

Number 19-7383

IN The
Supreme Court of the United States

PARNELL R. MAY PROSE

Petitioner

Vs.

State of ARKANSAS et al

Respondent

ON Petition for Writ of Certiorari to the Arkansas Court of Appeals

~~Petition for the Rehearing of the Order denying~~
~~the Petition for a Writ of Certiorari in the United~~
~~States Supreme Court, in accordance with Rule 44 & 45.~~
~~and its Appendix Rehearing Exhibit.~~

PARNELL R. MAY S.O.#7229 PROSE
3201 West Roosevelt Road Pulaski County
Little Rock, Arkansas 72204 Detention Facility
Inmate Bookin #22568-16

RECEIVED

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OFFICE OF THE CLERK
SUPREME COURT, U.S.

ORIGINAL

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The Appendix Rehearing Exhibit. Cover Page & Table of Contents

Record Evidence of Trial Court's Intent: Pages 87-112.

Record Evidence of trial Court's Conduct regarding the defendant: Pages 115-122.

In Accordance with this Court's Rule 12.7, regarding "Any document filed with this Court, a party may cite or quote from the record even if it has not been transmitted to this Court, Rule 28.8, where that it may permit a case to be heard on copies of the original record, or relevant parts thereof, where by the Appendix Rehearing Exhibit is part of this petition for the Rehearing of the Order denying the Petition for a Writ of Certiorari in this United States Supreme Court, accordingly.

Privacy Policy

In Accordance with this Court's Rule 34.6. A case in which Privacy Protection was governed by Federal Rule of Appellate Procedure 25 (a)(5) / Federal Rule of Civil Procedure 5.2, or Federal Rule of Criminal Procedure 49.1. is governed by the same rule in this Court. In any other cases Privacy Protection is governed by Federal Rule of Civil Procedure 5.2. except that Federal Rule of Criminal Procedure 49.1, governs writs sought in Criminal Cases.

Table of cited Authorities, Statutes, etc.

- ARIZONA Vs. Washington, 434 U.S. 497 (1978).
- Butler Vs. State, 95 A.3d. 21, 33 (Del. 2014).
- Oregon Vs. Kennedy, 456 U.S. 667, 676, 679, (1982).
- United States Vs. Jorn, 400 U.S. 470 (1971).

- United States Constitution, 14th Amendment's due Process of Law & equal Protection of Laws CLAUSES.
- United States Constitution, 5th Amendment's Double Jeopardy Clause.
- ARKANSAS Constitution, Article 2, Section 8
- ARKANSAS Code Annotated Section 5-1-112
- United States Constitution, 1st Amendment's Right of freedom of speech and Right to Petition the government for a Redress of grievance, CLAUSES, accordingly.

STATUTES AND RULES : CONSTITUTIONAL & STATUTORY PROVISIONS INVOLVED.

Supreme Court of the United States Rule 10, held that, "A Petition for a Writ of Certiorari, will be granted only for Compelling reasons. Rule 10. (c), holds that if, "A State Court of Appeals, has decided an important question of Federal Law that, "should be," settled by this Court, and that, "A State Court of Appeals has decided an important federal question in a way that conflicts with relevant decisions of this Court," accordingly.

The fifth Amendment's to the United States Constitution's Double Jeopardy Clause's Second, general Principle's Post-mistrial Rule, established as the Rule of Law, that "if a defendant consent to a mistrial, then the Double Jeopardy Clause, does not bar retrial.

The Exception, to this Second general Principle is, if the trial Court Judge and/or Prosecution, "goaded" the mistrial, with the intention, of getting the defendant to relinquish his right to finish the trial before the currently composed jurors, that it would bar retrial by due process of equal Protection, of the Double Jeopardy Clause, of the 5th Amendment to the United States Constitutional Law, and any other Laws, accordingly.

Supreme Court of the United States Rule 44, 2. "in compliance with all form and filing requirements of paragraph 1 of this Rule, accordingly" but its grounds are limited to intervening circumstances of a substantial and controlling effect, that it is the Unconstitutional prosecution of I Parnell R. May by the Lower Court's Unconstitutional retrial of I Parnell R. May for the same offense, that violated against I Parnell R. May's Right, against double jeopardy in any Criminal Court of Law, within the United States, accordingly, whereby I Parnell May did Petitioned this Court for a Redress of I Parnell May's grievance, of the equal protection against double jeopardy by due process of the U.S. Constitutional Law by this Court.

