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NO. 18 - 8118

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IN THE  
SUPREME COURT OF THE UNITED STATES  
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ALVIN DAVIS, JR.

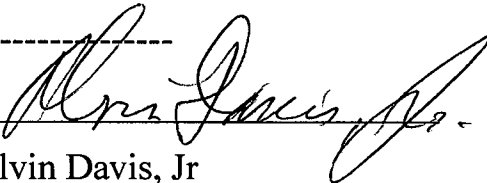
Petitioner

STATE OF LOUISIANA

Respondent

On Petition for REHEARING of the Writ of Certiorari to the  
Louisiana Supreme Court

PETITION FOR REHEARING OF WRIT OF CERTIORARI  
APPLICATION

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Alvin Davis, Jr

*PRO SE / IN FORMA PAUPERIS*

Mailing of all court rulings to –  
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## PETITION FOR REHEARING

Now comes before the Court, Alvin Davis, Jr. proceeding in former pauperis, as previously granted for his writ application to this court, and pursuant to Rule 44 of the Rules of this Court, and now petitions this Court for a rehearing of the denial his writ application, dated April 15, 2019, for the following reasons:

Petitioner re urges all arguments, allegations, authorities, of his writ application, and respectfully asks this court to reconsider his petition for relief with consideration of his current sentence of life imprisonment, imposed on him as guilty of forcible Rape, a sentence of 35 years, and a life sentence as a Multiple offender, due to mostly previous drug convictions.

- 1- Petitioner, hereafter referred to as, defendant, is a black male, convicted in the 22<sup>nd</sup> Judicial Court, State of Louisiana. by an all-white jury, illegally selected, in violation of the rulings of the case of Batson v Kentucky, (citation in writ application) and its progeny, and the case of Jabari Williams, (citation in writ application) and its progeny, by a jury that only needed 10 out of 12 votes for any verdict. The petit jury was likewise selected from an illegally composed jury venire, comprised of 'scanty' few black members.

- 2- Louisiana has now changed that 10 to 2 law. to require a unanimous verdict for all cases that would carry a life sentence if convicted. This is significant, because defendant is serving a life sentence, under the old law because the State of Louisiana has never indicated, that it would not multiple bill him, if convicted, thereby in effect, condemning him to, what is now, an illegal life sentence. Under the old law, with no consideration of the revised, current law, defendant remains with a life sentence.
- 3- Defendant was deprived of the right to cross exam this witness.  
The prosecution was guilty of various violations, including nolle prossing the case after delaying it for nearly 2 years, and then re opening it 2 days later. The defendant was a jailed defendant eagerly awaiting trial, not agreeable to any more prosecution delays. This ploy nearly resulted in the non subpoena of all defense witnesses, because on the re setting of the case, the clerk failed to re subpoena all defense witnesses.
- 4- Ineffective assistance of Trial counsel, for failing to move for mistrial when learning the possible whereabouts of witness Angel Rivera, on the day of the long delayed trial, by the furnishing of a new date of birth of Rivera. Additionally, the second failure of trial counsel for failing to move for a mistrial, when hearing the surprise cross examination testimony of the witness, girlfriend, Daryl Hines, showing Rivera, in prison in New York, as indicated in the record, and in the writ

application.

### SUMMARY

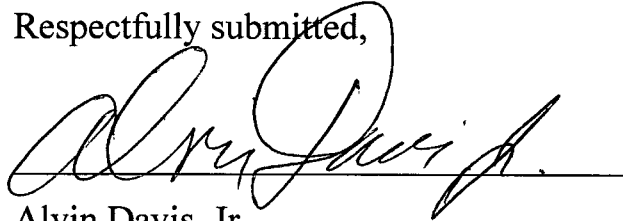
In summary, defendant urges he did not receive a fair trial because

A - prosecution mis conduct - Brady v Maryland

B - racial discrimination - Batson v Kentucky

C - ineffective assistance of counsel

Respectfully submitted,



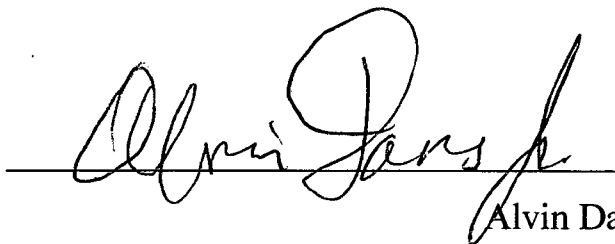
A handwritten signature in cursive script, appearing to read 'Alvin Davis, Jr.', is written over a horizontal line.

Alvin Davis, Jr.

### CERTIFICATE

I certify that this petition for Rehearing has been served on the District Attorney for the Parish of St Tammany, State of Louisiana by mailing a copy of same to Matt Caplan, Assistant District Attorney, or the Appeals department of that office, to 701 Columbia St., Covington, La. 70433

5/13/19

A handwritten signature in cursive script, appearing to read "Alvin Davis, Jr.", is written over a horizontal line.

Alvin Davis, Jr.