

26-5128

No. _____

FILED

APR 14 2026

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

Habeas Corpus

In Re

Brian Franca

(Your Name)

Appellate Court mt Vernon FLlinois
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR AN EXTRAORDINARY WRIT OF HABEAS CORPUS

Brian Franca

(Your Name)

3820 E. Main

(Address)

Donville ILL. 61834

(City, State, Zip Code)

509 (618) 980-8481

(Phone Number)

RECEIVED

APR 14 2026

OFFICE OF THE CLERK
SUPREME COURT, U.S.

QUESTION(S) PRESENTED

Constitutional right of illegal Search
if illegal any information gathered from
that Search is NOT Admissible.

If Search deemed illegal then only evidence
is DNA which said 99.9% that I WAS NOT
in her Vaginal Cavity.

If I WAS NOT A Suspect then why Dump
my phone?

If she took the Fentanyl before I was
there then what did I have to do with her death?
Why was my bail so high? (\$10,000,000 CASH ONLY Bond)

How many times can you be charged for one Act?

How can I be charged for having sex when Brandi
Died of a Fentanyl Overdose?

If Search deemed Legal then why can't other pictures
Videos etc be used to prove we had Consensual Sex
for almost 1 1/2 years.

These videos proved she had sex when she was in worse
Condition.

What does sex have to do with Drug Overdose?

Doesn't Calling 911 Fall under Good Samaritan Act?

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

[X] 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:

Warden Allen of Jannville prison
IDOC
State of Illinois

RELATED CASES

People vs. Carter
People vs. Albee
People vs. Lomas
People vs. Martin
People vs. Pierce
People vs. Berry

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Ill. Supreme Court 131935

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TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Agello VS United States
Gould VS United States
People VS Odom 83 Ill 3D 1022
people VS McColum
people VS Pierce
people VS Koniacki
people VS Mezo

STATUTES AND RULES

725 ILCS 5/114-12 motion To Suppress Evidence
illegally Seized

725 ILCS 5/114-15 motions To Suppress

US Constitution 4th Amendment

18 USC Section 41 Search And Seizure

25 USC section 1302 Constitutional rights

725 ILCS statutes 5/114-1 to 5/114-15

OTHER

P.A. 85-388

P.A. 097-1150 5635
Amendatory Act of 1987

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR AN EXTRAORDINARY WRIT OF HABEAS CORPUS

OPINIONS BELOW

The opinion of the United States court of appeals appears at Appendix
the petition and is

☐ reported at _____; or, _____ to
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished. _____

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

☐ reported at _____; or, _____ to
☐ 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 C 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 Appellate 5th District court
appears at Appendix 1 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 Appellate.
A copy of that decision appears at Appendix C.

☒ A timely petition for rehearing was thereafter denied on the following date: Oct 24, 2025, and a copy of the order denying rehearing appears at Appendix B.

☐ 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

4th Amendment illegal Search And Seizure
Fruits of illegal Search

No Search Warrent

Expanding the boundaries of Voluntary Consent
Not explaining what was being done by Consent

Excessive Bail (10,000,000 Cash only bond)

Getting Charged 4 times for same Act
(1 Act / 1 crime Doctrine)

Being Charged for Act not being investigated.

Holding me in prison for no proof of
If illegal Search then no Evidence DNA proved

99.9% I was not in her vaginal cavity.

If I wasn't a suspect no grounds for a Warrent.

Brandi died of Fentanyl overdose Not Sex.

Calling 911 is covered under good Samaritan Law.

STATEMENT OF THE CASE
Rule 20 Statement

On June 14th, 2018 Brondi Overdosed on Fentanyl. She took it before I got there. She left with me To go To my house. She dozed off Several times that Day. After changing her address To mine at probation 3 days before they called for her To change appointment. About 4:40 I tried to wake her To Call in. Blood came from her mouth I started To Hospital, Called her mom and then I called 911 when I couldn't Drive and Do CPR at Some time. Troy police Wanted Text messages To Tommy for Timeline I agreed. Troy police then Dumped my phone leading To Sex Charges. I WAS Charged 4 times for 1 Act on my phone Video. My Bail WAS 10,000,000 CASH only Bond. More than all of Madison County's Jail Combined. At trial I didn't testify because I'm married. Brondi and I had been together off and on for 11 1/2 years and two marriages. She was going To move in with me. I worked for the Postal Service for 25 years till I retired because I Can't see. The only crime I've ever done is Speeding. Never Drugs yet here I am.

REASONS FOR NOT MAKING
APPLICATION TO THE DISTRICT COURT

I have filed with Federal Court in East St. Louis
I have filed with Illinois Supreme Court
I have filed in Appellate Court in Mt. Vernon
I have filed in Vermillion County and I'm
filing with Supreme Court in Washington D.C.

REASONS FOR GRANTING THE PETITION

I have filed in Several Courts including
Ill. Supreme Court who refused to take
my case. The Appellate Court wouldn't
answer my question as to why they ruled
that it wasn't an illegal search. If it was
a legal search then why couldn't I use the
other videos to prove consent. Even though
I've tried all different avenues to try
to get justice. No one will explain their
judgements to me. I'm just innocent and
trying to get released from prison. I didn't
testify because I'm married. I pray for
immediate release.

CONCLUSION

The petition for an extraordinary writ of habeas corpus should be granted.

Respectfully submitted,

Brian France

Date: 3-31-26