NO. _____

IN THE SUPREME COURT OF THE UNITED STATES

TYLER DENBY,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

On Petition for a Writ of Certiorari to the

United States Court of Appeals for the Eighth Circuit

PETITION FOR WRIT OF CERTIORARI

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QUESTION PRESENTED

Whether a trial court must on its own initiative in every case exercise its gatekeeper role under 18 U.S.C. §4241 to determine the defendant's mental competency during the proceedings if the defendant has been hospitalized immediately after arrest and placed in an involuntary psychiatric hold due to suicidality, major depressive disorder, prior traumatic brain injury, paranoia, and psychosis.

PARTIES TO THE PROCEEDING AND RULE 29.6 STATEMENT

Petitioner is Tyler Denby, Appellant below. Respondent is the United States of America, Appellee below. Petitioner is not a corporation.

STATEMENT ON RELATED CASES

There are no cases directly related to this case.

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PETITION FOR A WRIT OF CERTIORARI

Tyler Denby respectfully petitions the Court for a writ of certiorari to review the opinion entered by the United States Court of Appeals for the Eighth Circuit on July 17, 2026.

OPINIONS BELOW

The decision of the United States Court of Appeals for the Eighth Circuit denying the appeal of Tyler Denby and his claim that the district court erred when it failed to make an inquiry into his mental status and order a competency evaluation can be found at United States v. Denby, 182 F.4th 744 (8th Cir. 2026). A copy of the opinion is appended to this Petition. (App. A). The district court's judgment and sentence is also attached to this Petition. (App. B). The United States Court of Appeals for the Eighth Circuit denied Mr. Denby's Petition for Rehearing En Banc and Petition for Rehearing and is appended to this Petition. (App. C).

JURISCICTION

The judgment of the Court of Appeals for the Eighth Circuit was entered on July 17, 2026. The Court of Appeals for the Eighth Circuit denied Mr. Denby's Petition for Rehearing En Banc and Petition for Rehearing on August 20, 2026. Jurisdiction is proper under 28 U.S.C. § 1254(1).

CONTSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

U.S. Const. Amend. V

> No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor 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; nor shall private property be taken for public use, without just compensation.

U.S. Const. Amend. 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.

18 U.S.C. § 4241

18 U.S.C. § 4241. Determination of mental competency to stand trial or to undergo postrelease proceedings

(a) Motion to determine competency of defendant. At any time after the commencement of a prosecution for an offense and prior to the sentencing of the defendant, or at any time after the commencement of probation or supervised release and prior to the completion of the sentence, the defendant or the attorney for the Government may file a motion for a hearing to determine the mental competency of the defendant. The court shall grant the motion, or shall order such a hearing on its own motion, if there is reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

STATEMENT OF THE CASE

At the scene of Mr. Denby's arrest, Mr. Denby's mother alerted officers as to his mental state and need for psychiatric evaluation. Mr. Denby was evaluated and the doctor recommended inpatient treatment. Throughout the proceedings, Mr. Denby exhibited delusional and erratic behaviors, but no court made an inquiry into his mental state or his competency. Mr. Denby proceeded to trial without having any competency evaluation or mental health treatment.

The question to be resolved by this Court is whether a trial court must on its own initiative in every case exercise its gatekeeper role under 18 U.S.C. §4241 to determine the defendant's mental competency during the proceedings if the defendant has been hospitalized immediately after arrest and placed in an involuntary psychiatric hold due to suicidality, major depressive disorder, prior traumatic brain injury, paranoia, and psychosis.

A. **Mr. Denby's Mental Status at the Time of Arrest**. On July 30, 2021, at the scene, Mr. Denby's mother alerted officers that Mr. Denby needed a mental health evaluation at a hospital and that Mr. Denby was suicidal. Listening to Mr. Denby's mother's warning, law enforcement took Mr. Denby to a hospital for an evaluation. Mr. Denby exhibited bizarre behavior at the hospital including asking the investigating officer if she was the person he was speaking with on Snapchat, talking about conspiracy theories linking social media and sex trafficking, and asking if there was a specific numeric sequence that he could enter so that the IV machine would blow up. Upon further medical evaluation, Mr. Denby told medical personnel that he was not okay. He presented with consumed with conspiracy theories, impulsive judgment, hallucinations, ideations, and delusional thinking. The attending physician noted that he presented impulsivity, low frustration tolerance, mood liability, and paranoia which was likely due to his traumatic brain injury. The physician placed Mr. Denby in an involuntary psychiatric hold with a diagnosis of unspecified depressive disorder and traumatic brain injury with neuropsychiatric symptoms. Mr. Denby was specifically diagnosed with suicidality, major depressive

disorder, prior traumatic brain injury, paranoia, psychosis, and the need for inpatient psychiatric facility treatment.

