

26-5942

No. _____

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED

FEB 26 2026

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Daniel Ray Garcia — PETITIONER
(Your Name)

vs.

The United States of America RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals 5th Circuit No. 25-10650
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Daniel Ray Garcia #2354476
(Your Name) T.D.C.J.

1697 FM 980
(Address)

Huntsville, Texas, 77343
(City, State, Zip Code)

N/A
(Phone Number)

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SUPREME COURT, U.S.

Question's Presented for Review

1. Does the United States District Court of The northern District of Texas, Amarillo, Division have the right to set a time limit on The United States Constitution, When a Defendant has The right to Exercise his 6th Amendment right, Selfrepresentation
2. Does The United States District Court of The Northern District of Texas, Amarillo, Divison have the right to force counsel on a Unwilling Defendant That Does not want counsel But wishes to represent him Self.
3. Does The United States Court of Appeals The 5th Circuit have the right to rule on a Appeal in said case 25-10650 when The Counsel for The Defendant in Appeal is ineffective Assistants on said case stated.
4. Does The United States District Judge of The United States District Court of The Northern District of Texas have the right not to Ret Disqualify him Self for Being Bias and prejudice.

List of parties

Court:

United States District Court of The Northern District
of Texas Amarillo, Division.

Parties:

United States District Judge, Matthew J. Kaesmeyer
United States Magistrate Judge, Lee Ann Reno

Assistant U.S. Attorney, Matthew R. Weybrecht.

Defendant, Appellant, Petitioner. Daniel Ray Garcia. Pro Se.

United States Court of Appeals 5th Circuit

Proceedings

Amarillo, Division In the United States District Court of The Northern District of Texas
Initial Appearance Hearing, November 9, 2023

Competency hearing May 14, 2024

Motion to Withdraw as Counsel hearing June 17, 2024

Faretta hearing August 1, 2024

Rearraignment hearing August 29, 2024

Sentencing hearing May 6, 2025

United States Court of Appeals Fifth Circuit.

Filed December 24, 2025

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Cited and authorities.

Ake v. Oklahoma 470 U.S. 68, No. 83-5424 (1985) page 8

Foreta v. California 95 Sot 2525, 45 LEd2D

562, 422 U.S. 806 (1975)

pages 8-9

Fay v. Noia 372 U.S. 391, 439 9LEd 2d 837

83 S. Ct. 822

page 9

Litky Et AL, v. United States No. 92-6921 (1994) page 10

Jurisdiction

The Supreme Court of the United States has jurisdiction under rule 10 (c) A important federal questions in ways that conflicts with the United States Constitution.

Dates of Judgment

Judgment of the United States District Court of the Northern District of Texas Amarillo Division May 6, 2025

Judgment of The United States Court of Appeals 5th Circuit Dec. 24, 2025

Constitutional Provisions

Violation of the 6th Amendment Constitution of the United States, and 5th Amendment

- 1 not allowing Defendant represent him self in a timely manner
- 2 Forcing Counsel against Defendant wishes.
3. ineffective Assistants of Counsel
- 4 Due Process of law, Due Process of law

Concise Statement

The United States magistrate Judge Lee Ann Reno of the United States District Court of The Northern District of Texas can not put a time limit on The United States Constitution and violate a Defendants 6th Amendment U.S. Const.

The United States District Court of the northern District can not violate The Defendant right to The 6th Amendment By forcing Counsel on him when he is unwilling.

The United States Court of Appeals The 5th Circuit can not rule on a Appeal when Counsel is ineffective and the Court no's The U.S. Const was violated.

The United States District Judge of The northern District of Texas Amarillo, Division can not stay in a Case when him and the party or victim and Bias and prejudice and friends.

This Court must Put The United States Constitution Before all Things in said case or writ no matter who the parties are in said writ and should and must allow this writ for Certiorari and will show as follows:

FACTS

Question 1.

See proceeding in Case 5:23-CR-100-1 in the U.S.D.C on November 9, 2023 Initial Appearance Hearing page 7 sentences 21-25. The magistrate can not Force Counsel on Defendant or set a time on The U.S. Const when The Court can use it and when it can not like a light switch. *Faretta v. California* 95 SCT 2525, 45 LED2D 562, 422 U.S. 806 (1975). The 6th Amendment does not provide merely that a defense shall be made for the accused on a time limit that The Court wishes as you can see on The proceeding above. Petitioner was not allowed to represent him self till Nov. 9, 2023 - August 1, 2024 some 10 months latter he was set for trial August 29, 2024 not giving time to prepare his defense or Experts. In a violation of his 6th Amendment to The U.S. Const. "*Ake v. Oklahoma* 470 U.S. 68, No. 83-5424 (1985).

Question 2.

The United States District Court of The northern District of Texas Amarillo, Division. Forced 2 court appointed Counsel on The petitioner The first on was Nov. 9. 2023 see proceeding in Said Date. page 7. Sentence 21-23. 2nd forced ~~Counsel~~ ^{Counsel} on June 17 2024. see This proceeding page 5-6 The petitioner had Been requesting to represent him self But The Court kept violating his 6th Amendment right to The U.S. Const. This allocation can only be justified, however, by The defendant's consent, at the out set to accept Counsel as his ~~representative~~ ^{representative}, An unwanted Counsel "represents" the defendant only through a tenuous and unacceptable legal fiction Unless the accused has acquiesced in such representation, the defense presented is not the defense guaranteed him by the Constitution, for, in a very real sence, it is not his defense. in violation of Petitioner's 6th Amendment U.S. Const "Fay v. Noia 372 U.S. 391, 439, 9 L Ed 2d 837, 83 S. Ct 822." "Faretta v. California 95 Sct 2525, 45 LEd2d 562, 422 U.S. 806 (1975)

Question 3

The U.S. Court of Appeals 5th Circuit Can not and must not egnor The United States Constitution Violated of This 6th Amendment in This Case. There was a plea took in This Case But By force as The record will show. If This Court reviews The record. The 5th Circuit ~~can~~ Can not Be a Rubber Stamp for The District Courts and if This Court allows This There is no Constitution in The United States any more.

Question 4

The United States District Judge must ~~disqualify~~ himself when he And The victim are close friends and work together. This is a violation of The Defendants 5th Amendment U.S. Const Due Process of law There is no way Defendant would of had a fair trial Liteky Et AL v. United States No. 92-6921 (1994)

Prayer

Pray
I Daniel Ray Garcia Petitioner of said writ of
Certiorari submit a true and correct copy to the
Supreme Court of The United States, and was
mailed By US mail and request this writ Granted
Under The United States Constitution, with out
prejudice. in all things

DOZO

Ellis Unit
1697 ~~Unit~~
Fm 98
Huntsville, Tt 77343
Daniel Garcia #02354476

Certificate of Service

This writ was mail as true and correct
to the U.S. Supreme Court on 2-26-2026 By U-S mail

DOZO
2-26-26.