

530

PETITION FOR A WRIT OF HABEAS CORPUS BY A PERSON IN STATE CUSTODY

Name: McKinney Alonzo
LAST FIRST

Prisoner Number: K-74846

Institutional Address: P.O. BOX 1902
DE LAUNY CA. 93216

FILED
 DEC 16 2014
 RICHARD W. WIEKING
 CLERK U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

REQUEST FOR
CO-COUNSEL
3006 (A)

ALONZO MCKINNEY

Case Number: **C.V. 14 5458**
(Provided by the Clerk upon filing)

Petitioner,

vs.

PETITION FOR A WRIT
OF HABEAS CORPUS

HEDE PETH

Respondent(s).

LB

(PR)

I. INFORMATION ABOUT YOUR CONVICTION AND SENTENCE

A. What sentence are you challenging in this petition?

1. Name and location of court that imposed sentence (for example; Alameda County Superior Court, Oakland):

2. Court C.C.B

3. Location LOS ANGELES

4. Case number, if known BA 140260

5. Date and terms of sentence 3-STRIKE

6. Are you now in custody serving this term? ("In custody" means in jail, on parole or probation, etc.) YES NO

If yes, provide name and address of institution:

K.V.S.P
DELANO

B. For what crime were you given this sentence?

Note: If your petition challenges a sentence for more than one crime, list each crime separately using Penal Code numbers, if known. If you are challenging more than one sentence, you should file a different petition for each sentence.

MESZ 245 P.C (C)

C. Did you have any of the following proceedings?

Arraignment: YES NO

Preliminary Hearing: YES NO

Motion to Suppress: YES NO

D. How did you plead? Guilty Not Guilty Nolo Contendere

Any other plea (specify) N/A

E. If you went to trial, what kind of trial did you have?

Jury Judge alone Judge alone on a transcript

F. Did you testify at your trial? YES NO

G. Did you have an attorney at the following proceedings:

1. Arraignment YES NO

2. Preliminary hearing YES NO

3. Time of plea YES NO

4. Trial YES NO

5. Sentencing YES NO

6. Appeal YES NO

7. Other post-conviction proceeding YES NO

H. Did you appeal your conviction? YES NO

1. If you appealed, to what court(s) did you appeal?

1 Court of Appeal..... YES Year: _____ NO

2 Result: DENY

3 Supreme Court of California..... YES Year: _____ NO

4 Result: DENY

5 Any other court N/A YES Year: _____ NO

6 Result: N/A

7 2. If you appealed, were the grounds the same as those that you are raising in this
8 petition?..... YES NO

9 3. Did the court issue an opinion?..... YES NO

10 4. Did you seek permission to file a late appeal under Rule 31(a)?..... YES NO

11 If you did, give the name of the court and the result: N/A
12 _____

13 I. Other than appeals, have you previously filed any petitions, applications or motions with
14 respect to this conviction in any court, state or federal?..... YES NO

15 **Note:** If you previously filed a petition for a writ of habeas corpus in federal court challenging the
16 same conviction you are challenging now and if that petition was denied or dismissed with
17 prejudice, you must first file a motion in the United States Court of Appeals for the Ninth Circuit
18 for an order authorizing the district court to consider this petition. You may not file a second or
subsequent federal habeas petition without first obtaining such an order from the Ninth Circuit.
28 USC § 2244(b).

19 If you sought relief in any proceeding other than an appeal, answer the following
20 questions for each proceeding. Attach extra paper if you need more space.

21 1. Name of court: N/A

22 Type of proceeding: N/A

23 Grounds raised (be brief but specific):

24 a. N/A

25 b. _____

26 c. _____

27 d. N/A

28 Result: _____ Date of result: _____

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2. Name of court: U.S.D.C. (North)

Type of proceeding: AMENDED PETITION

Grounds raised (be brief but specific):

a. SEE # C 14-864 LB

b. _____

c. _____

d. _____

Result: SEE ATTACH EXHIBIT Date of result: N/A

3. Name of court: N/A

Type of proceeding: N/A

Grounds raised (be brief but specific):

a. SEE # C 14-864 LB

b. u

c. u

d. u

Result: u Date of result: u

4. Name of court: N/A

Type of proceeding: N/A

Grounds raised (be brief but specific):

a. N/A

b. _____

c. _____

d. _____

Result: N/A Date of result: N/A

J. Is any petition, appeal or other post-conviction proceeding now pending in any court?

..... YES NO

Name and location of court: _____

1 II. GROUNDS FOR RELIEF

2 State briefly every reason that you believe you are being confined unlawfully. Give facts to
3 support each claim. For example, what legal right or privilege were you denied? What happened?
4 Who made the error? Avoid legal arguments with numerous case citations. Attach extra paper if
5 you need more space. Answer the same questions for each claim.