B. **Decisions by the District Court.** Mr. Denby appeared before Magistrate Zwart on a Motion to Suppress in which in evidence was the video recording of the original arrest. Judge Gerard reviewed Magistrate Zwart's Recommendations, and overruled Mr. Denby's objections to those recommendations. On a subsequent Motion to Reopen the Motion to Suppress, the July 30, 2021, medical records were offered into evidence. Magistrate DeLuca reviewed those medical records and denied the Motion to Reopen the Motion to Suppress. Mr. Denby proceeded to Trial on the charges, which resulted in discussions with Judge Bazis, and his eventual conviction on the charges.

C. **Trial and Sentencing**. Mr. Denby proceeded to Trial and was convicted by the Jury of one (1) count of knowingly transporting child pornography, in violation of Title 18, United States Code, §2252(a)(1) and one (1) count of knowingly possessing prepubescent child pornography, in violation of Title 18, United States Code, §2252(a)(4)(B). Mr. Denby was sentenced to 262 months in prison by the district court.

D. The Court of Appeals Decision

Mr. Denby appealed the trial court's failure to exercise its gatekeeper role when it failed to make an independent inquiry into Mr. Denby's competency to stand trial and to independently order a mental health evaluation when Mr. Denby exhibited signs of mental illness throughout the proceedings. The Eighth Circuit disagreed that Mr. Denby's brain injury and bizarre behavior gave

reasonable grounds for the inquiry when Mr. Denby had coherent and rational participation in his criminal proceedings. United States v. Denby, 182 F.4th 744 at 750, 751 (2026). The appellate court placed weight on Mr. Denby's letters to the district court demanding more discovery and contesting the evidence against him. United States v. Denby, 182 F.4th 744 at 750, 751 (2026) Mr. Denby's multiple coherent conversations on the record were insufficient to provide a reasonable cause to believe Mr. Denby was incompetent. United States v. Denby, 182 F.4th 744 at 750, 751 (2026).

REASONS FOR GRANTING THE PETITION

I. THE DECISION BELOW MISINTERPRETS THE DISTRICT COURT'S GATEKEEPER ROLE TO PROTECT AN INCOMPETENT PERSON FROM PROCEEDING TO TRIAL

A. UNDER THIS COURT'S CASELAW, THE EIGHTH CIRCUIT HAS MISINTERPRETED THE COURT'S PRIOR RULINGS.

Under *Drope*, this Court held that the lower court's inferences regarding the defendant's behavior were insufficient to overcome its failure to give proper weight to the information suggesting incompetence. *Drope v. Missouri*, 420 U.S. 162 (1974). The trial court knew of the defendant's prior mental health diagnosis, and made an assumption regarding what the suicide attempt meant regarding his ability to comprehend the proceedings, and disregarded a defense counsel's prior statement on the defendant's competency. *Id.* The Eighth Circuit ruling essentially stated that the Mr. Denby's behavior alone, negated any responsibility of the district court to inquire into Mr. Denby's mental status even though there was ample evidence of his

mental diagnosis of suicidality, major depressive disorder, prior traumatic brain injury, paranoia, psychosis, and the need for inpatient psychiatric facility treatment.

B. THE EIGHTH CIRCUIT'S DECISION CONFLICTS WITH THE PLAIN MEANING OF 18 U.S.C. § 4241.

Under the statute, the court shall order such a competency hearing on its own motion, if there is reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. This court should grant this petition to determine if a mental health diagnosis alone provides a sufficient reasonable basis requiring a trial court to make an inquiry into a person's mental competency and to order an evaluation.

