government had to prove that he manufactured child pornography with the requisite nexus to interstate or foreign commerce. *See* 18 U.S.C. §2251(a). Under the statute, the government may satisfy that nexus by showing one of three things: that the defendant knew or had reason to know the visual depiction will be transported in interstate commerce; that the visual depiction was

produced or transmitted using materials that have been transported in interstate commerce, or that the visual depiction has actually been transported or transmitted in interstate commerce. *Id.* The government need only prove one of these three jurisdictional hooks. *United States v. Lively*, 852 F. 3d 549, 559 (6th Cir. 2017).

At trial the government pursued the third route. It introduced testimony from the victims' mothers identifying their respective child in the images and stating that they would have been in Williams's Tennessee apartment at the time the images were made. Two mothers even identified Williams's apartment from the background of the photos taken by Williams. After that, the government presented testimony from an official who had reviewed the minor victims' images found on the thumb drive. The officer explained that metadata from the images reflected dates and times aligning with the mother's testimony. Having established that Williams produced the images in Tennessee, the government introduced evidence that officers found the thumb drives in North Carolina. That the victims' images were produced in one state yet found in another allow[ed] the jury to draw the reasonable inference that this child pornography must have travelled across state lines...This evidence alone would thus suffice for a reasonable jury to conclude that the images themselves had actually been transported in interstate commerce. *18 U.S.C. §2251(a)*.

Williams's attempt to cast doubt on this evidence are unconvincing. He argues that, because the government never recovered the devices Williams used to capture the victims' images, there is no way to know whether the dates and times shown in the metadata are accurate. Appellant Br. 32 – 33. But the mere possibility that [t]he metadata may not be accurate cannot sustain his sufficiency of the evidence challenge. *Id.* At this stage, after all, the government's evidence need not remove every reasonable hypothesis except that of guilt... Metadata aside, Williams wholly ignores the testimony by the mothers which independently established that Williams produced the images in Tennessee."

11. Williams did not petition the Sixth Circuit Court of Appeals for en banc review.

REASONS FOR GRANTING THE WRIT

I. PERMITTING THE GOVERNMENT TO NOT IDENTIFY WHICH METHOD THEY SEEK TO PROVE INTERSTATE COMMERCE UNDER 18 U.S.C. §2251(a) IS A VIOLATION OF WILLIAMS’S AND SIMILARLY SITUATED DEFENDANTS RIGHT TO PROCEDURAL DUE PROCESS

A. UNITED STATES SUPREME COURT RULE 10

Williams – in part – invokes the jurisdiction of this Court pursuant to United States Supreme Court Rule 10 which provides:

“Review on a Writ of Certiorari is not a matter of right, but of judicial discretion. A petition for writ of certiorari will be granted only for compelling reasons. The following, although neither controlling nor fully measuring the Court’s discretion, indicate the character of the reasons the Court considers:

- (a) a United States Court of Appeals has entered a decision in conflict with the decision of another United States court of appeals on the same important matter; has decided an important federal question in a way that conflicts with a decision by a state court of last resort; or has so far departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure by a lower court, as to call for an exercise of this Court’s supervisory power;
- (b) a state court of last resort has decided an important federal question in a way that conflicts with the decision of another state court of last resort or of a United States Court of Appeals;
- (c) a state court or a United States court of appeals has decided an important federal question of federal law that has not been, but should be, settled by this Court, or has decided an important federal question in a way that conflicts with the relevant decisions on this Court.”

United States Supreme Court Rule 10

**B. WILLIAMS PRESENTS AN IMPORTANT QUESTION OF
FEDERAL LAW MANDATING SUPREME COURT
REVIEW**

“The Fifth Amendment provides that no person shall be deprived of life, liberty or property without due process of law.” *United States v. Henson*, 705 Fed. App’x 348, 354 (6th Cir. 2017). “The Due Process Clause protects the accused against conviction except upon proof beyond a reasonable doubt of every fact necessary to constitute the crime with which he is charged.” *In re Winship*, 397 U.S. 358, 364 (1970).

“The United States Supreme Court has explained that [a]n elementary and fundamental requirement of due process in any proceeding which is to be accorded finality is notice, reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.” *Mullane v. Cent. Hanover Bank & Trust*, 339 U.S. 306, 319 (1950).

Interstate commerce is an essential element of a conviction under 18 U.S.C. §2251(a). “Section 2251(a) criminalizes employing, using, persuading, inducing, enticing, or coercing a minor to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct so long as the interstate nexus is present.” *United States v. Deakins*, 152 F. 4th 693, 707 (6th Cir. 2025). *See also, United States v. Sykes*, 65 F. 4th 867, 881 (6th Cir. 2023).

Here Williams’s procedural due process rights were violated by not being put on notice of how the United States was going to prove interstate commerce. Even after all the proof was in, the Court instructed the jury on all three “jurisdictional hooks”. This after the Court acknowledged the United States evidence on interstate commerce was slim.

The Sixth Circuit Court of Appeals has held that the government can adequately prove the interstate commerce element of §2251(a) by simply showing a “trade inscription” (i.e., Made in China). *United States v. Lively*, 852 F. 3d 549 (6th Cir. 2017). Importantly in *Lively*, the United States provided notice of which “jurisdictional hook” the Government was proceeding on:

“Lively was indicted under the second of the jurisdictional hooks: Lively’s indictment alleged that he sexually exploited a minor for the purpose of producing visual depictions were produced using materials that had been shipped or transported in interstate or foreign commerce...including but not limited to a Seagate hard drive manufactured in Thailand.”

Lively, 852 F. 3d at 559.

According to statistics from the United States Sentencing Commission for fiscal year 2024, child pornography offenses increased 34.4% since fiscal year 2020. (<https://www.ussc.gov/sites/default/files/pdf/research-and->

[publications/quickfacts/Child_Pornography_FY24.pdf](#)) (accessed on June 25, 2026).

This of course means a corresponding increase in the cases where the Government needs to prove the element of interstate commerce. Procedural due process requires the Government specify the jurisdictional hook in the charging instrument and provide adequate notice to not just Williams, but all similarly situated defendants.

This case raises an important question of federal law and Williams respectfully requests that this Court grant the Writ and review this case.

CONCLUSION

As this case presents an important question of Federal Law, the Petitioner Christopher Sean Williams respectfully requests that this honorable court grant a Writ for Certiorari.

Respectfully submitted this 10th day of July 2026

/s/ Mark E. Brown

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18 U.S.C. §3006A*

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of July 2026 a true and exact copy of this document has been served on the OFFICE OF SOLICITOR GENERAL, DEPARTMENT OF JUSTICE, Room 5614, 950 Pennsylvania Avenue, N.W., Washington, D.C. 20530-0001 by placing the same in the United States Mail, first class postage prepaid.

/s/ Mark E. Brown

Mark E. Brown