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Table of cited Authorities, Statutes and Rules, Constitutional Provisions :

United States Supreme Court's Rule 45.2, "In cases on review, from a State Court, the Mandate issues 25 days after entry of the judgment, unless the Court or a Justice shortens or extends the time or unless the parties stipulate that it issue sooner. The filing of the Petition for Rehearing stays the Mandate until disposition of the Petition, unless the Court orders otherwise. If the Petition is denied the Mandate issues forthwith. The Mandate is set for Retrial on August 12th 2020, for 1st degree and Capital murder charges for the same offense, in a Criminal Court of Law, unfairly against I Parnell May. I Parnell R. May by this effort has submitted this Petition for Rehearing of the Order denying my Petition for a Writ of Certiorari in this Court, and in accordance with this Court's Rule 45.2. "The filing of this Petition for Rehearing stays the Mandate until disposition of the Petition, unless the Court order otherwise," accordingly.

In Accordance with this Court's Rule 44.3. "In the Absence of extraordinary Circumstances, the Court will not grant a petition for Rehearing without first Requesting a Response." Here, It is the Presence of an extraordinary Circumstance, where that the State, seeks to Retray and Prosecute I Parnell May for the same offense Unconstitutionally in a Criminal Court of Law in the State of Arkansas, that is a State in the United States of America, accordingly, on August 12th 2020.

The 14th Amendment to the U.S. Constitution does provide, I Parnell May "a Person" with the Rights of due Process of Law and to be equally Protected by the U.S. Constitutional Laws, accordingly, against double jeopardy, whereby I Parnell May seek relief against the double jeopardy, by this United States Supreme Court, accordingly. As I Parnell May had the Right of fair treatment, in any Criminal Court of Law, in the United States, in accordance with the 6th Amendment to the U.S. Constitution's Right of a fair Court-Cause, and that includes this United States Supreme Court, that, should review and decide I Parnell R. May's Case, accordingly.

I Parnell R. May has the Right to be equally Protected by the U.S. Bill of Rights in the Amendments to the United States Constitutional Laws, in which I Parnell R. May is entitled to, accordingly, by due Process of the U.S. Constitutional Law, accordingly, by this United States Supreme Court.

Rule 44.2, "Based on the Just Grounds of Intervening Circumstances of a very - Controlling Substantial effect, Not previously expressed to this Court"

This Petition, for the Rehearing, of the order denying, my Petition for a Writ of Certiorari, is based on the Just grounds of the 14th Amendment to the U.S. Constitution's due Process of Law, and also, of the Right of the equal Protection of the Laws, Specifically, about the Fifth Amendment to the U.S. Constitution Double Jeopardy Clause's Second general Principle, where, the Law regarding the Applicability, of the Double Jeopardy Clause's, post-mistrial, Consists of two general principles, with one exception to each. The first general principle is that if a defendant did not consent to a mistrial, then the Double Jeopardy Clause bars Retrial. The exception to this general principle is if there was "Overruling" or "manifest" "necessity" for the mistrial. See "ARIZONA vs. Washington, 434 U.S. 497 (1978)", see also Shelton vs. State, 2009 Ark. 388, 326 S.W. 3d 429. The second general principle is that if a defendant did consent to a mistrial, then the Double Jeopardy Clause does not bar Retrial. The exception to this general principle is if the trial Court judge and/or prosecution, goaded the mistrial with the intention of getting the defendant to relinquish his right to finish the trial before the currently composed jurors, then, the Double Jeopardy Clause, bars Retrial.

This issue, is absolutely, very important, to the Public, whereas, in the Public, there are U.S. American Citizens, such as I Parnell R. May, who as an U.S. American Citizen, believed that, the trial Court judge, did intended to goad I Parnell R. May into requesting for that mistrial on January 26th 2018, in fact, I Parnell R. May, Now, know for a fact, based by, the Specific trial transcript Record, that, the trial Court judge, in the Case of State of Arkansas vs. Parnell R. May, Case Number, 60 CR-17-169, did intended, to goad I Parnell R. May into requesting for that mistrial on January 26th 2018, accordingly.

