

No. 26-\_\_\_\_\_

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IN THE SUPREME COURT OF THE UNITED STATES

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JUAN LUIS MARTINEZ MEDINA,

Petitioner,

v.

THE UNITED STATES OF AMERICA,

Respondent.

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ON PETITION FOR WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

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PETITION FOR WRIT OF CERTIORARI

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## **QUESTION PRESENTED FOR REVIEW**

1. Whether the court of appeals erred in affirming the denial of the motion to compel disclosure of the second informant - a key witness as to the drug transaction alleged in count three?

## **PARTIES TO THE PROCEEDING**

The parties to the proceeding before the United States Court of Appeals for the Ninth Circuit were Juan Luis Martinez Medina (appellant below), and the United States of America.

## **LIST OF RELATED CASES**

United States v. Juan Luis Martinez Medina, United States District Court for the Central District of California, Case No. 2:23-cr-00035-MCS-1. Judgment entered on October 22, 2024.

United States v. Juan Luis Martinez Medina, Case No. 24-6495, United States Court of Appeals for the Ninth Circuit. Judgment entered on June 26, 2026.

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Petitioner, JUAN LUIS MARTINEZ MEDINA, respectfully prays that a writ of certiorari issue to review the judgment of the Court of Appeals for the Ninth Circuit affirming his convictions. *United States v. Martinez Medina*, Ninth Circuit Case Number 24-6495.

**OPINIONS BELOW**

On June 26, 2026, the Court of Appeals for the Ninth Circuit affirmed the district court's judgment. Appendix A.

## **JURISDICTION**

The Court of Appeals had jurisdiction under 28 U.S.C. §1291. This Court has jurisdiction under 28 U.S.C. §1254(1).

## **PROVISIONS OF LAW INVOLVED**

**The Fifth Amendment** to the United States Constitution, provides, in pertinent part, that no person “shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law.” U.S. Con., Amend V.

**The Sixth Amendment** to the United States Constitution reads: “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. Con., Amend VI.

## **STATEMENT OF THE CASE**

In Count One, Mr. Martinez Medina was charged with conspiracy to distribute fentanyl on October 28, 2021. In Count Two, he was charged with the distribution of fentanyl on the same day. In Count Three, he was charged with the knowing distribution of methamphetamine on December 6, 2021.

On July 24, 2026, Mr. Martinez Medina was found guilty of conspiring with one or more individuals to knowingly and intentionally distribute at least 400

grams of fentanyl in violation of 21 U.S.C. §§ 846 (a)(1) and (b)(1)(A)(vi) (Count One); knowingly and intentionally distributing at least 400 grams of fentanyl in violation of 21 U.S.C. §§ 841 (a)(1) and (b)(1)(A)(vi) (Count Two); and distributing 304 grams of methamphetamine in violation of 21 U.S.C. §§ 841 (a)(1) and (b)(1)(A)(viii) (Count Three). United States v. Martinez Medina, United States District Court for the Central District of California, Case No. 2:23-cr-00035-MCS-1.

On October 21, 2024, the district court imposed a sentence of 188 months in custody and 5 years supervised release with various conditions.

### **REASONS FOR GRANTING THE WRIT**

#### **II. THIS COURT SHOULD GRANT CERTIORARI TO ADDRESS THE IMPORTANT QUESTION OF WHETHER THE TRIAL COURT ERRED IN DENYING THE MOTION TO COMPEL DISCLOSURE OF THE SECOND INFORMANT AND RELATED DISCOVERY AS TO COUNT THREE.**

##### **A. Factual Background**

As to Count Three, Agent Chavez instructed Jose Gutierrez to set up a buy with Mr. Martinez Medina for methamphetamine. The calls arranging the transactions were not recorded.

According to Gutierrez, he and Mr. Martinez Medina drove to a set location. There, Mr. Martinez Medina was said to have retrieved methamphetamine from his trunk of his car. He handed it to Gutierrez, who then gave it to CI. CI handed \$1,000 to Mr. Martinez Medina. Gutierrez and Mr. Martinez Medina then drove away.

According to Agent Chavez, CI was the buyer at the December transaction. Agent Chavez did not see Gutierrez. The operation plan did not list Gutierrez as being present. No agents reported seeing him there.

