

CVER PAGE

Benton Roome, La. 70804-9005
PO Box 94005
Jeff-andy
Louisiana Affirmative Action
Respondent: Fresley Bordelon, Llwarden; and,

Winn's Bar, La. 71295

388 Maffures Ferry Road

Defender: Donald Keith Funnells

RE-HEARING, as the application for writ of certiorari
From this court, comes this petition for
was denied. Notice of said denial dated October 01, 2018

V- Fresley Bordelon, Llwarden

RE: Donald Keith Funnells

NO. 18-3739

AT WASHINGTON, D.C.

IN THE UNITED STATES SUPREME COURT

RECEIVED	OFFICE OF THE CLERK	SUPREME COURT, U.S.
OCT 18 2018		

In THE UNITED STATES SUPREME COURT
WASHINGTON, D.C.

NO. 18-5139

Donald Keith Runnels
-v- Presley Bordelon, Warden,
Et al.

Application / Motion For REHEARING
EN BANC

Now before the Honorable Court,
comes this pro se' instrument, and
with respect, tells this court that
Ex-Post Facto Application of Law
has happened in this case, so why
does the Court DARE to Denie' (sic)

○ Applicant implies that not only has the lower courts denied due process, but the trial court has mis-laid the law when it utilized a law that was NOT IN EFFECT ON THE DATE OF THE OFFENSE convicted of.

○ It is most definitely the duty of this court to oversee, control, Review, correct, and to otherwise insure justice be served to all Americans.

As per Supplemental Jurisdiction clauses of the United States Constitution, the following is now submitted as showing extraordinary circumstance in the current case sought to be reviewed by this Supreme Court.

Louisiana Revised Statute 15:529.1(c),

acts 2010, No. 973 § 2, eff. July 06, 2010,

was relied upon at the 11-29-2012 hearing, but the offense was

committed on 10-10-2009, see:

St. v. Wright, 384 So.2d 399 (1980)

St-v-Wright, supra

(A person is Required to be punished
According to Statute in effect at
the time offense was committed.)

Runnels informs this Honorable Court
of fact that the Louisiana District

Court, (AKA - TRIAL COURT) has

in fact applied Ex-Post Facto Law.

Yet EVERY Court belowe has

routinely found reason to dodge

the issues pressentated by this

pro se' litigant.

This is not FAIR!

Q

Conclusion

Applicant concludes by stating
the obvious - this court should
allow time for review of this case,
as Applicant is illegally being punished.

Q

Pursuant to 28 USC § 1746,

I swear under penalty of perjury
to the truth of this document

this 11th day of October, 2018

Brad Pancek

Q Page 05 of 05

#187611

DOB 12-30-1964

No. 18-5139

IN THE
SUPREME COURT OF THE UNITED STATES

Donald Runnels — PETITIONER
(Your Name)

vs.

Bordelon — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

5th Circuit, U.S. Court, New Orleans, LA.
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Donald Keith Runnels
(Your Name)

388 NATURES ACRES Road
(Address)

Winniboro, LA 71295
(City, State, Zip Code)

UN ^{Office} KNOWN 318.435.8229
(Phone Number)
FAX. 318.435.3676

QUESTION(S) PRESENTED

Will this Court Determine that
Ex-Post Facto Application of Law
is still Prohibited, and after
Review of evidence presented and
all facts of Record seen, may it
Please the Court to determine this
pro se' Relator is currently being
held illegally ?

Will this Court ORDER the
release of relators person, immediately ?

Donald Runnels

18-5139

LIST OF PARTIES

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

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:

STATE of Louisiana Governor John Bell Edwards
Capital Station / State Capital Building
PO Box 44004
Baton Rouge, LA. 70804

STATE of Louisiana Attorney General Jeff Landry
PO Box 94005
Baton Rouge, La. 70804

TABLE OF CONTENTS

OPINIONS BELOW.....	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	
STATEMENT OF THE CASE	
REASONS FOR GRANTING THE WRIT	
CONCLUSION.....	

INDEX TO APPENDICES

APPENDIX A

APPENDIX B

APPENDIX C

APPENDIX D

APPENDIX E

APPENDIX F

18-5139

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

See The Records

USSC NO 18-5139

has already been done + filed

STATUTES AND RULES

LSA RS 15:529.1(c) — Acts 2010
— Acts 2005

This part is New

OTHER

18-5139

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

USA C article one section 9.3

NO Ex-post Facto Law

LSA RS 15:529.1(c) acts 2010

LSA RS 15:529.1(c) acts 2005

18-5139

IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

[] For cases from **federal courts**:

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

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

For cases from **state courts**:

See previous filing

The opinion of the highest state court to review the merits appears at Appendix _____ 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 _____ court appears at Appendix _____ to the petition and is

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

18-5139

JURISDICTION

[] For cases from **federal courts**:

See previous filing

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 _____. A copy of that decision appears at Appendix _____.

[] A timely petition for rehearing was thereafter denied 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. § 1257(a).

18-5139

STATEMENT OF THE CASE

The trial court used the wrong version of law. This is Ex-Post Facto Application of LSA RS 15:529.1(c), 2009, and the acts 2010 version specifically restricts inclusion of "Parole Time" in the 10 year period.

where as LSA RS 15:529.1(c) acts 2005 does NOT Restrict parole Time from the 10 yr period.

The date of offense is 10-10-2009.

There for LSA RS 15:529.1(c) act 2010 was NOT in effect when offense was committed

on Oct. 25, 2018, the trial Court Confirmed the date of offense as 10-10-2009.

Relator believes he has made his point!

Donald Runnels

11-06-2018

18-5139

REASONS FOR GRANTING THE PETITION

The Reasons are clear,

The sentence is the result of
Ex-Post facto application of Law
and must be prohibited.

LSA RS 15:529.1(c), acts 2010, was used
in this case, But it was NOT IN Effect
at time offense was committed.

The prosecution used "Parole Time" as Reason for
Violation. But, the appropriate version does not prohibit
Parole Time from being included in the 10 year period
as stated in the Acts 2005 version that was
in effect on date crime (offense) was committed.

It is the duty of this court to
ORDER RELIEF based on the facts as
Relator is showing it clear + precise.

Donald Rennels

11-06-2018

18-5139

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Donald Runnels

Date: 11-06-2018