As an U.S. American Citizen, the 14th Amendment to the U.S. Constitution, provided I Parnell R. May with the right to be equally protected by, the Fifth Amendment to the U.S. Constitution's Double Jeopardy Clause's, second general principle, where, that Law, bars the State from Retrial of the charges based upon Double Jeopardy Principles, in accordance with due process of Law, by the 14th Amendment to the United States Constitution, accordingly.

This is an Emergency, directly about, the U.S. Constitutional Law, of the 5th Amendment Double Jeopardy Clause, therefore, this Court must Not, simply deny my Petition for a Writ of Certiorari in the United State Supreme Court and/or this Petition for the rehearing of the order denying the Petition for a Writ of Certiorari, without reasonable explanation. This issue needs Clarification, and it must come from the United States Supreme Court, so that the U.S. American Citizens in Public, can be equally protected by the Law, acc-

Accordingly, through due Process of Law, To deny I Parvell R. May's Petition for a Writ of Certiorari in this United States Supreme Court, simply, because, this Court had chosen, Not to Accept the Case, for review, without even express, of this Court's, view of the merits of the Case, it had actually denied, to I Parvell R. May an U.S. American Citizen, the equal Protection of the Laws, especially, in this matter of the 5th Amendment to the U.S. Constitution's Double Jeopardy Clause, where, the 2nd general Principle of that Law, bars the State of Arkansas from Retrial of the charges against I Parvell R. May, where the trial Court Judge did intended to guard I Parvell R. May into Requesting for that Mistrial on January 26th 2018. I Parvell R. May did Petitioned this Court for a Redress of my grievance, and I Parvell R. May invoked my Right to do so, in accordance with the First Amendment to the U.S. Constitution's Freedom of Speech and Right to Petition the government Clauses, accordingly. (Please go to the Appendix Rehearing Exhibit, for Reference.)

I Parvell R. May Seek Relief by fair and equal exercise of Justice, and by this United States Supreme Court, where, that fair and equal Justice, is meant to be exercised, therefore this United States Supreme Court must, full fill its duty, that, it was sworn and established by the U.S. Constitution, to do so, as due Process of Law, especially in Consideration of this very Case, where there is this very important Constitutional Issue, and a Real Conflict between the decision of which review is sought, and a decision of another Appellate Court, as well as this very Court, on the Same Issue, accordingly, See Butler VS State (Del 2014).

The 5th Amendment to the U.S. Constitution's Double Jeopardy's Clause, is One of the, U.S. Bill of Rights, and the U.S. Bill of Rights, are especially established, so as to protect the U.S. American Citizens, such as I Parvell R. May against governmental Action, especially the governmental Action, such as, the trial Court Judge's, Judicial Conduct, that did give rise to that Successful motion for that Mistrial on January 26th 2018, but how can the U.S. Bill of Rights, protect I Parvell R. May, if this United States Supreme Court will Not Review this Case, because this Court exercised the Judicial discretion, to simply deny my Petition for a Writ of Certiorari in the United States Supreme Court, and

for this Petition for the Rehearing of the Order denying this Petition for a Writ of Certiorari in the United States Supreme Court, how can the U.S. Bill of Rights ever protect, I Parvell R. May against such governmental Action, that had occurred in this Case, when this very United States Supreme Court, would Not Review this Case, simply because of its own Judicial discretion, to simply Not Accept the Case for review, without any Comment or explanation, Please, that is, truly Unfair, to I Parvell R. May's efforts in Seeking relief by fair and equal exercise of Justice through this United States Supreme Court, accordingly. This Court's Judicial discretion, is a travesty to the due process of Justice in this Court.

In accordance with Supreme Court Rule 10. (c) "A State Court has decided an important question of federal U.S. Constitutional Law, that, should be settled by this Court," and that a State Court of Appeals did decide an important federal U.S. Constitutional question, in a way that conflicts with relevant decisions of this Court. Accordingly. (Please see, Oregon Vs. Kennedy, 456 U.S. 667 (1982), and United States Vs. Jorn, 400 U.S. 470 (1971).)