Gutierrez's account was uncorroborated. Gutierrez's name did not appear in the DEA's reports. No agents reported seeing Gutierrez.

Agent Chavez only learned of Gutierrez's involvement after the fact. 4-ER-576. The government's proof of knowing distribution rested almost entirely on Gutierrez's testimony. CI did not testify.

According to Officer Silver, he observed an Acura arrive at a parking lot. He saw Mr. Martinez Medina exit the car and engage in a conversation with CI. He saw Mr. Martinez Medina return to the Acura. Officer Silver was parked some 25 to 40 feet away.

CI then spoke with Mr. Martinez Medina through an open window. Silver, "at some point," saw "Mr. Martinez Medina or someone inside the car hand a bag to the informant." *Id.* CI returned to his vehicle with the bag, which was later determined to contain methamphetamine.

Officer Silva monitored the transaction through his car mirrors. No photos or video recordings were taken by Silver. He saw CI at the scene. He did not see Gutierrez.

## **B. Motion for Disclosure**

Jose Gutierrez and CI were involved in the December 6, 2021 controlled buy alleged in Count Three. Gutierrez testified. CI did not.

Mr. Martinez Medina requested CI's identity and related discovery. When the motion was filed, the parties were aware that CI and Mr. Martinez Medina were involved in the transaction. Not until trial, did the government disclose that Gutierrez was involved.

Counsel argued that CI's testimony was central to any defense. There were no audio recordings of the transaction. CI could clarify "what was said," how the exchange unfolded, and who initiated the deal. Counsel wanted to call CI as a witness. CI could contradict any statements made by DEA Agents.

The prosecutor argued that counsel failed to articulate how what was said during the sale could support any viable defense.

The court denied the motion.

## **C. The Informant Should Have Been Disclosed.**

The trial court applied the correct test but erred in its findings. Mr. Martinez Medina had the burden to show the need for disclosure. He had to "show more than a mere suspicion that the informant has relevant and helpful information." *United States v. Henderson*, 241 F.3d 638, 645 (9th Cir. 2000). He did so.

The court of appeals reviewed the decision on whether to disclose a confidential informant's identity for abuse of discretion. *United States v. Rowland*, 464 F.3d 899, 903-904 (9th Cir. 2006). The court determined that "[i]n ruling on

disclosure requests, a trial court must balance 1) the extent to which disclosure would be relevant and helpful to the defendant's case, and 2) the government's interest in protecting the identity of a particular informant." *United States v. Spires*, 3 F.3d 1234, 1238 (9th Cir. 1993)." Opinion at 2.

The court of appeals found that the trial "court did not abuse its discretion in denying the motion to disclose the CI's identity." Opinion at 2. The trial court "found that the CI did not organize the sale and the government would not call the CI to testify at trial; that 'Defendant's counsel did not give a responsive answer' to the court's questions about how the CI's identity would contribute to any defenses; and that the CI 'continue[d] to cooperate with law enforcement in ongoing drug trafficking investigations.'" *Id.* The court of appeals determined that "[t]hese findings support the court's conclusion that Martinez 'failed to meet his burden to show that disclosure of the [CI's] identity is necessary and outweighs the public's interest against nondisclosure.'" *Id.*

Mr. Martinez Medina's knowledge and intent at the time of the alleged transaction were at issue. There were no audio or video recordings of the sale. Only CI could testify to what was actually said by him and Mr. Martinez Medina. Words that were relevant to the issue of "knowingly distributed." Neither Gutierrez or Silver heard the conversation outside the car. The person that needed to be questioned was CI. He made the deal. CI's information was "essential to a fair trial." *Henderson*, 241 F.3d at 645.

## CONCLUSION

For the foregoing reasons, this Court should grant certiorari because the issue presented is important and the court of appeals erred in deciding the issue.

Dated: September 4, 2026

Respectfully submitted,

By:   
JAMES S. THOMSON\*

Attorney for Petitioner  
Juan Luis Martinez Medina  
\*Attorney of Record

**CERTIFICATE OF COMPLIANCE  
PURSUANT TO USSC RULE 33**

Case No. 26-\_\_\_\_\_

I certify that the foregoing petitioner's petition for writ of certiorari is:

X Proportionally spaced, has a typeface of 12 points, is in Century font, is double-spaced, and has 1,270 words.



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JAMES S. THOMSON