

NO. 19-5248

OCTOBER TERM 2019

IN THE SUPREME COURT OF THE UNITED STATES

GARRY RANDALL WEST, PETITIONER,

VS.

JASON BRYANT, WARDEN, JCCC, RESPONDENT.

**ON PETITION FOR REHEARING OF
THE UNITED STATES SUPREME COURT
OCTOBER 7, 2019 DENIAL OF
PETITIONER'S WRIT OF CERTIORARI**

**Garry Randall West, 173249
James Crabtree Correctional Center, Unit 5-S
216 North Murray Street
Helena, Oklahoma 73741**

PRO SE

NO. 19-5248

IN THE
SUPREME COURT OF THE UNITED STATES

GARRY RANDALL WEST, Petitioner,

VS.

JASON BRYANT, WARDEN, JCCC, Respondent.

ON PETITION FOR REHEARING

CERTIFICATE OF INTERVENING
GROUNDS

I, Garry Randall West, Pro Se Petitioner, CERTIFY that to the best of my knowledge, the attached Petition For Rehearing (En Banc) briefly and distinctly states his GROUNDS for Rehearing (En Banc) and are limited to intervening circumstances of substantial or controlling effect, specifically pointing to RECENT 2018 SUPREME COURT RULINGS in Carpenter v. U.S., 138 S. Ct. 2206 (2018), Riley v. California, 134 S. Ct. 2473 (2018), and Collins v. Virginia, 138 S. Ct. 1663 (2018), cases which the Supreme Court REVERSED and REMANDED.

I, Garry Randall West, Pro Se Petitioner, DECLARE that to the best of my knowledge and under penalty of perjury that the foregoing is true and correct.

Executed on November, 2019

Garry R. West
Signature

NO. 19-5248

OCTOBER TERM 2019

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VS.

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ON PETITION FOR REHEARING OF
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COMES NOW, Garry Randall West, the Pro Se Petitioner in this proceeding, respectfully Petitions for a Rehearing, pursuant to the Rules of the Supreme Court of the United States (2019), of the Order of the Court entered on October 7, 2019, denying the Petition For Writ Of Certiorari. (See, Exhibit A, attached)

This Petition is made on the following grounds:

- 1) The Court IGNORED its own recent Supreme Court Rulings, which clearly support Petitioner's claims supported in *Carpenter v. U.S.*, 138 S. Ct. 2206 (2018), *Riley v. California*, 134 S. Ct. 2473 (2018), *Collins v. Virginia*, 138 S. Ct. 1663 (2018), cases which the Supreme Court REVERSED and REMANDED.

- 2) Cases recently REVERSED and REMANDED by the Supreme Court clearly show that Police MUST produce a warrant to search in the absence of Exigent Circumstances, as clearly testified in the Record by Police in Petitioner's Trial Court; Petitioner is due equal protection by the United States Supreme Court.

See, *Carpenter v. U.S.*, 138 S. Ct. 2206 (2018), *Riley v. California*, 134 S. Ct. 2473 (2018), *Collins v. Virginia*, 138 S. Ct. 1663 (2018), Support cases which the Supreme Court REVERSED and REMANDED.

- 3) The warrant for Petitioner's residence was invalid! Some type of warrant served at Petitioner's residence was not in Petitioner's name. (See, Original Record pages 34-35). The State of Oklahoma conceded at Petitioner's Post-Conviction Hearing by admitting on the Record – three (3) years after conviction – that the search warrant for Petitioner's residence could not be explained and had no connection whatsoever in [his] case. At that hearing, the State immediately submitted some type of *corrected warrant* to the Record without permitting presentation to / or objection from the defense, which is an Oklahoma Court Rule 4(e) violation, depriving Petitioner his right to object to new evidence presented to the Court.

See, *Carpenter v. U.S.*, 138 S. Ct. 2206 (2018), *Riley v. California*, 134 S. Ct. 2473 (2018), *Collins v. Virginia*, 138 S. Ct. 1663 (2018), Support cases which the Supreme Court REVERSED and REMANDED.