This Court is here for the People of the United States of America and the People, is the U.S. Citizens, and I Parvell R. May am an U.S. Citizen in America, and I Parvell R. May did Petitioned this Court for a Redress of My Grievances, and that very grievance was that I Parvell R. May had Petitioned for a Writ of Certiorari in the United States Supreme Court, along with this current Petition for a Re-hearing of the order denying a Petition for a Writ of Certiorari, in this United States Supreme Court, as the means of Seeking a Relief, through the Supreme Court the United States.

This Court is very aware of the Serious Importance to the Public, of this issue, about the 5th Amendment to the U.S. Constitution's Double Jeopardy Clause's Second general Principle, that Prohibited the trial Court Judge from goading I Parvell R. May, an U.S. American, Citizen, into requesting for that Mistrial, on January 26th 2018, wherefore, such, Judicial Conduct is Unfair Against any, U.S. Citizen in any Criminal Court of Law within the United States of America, as well as UnConstitutional, Against I Parvell R. May.

Therefore, this Court, CAN NOT AFFORD to deny I Parvell R. May's Petition for a Writ of Certiorari, in this United States Supreme Court, for the very reason, of the Public's Protection, Against such, governmental Action, and Conduct, as the trial Court, goading ANY PERSON, into a mistrial, it is, the due Process of the equal Protection of the Law, accordingly, and, that Law, shall, equally protect I Parvell R. May an U.S. Citizen.

That is why the U.S. Bill of Rights were specifically established by the forefathers of our Great Nation, so as to give I Parvell R. May an U.S. Citizen, the Right of freedom to Speech, and expression, so as to exercise I Parvell R. May's Right to Petition, this Court, for a Redress of I Parvell R. May's grievance, about the trial Court in the Pulaski County of Arkansas Circuit Court of Law, that, intentionally goaded I Parvell R. May into requesting for that Mistrial on January 26th 2018, whereby, the trial Court did violated against the Second general Principle of the Double Jeopardy Clause's Post-mistrial Rule; that is Officially established in the 5th Amendment to the U.S. Constitution as one of the highest Laws of the Land, to protect I Parvell R. May and the U.S. American Citizens.

This Court must Review the Record, of the Interlocutory Appeal Case Number CR-18-996, of Parvell R. May Vs. State of Arkansas, and After this Court has made that Objective, de Novo Review, of the facts and Circumstances, that shall be found in the Record of the Interlocutory Appeal Case Number CR-18-996, that this Court shall then Decide whether the trial Court in that very Case, did intended to goad I Parvell R. May into requesting for that Mistrial on January 26th 2018, and by that very Ruling the understanding of that Law will be further Clarified, and updated, accordingly.

Please, I strongly implore, this United States Supreme Court, to allow itself to exercise its Authority for fair and equal Justice, to be served in my Case that I Parvell R. May AS AN U.S. American Citizen, had Petitioned this Court for a redress of I Parvell R. May's grievances, in regard of the Double Jeopardy Clause issue, accordingly, And grant both of I Parvell May's Petitions, accordingly.

This very Petition for the Rehearing of the order denying the Petition for a Writ of Certiorari in this United States Supreme Court, has presented to this Court, the Just grounds of the intervening circumstances of a very substantial effect, and that is the Very U.S. Constitution's 14th Amendment's due process of Law and equal Protection of the Laws clauses, whereby, they are clearly intervening circumstances of a very substantial effect, to the point, that, this United States Supreme Court, CANNOT, simply ignore and/or deny, especially without providing reasonable explanation, in specific regard, to such, a Urgent U.S. Constitutional issue, Compelling.

This Court, is known as the most highest Supreme Court on the Planet earth and responsible for upholding and defending, the United States Constitutional Laws, that are known as the most highest Laws of the Land, on the Planet earth.

I Parvell R. May am a Citizen of the United States of America, and I Parvell R. May's U.S. Constitutional Right against double jeopardy, had been Violated Against by, the trial Court Judge, in a jury trial that was unfair to I Parvell R. May.

The second general Principle to the Fifth Amendment's Double Jeopardy Clause, Post-Mistrial, specifically forbids any trial Court judge from, intending to send any one who is a Citizen of the United States of America, that is a defendant in a jury trial, into consenting for a mistrial, it is, the U.S. Constitutional Law.