6 *Note: You must present ALL your claims in your first federal habeas petition. Subsequent petitions
7 may be dismissed without review on the merits. 28 USC § 2244(b); McCleskey v. Zant, 499 U.S.
8 467, 111 S. Ct. 1454, 113 L. Ed. 2d 517 (1991).*

8 Claim One: DENY ACCESS TO COURT
9 ARTICLE I (14) (15)

10 Supporting facts: ON SEPT 11 2011 OR BEFORE
11 I WAS DENY ACCESS TO COURT BY SALINAS
12 VALLEY STATE PRISON WITH COURT ORDER
13 FOR SUMMON BY MONTEREY COURT

14 Claim Two: DENY REPORTING EMPLOYEE AS
15 IIS HEARINGS. (DUE PROCESS) AND WITNESSES

16 Supporting facts: ON MAY 9, 2011 I WAS DENY
17 RUR EMPLOYEE HEARINGS, AND WITNESSES
18 THIS CONSTRAINT AND DURATION OF
19 MY CONFINEMENT EXTENDED ETC. AT

20 Claim Three: DENY EVIDENCE / WITNESSES
21 AT RUR HEARINGS (DUE PROCESS)

22 Supporting facts: ON SEPT 11, 2011 I WAS
23 DENY RUR EMPLOYEE, WITNESSES WHICH
24 CONSTRAINT, DURATION, EXTENDED
25 MY FREEDOM, PROPERTY

26 If any of these grounds was not previously presented to any other court, state briefly which
27 grounds were not presented and why: TO FILED ANOTHER

28 PETITION BY PARALEGAL SEE
 ATTACH EXHIBIT

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List, by name and citation only, any cases that you think are close factually to yours so that they are an example of the error you believe occurred in your case. Do not discuss the holding or reasoning of these cases:

WOLFE V. McDOWELL
WILSON V SETTER BOURD V. SMITH

Do you have an attorney for this petition?..... YES NO

If you do, give the name and address of your attorney: REQUEST
FOR CO-COUNSEL 3006 (A)

WHEREFORE, petitioner prays that the Court grant petitioner relief to which s/he may be entitled in this proceeding. I verify under penalty of perjury that the foregoing is true and correct.

Executed on:

11-24-14
Date

[Signature]
Signature of Petitioner

PLEASE CONTINUE TO THE NEXT PAGE →

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CONSENT OR DECLINATION TO
MAGISTRATE JUDGE JURISDICTION

Instructions: Please indicate below by checking one of the two boxes whether you choose to consent or decline to consent to magistrate judge jurisdiction in this matter. Sign this form below your selection.

Consent to Magistrate Judge Jurisdiction

In accordance with the provisions of 28 USC § 636(c), I voluntarily **consent** to have a United States magistrate judge conduct all further proceedings in this case, including trial and entry of final judgment.

OR

Decline Magistrate Judge Jurisdiction

In accordance with the provisions of 28 USC § 636(c), I **decline** to have a United States magistrate judge conduct all further proceedings in this case, including trial and entry of final judgment.

Executed on:

11-24-14
Date

George McKinney
Signature of Petitioner

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD W. WIEKING
CLERK

450 GOLDEN GATE AVENUE
SAN FRANCISCO, CA 94102
(415) 522-2000
FAX (415) 522-3605

October 2, 2014

Dear Mr. McKinney:

We received your request regarding case number 14-864 LB. Your case is closed.

If you would like to file a new action, please find two (2) copies of our court's habeas corpus petition enclosed, along with filing instructions and an in forma pauperis application.

Your recent mailing is enclosed for your reference.

Sincerely,



Pro Se Paralegal

enclosures

EXHIBIT 7

Alonzo McKinney - K-74846
P.O. Box ~~5101~~ 2A-021
Delano, CA 93216



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DEC 02 2014
MAILED FROM ZIP CODE 93216

U.S. DISTRICT COURT

NORTH

450 GOLDEN GATE AVENUE
SAN FRANCISCO, CA 94102

LB

Kear Valley State Prison
Facility A, Building 2

ALONZO MCKINNEY

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FILED

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NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES POSTAGE



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