- 4) Police cannot seize or search for data or information, even digital data, without a valid warrant! Data, information, and material, no matter

what it regards, are private, sensitive, confidential, and are extremely privileged.

See, *Carpenter v. U.S.*, 138 S. Ct. 2206 (2018), *Riley v. California*, 134 S. Ct. 2473 (2018), *Collins v. Virginia*, 138 S. Ct. 1663 (2018), Support cases which **the Supreme Court REVERSED and REMANDED**.

See also, *U.S.C.A. 1, 4, 14*; *Byrd v. U.S.*, 138 S. Ct. 1518 (2018); *U.S. v. Garcia*, S. Ct. (2018); *U.S. v. Jones*, 132 S. Ct. 945; *Maryland v. King*, 133 S. Ct. 1958; *Butler v. Michigan*, 77 S. Ct. 524.

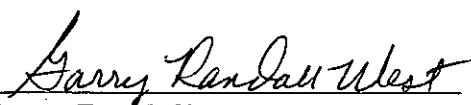
- 5) **The Supreme Court issued NO REASON(s) to Petitioner for the Denial of his Petition For Writ Of Certiorari EVEN THOUGH the Court's DENIAL IS CONTRARY** to recent Supreme Court rulings that clearly support Petitioner's claim(s).

See, *Carpenter v. U.S.*, 138 S. Ct. 2206 (2018), *Riley v. California*, 134 S. Ct. 2473 (2018), *Collins v. Virginia*, 138 S. Ct. 1663 (2018), Support cases which **the Supreme Court REVERSED and REMANDED**.

WHEREAS Petitioner request this Honorable United States Supreme Court for a REHEARING of his Petition for Writ of Certiorari.

Respectfully submitted,

Executed on October 23, 2019


Garry Randall West, 173249
James Crabtree Correctional Center
216 North Murray Street
Helena, Oklahoma 73741
PRO SE

Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001

Scott S. Harris
Clerk of the Court
(202) 479-3011

October 7, 2019

Mr. Garry Randall West
Prisoner ID #173429
216 North Murray St.
Helena, OK 73741

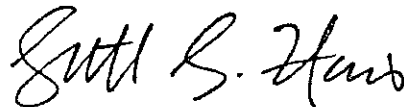
Re: Garry Randall West
v. Jason Bryant, Warden
No. 19-5248

Dear Mr. West:

The Court today entered the following order in the above-entitled case:

The petition for a writ of certiorari is denied.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott S. Harris", written in a cursive style.

Scott S. Harris, Clerk

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PROOF OF SERVICE


I, Garry Randall West, do swear or declare that on this date, October 23, 2019, as required by Supreme Court Rule 29, I have served the enclosed **ON PETITION FOR REHEARING OF THE UNITED STATES SUPREME COURT OCTOBER 7, 2019 DENIAL OF PETITIONER'S WRIT OF CERTIORARI** on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States Mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within three (3) calendar days.

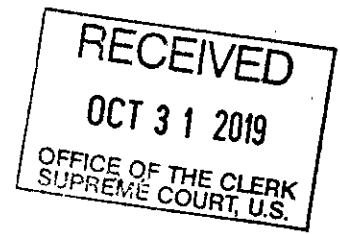
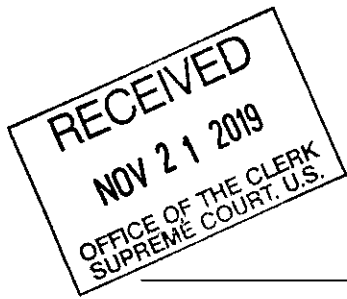
The names and addresses of those served are as follows:

Attorney General of Oklahoma
313 N.E. 21st Street
Oklahoma City, Oklahoma 73105.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 23, 2019


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James Crabtree Correctional Center
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Helena, Oklahoma 73741



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CERTIFICATE OF COUNSEL

I, Garry Randall West, Pro Se Petitioner, certify that the above Petition is presented in good faith and not for delay.

Dated: October 23, 2019

Executed on October 23, 2019


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Helena, Oklahoma 73741