The most highest reason on the Planet earth is the fact that (it is about the United States of America's Constitutional Law,) and that, this Court has this very U.S. Constitutional duty, and Moral obligation, of exercising fair and equal Justice, whenever or where, the U.S. Constitution's integrity has been violated against, in regard to U.S. Citizens, such as I Parvell R. May where governmental Action, had violated against One of I Parvell R. May's U.S. Bill of Rights.

There is, No where else, to turn to, for fair and equal Justice, in accordance with the U.S. Constitutional Laws, if this Court, rejects to Review and decide, this Case. Then actually, there is, No One, in the United States Supreme Court, to enforce our U.S. Constitutional Laws accordingly, instead there are deniers of the responsibility.

→ of exercising enforcing, Uphold defending the integrity and Reputation of the very Purpose for the Bill of Rights that are in the United States Constitution, that was the reason for I Parnell R. May's effort, in Appealing to this United States Supreme Court, because I Parnell R. May as a Citizen of the United States of America, had been done wrong Unconstitutionally by governmental Conduct of a trial Court Judge, and I seeked for equal Protection of the Laws, by this United States Supreme Court, that was established to specifically exercise enforce and defend the U.S. Constitutional Laws, and its Bill of Rights, accordingly, by due Process of Law.

There is Nothing else Above the United States Supreme Court on this Planet earth that has the Authority to Compel this Court, to grant this Petition for Rehearing of the Order denying the Petition for Writ of Certiorari, or to even grant the Petition for a Writ of Certiorari in the United States Supreme Court that I Parnell May had Prepared own my own, as a Citizen of the United States of America.

Only by the will of the Almighty Spirit of Infinite Consciousness, that's in every living Soul that, this Court, shall be, CONVINCED to grant, this Petition for Rehearing of the Order denying my Petition for a Writ of Certiorari, and also grant, my Petition for a Writ of Certiorari in this United States Supreme Court, accordingly, morally.

In 2017 in the State of Massachusetts a woman was found guilty of manslaughter, and Sentence to 15 months in prison, for texting suggestive messages, to a man, to proceed in committing suicide. If the Courts, convicted a person for texting another person, telling the other person to kill themselves, then it is just as reasonable, the trial Court did goaded I Parnell May, to Request for a Mistrial.

The trial Court in this Case, verbally Spoke directly suggestive messages to I Parnell R. May, to persuade and convince I Parnell R. May to Request for a Mistrial, and the United States Constitutional Laws specifically Prohibited the trial Court against 'goaded' a defendant, into Consenting for a Mistrial, accordingly, with intent.

This is, a Clear, U.S. Constitutional Issue, that had been, previously established with certain further clarity by certain Case Laws, such as Butler Vs. State, 95 A.3d 21, 33, (Del. 2014), in that Court of Appeals in the state of Delaware, and by that Court of Appeals, it holds that, "To evaluate an alleged claim of goading, we must scrutinize the objective facts and circumstances. The reason for that is plain: a trial Court judge and/or prosecutor is unlikely to ever Confess to having the intent to deprive a defendant of his right to trial before the empaneled jury. As a result, the requisite intent must necessarily be inferred from the objective facts and circumstances. Id. Here, whether motivated by paternalism, sympathy, frustration, or exhaustion, an objective review of how the mistrial played out, demonstrates, the trial Court embarked on a course set to provoke a mistrial, it bars Retrial.

(Please see the Appendix Rehearing Exhibit: in its entirety completely).

Understandably, many Cases are Submitted to the Point, the United States Supreme Court's Judicial discretionary Powers, exists, in order to Manage the Case Load, and that the Supreme Court, grants Writ of Certiorari, only to those Cases, where the issue is U.S. Constitutional, and that, if the issue is a Jeopardy to Life or Limb, Lawfully and/or that the governmental conduct, had Abused its Authority and Position and Violated a Person's Civil Rights, but if the United States Supreme Court only grants Writ of Certiorari to those Cases, So as to defend and/or protect governmental Misconduct, And denying the Poor U.S. Citizens, grievances, whenever it wants accordingly, but

I would hope that such observation is not true, because, if this Court, that is governed by its own Judicial discretionary Authority in simply denying my Petition, for a Writ of Certiorari by this Court, without comment or explanation, simply because, this Court, had only chosen, not to accept my Case, for review, without expressing this Court's views of the merits of my Case, then, that shall be, this Court's Conduct, that would be clearly denying the due process of Law, that was established to, equally protect, I Parnell R. May by the United States Constitutional Laws, accordingly.