II. THE QUESTION PRESENTED IS A RECURRING ISSUE OF NATIONAL IMPORTANCE.

In 2025, 54.6 million adults aged 18 or older were diagnosed with any mental illness. Substance Abuse and Mental Health Services Administration. (2026). *Key substance use and mental health indicators in the United States: Results from the 2025 National Survey on Drug Use and Health* (HHS Publication No. PEP2607-010, NSDUH Series H-61). Center for Behavioral Health Statistics and Quality, Substance Abuse and Mental Health Services Administration. https://www.samhsa.gov/data/sites/default/files/reports/rpt57150/2025-nsduh-annual-national-report.pdf, p. 40, 41. There are 18.2 million adults, 18 years or older,

who suffer from a Serious Mental Illness. Substance Abuse and Mental Health Services Administration. (2026). *Key substance use and mental health indicators in the United States: Results from the 2025 National Survey on Drug Use and Health* (HHS Publication No. PEP2607-010, NSDUH Series H-61). Center for Behavioral Health Statistics and Quality, Substance Abuse and Mental Health Services Administration.https://www.samhsa.gov/data/sites/default/files/reports/rpt57150/2025-nsduh-annual-national-report.pdf, p. 40, 41.

The Bureau of Justice Statistics (BJS) of the U.S. Department of Justice published its Survey of Prison Inmates in June 2021, indicating that forty-one percent (41%) of all state and federal inmates had a history of mental health problem, and among all inmates, and thirteen percent (13%) of all state and federal prisoners reported experiences that met the threshold for serious psychological problems. Survey of Prison Inmates, *2016 Indicators of Mental Health June 2021*, NCJ 252643 Problems Reported by Prisoners Laura M. Maruschak, BJS Statistician Jennifer Bronson, Ph.D., and Mariel Alper, Ph.D., former BJS Statisticians. https://bjs.ojp.gov/content/pub/pdf/imhprpji1112.pdf, p. 1.

Mental health affects millions of adults each year in our country, and this is the precise reason that this Court should ensure that these individuals are protected in our justice system. When a court has actual documentation of a person's mental condition, the court in every instance should be making an inquiry into that person's mental condition to be alert to competency issues and to adhere to its gatekeeper role. Otherwise, the court is making assumptions as to a person's ability to properly

consider evidence, plea offers, and the defendant's communications with counsel. An erroneous assumption that a person with suicidality, major depressive disorder, prior traumatic brain injury, paranoia, and psychosis is competent, results in not only a violation of the constitutional and statutory protections but also results in an incompetent person being convicted and sentenced. This Court should grant this petition to provide clear guidance to the district courts on the continuing duty to protect the mentally ill and to enforce the constitutional and statutory authorities meant to protect them.

III. THE CASE PRESENTS AN IDEAL VEHICLE FOR RESOLVING QUESTIONS PRESENTED TO THE COURT.

` The record is clear that at the time and place of Mr. Denby's arrest, law enforcement was notified by his mother, that Mr. Denby needed a mental health evaluation and was suicidal. The doctor's medical evaluation as to Mr. Denby's behavior at the hospital and Mr. Denby's mental health diagnoses are also in the record. When a person has a mental health diagnosis, such Mr. Denby's, the Court should make an inquiry as to his mental competency. This Court's answer to the question presented will be outcome determinative in this case, and its widespread impact will affect the millions of persons suffering from mental illness to ensure that if they come into the justice system, their constitutional and statutory protections to counsel and due process are adequately protected by the law.

CONCLUSION

For the foregoing reasons, the Court should grant the Petition for a Writ of Certiorari.

TYLER DENBY, Petitioner.

BY: /s/ Desirae M. Solomon

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IN THE UNITED STATES SUPREME COURT

TYLER DENBY, Petitioner, vs. UNITED STATES, Respondent.	)	NO._____ CERTIFICATE OF COMPLIANCE

I, hereby certify that the Petition for Writ of Certiorari filed herein contains 2,094 words, excluding the cover page, table of contents, table of authorities, signature block, and certificate of compliance, as counted by the word-processing system, Microsoft® Word for Microsoft 365 MSO (Version 2208 Build 16.0.15601.20078), used to generate the Petition for Writ of Certiorari. The otherwise complies with the type-volume limitations, the typeface requirements, and the type style requirements of Rule 33 by using Century, Font Size 12.

I further certify that the electronic version of this Brief filed with the Court complies with this Court's rules because it has been submitted in Portable Document Format (PDF), which was generated by printing to PDF from the original word processing file so that the electronic version may be searched and copied.

I further certify that the brief and addendum were scanned for viruses and that the brief is virus free.

Signed and Dated: November 19, 2026.

RESPECTFULLY SUBMITTED,
TYLER DENBY, Petitioner.

BY: /s/ Desirae M. Solomon

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