The due Process of Law, is, the Post-Mistrial, second general Principle of the Double Jeopardy Clause, of the Fifth Amendment to the United States Constitution, that holds that, "If a defendant did Consent to a mistrial, then the double jeopardy does not bar re-trial. The Exception to this second general Principle is, if the trial Court judge and/or Prosecution 'goaded' the mistrial with the intention of getting the defendant to Relinquish his Right to finish that trial before that currently composed Jurors."

The equal Protection of that, United States Constitutional Law, is that, the Post-Mistrial Second general Principle of the Double Jeopardy Clause, of the Fifth Amendment to the United States Constitution, bars the Arkansas State Prosecution from Retrial of the charges Against I Parnell R. May in any Criminal Court of Law in the United States of America, by just and fair, due process of Law, accordingly, but only this Court can Assure that due Process.

Butler Vs. State, 95 A. 3d 21, 33 (Del. 2014), is clearly, a very important consideration for this United States Supreme Court in Accepting my Case for review, because of the clear existence of the Conflict between the decision of which Review is sought, in my Case and, the decision, of that, other Appellate Court, on the very same issue, Please Refer to the Case of Butler Vs. State of Delaware, 95 A. 3d 21, 33 (Del. 2014).

This is One of the most important functions of this Supreme Court, and that is to resolve disagreements among Lower Courts about specific Legal Questions, and this U.S. Constitutional issue, is very important, wherefore, the Court of Appeals in the State of Delaware holds that the trial Court embarked on a Course set to provoke a mistrial, which bars Retrial of the defendant based upon Double Jeopardy Principles, accordingly. The Lower Courts in the State of Arkansas, will not give I Parnell R. May any fair Official Proceeding, whether it's Trial or Appeal, in any of its Criminal Courts of Law, in the State of Arkansas, accordingly.

By this Court exercising its Judicial discretionary Powers to simply deny my Petition for a Writ of Certiorari in the United States Supreme Court, about a seriously important U.S. Constitutional issue, as the Fifth Amendment to the U.S. Constitution's Double Jeopardy Clause, and leaves the matter without any reasonable comment or explanation, without even expressing this Court's view of the merits in this case, perhaps there would be nothing else, that would reasonably compel this Court to exercise such fair and equal justice, by its Authority because of its own Judicial discretionary Power, to simply deny reviewing my Petition for a Writ of Certiorari in the United States Supreme Court, without expressing this Court's view of the merits on the case, where there is no due process of law, so as to compel this Court to exercise fair and equal justice, for the sake of I Parnell R. May to be equally protected by the same U.S. Constitutional Laws, accordingly by due process of law, in which it can be unfair and/or abused without checks.

Therefore I Parnell R. May, invoke, 'reasoning' in this Court's mind, in hopes that this Court shall be reasonably convinced, and compelled to grant both I Parnell R. May's Petition for a Writ of Certiorari in the United States Supreme Court, after this Court has granted this Petition for rehearing of the Order denying I Parnell R. May's Petition for a Writ of Certiorari in the United States Supreme Court.

As it was clearly stated, in my Petition for a Writ of Certiorari in the United States Supreme Court, that the two compelling reasons, that officially exist, was the very fact that there is an existence of a conflict, between the decision of, which this review is sought, and the decision of another Appellate Court, on the same issue, in regard to the Case of Butler Vs. State of Delaware, 95 A.3d 2133 (Del. 2014), and that it was also an existence of a conflict, between the decision of, which this review is sought, and the decision of this very United States Supreme Court, on the same issue, in regard to the Case of Oregon Vs. Kennedy, 456 U.S. 667, 676, 679, (1982).

It had been shown, in my delineation of the additional compelling reasons for this Court to grant my Petition for a Writ of Certiorari, whereby, this case would also help this Court to further develop and establish, as another case law authority, with more clarity and defined standard, for the future of determining, whether if a defendant's consent for a mistrial, was intentionally goaded by Judicial and/or Prosecutorial conduct, and that the U.S. Bill of Rights can protect those others who may experience such similar situation, against such Judicial and/or Prosecutorial conduct, in accordance with the Double Jeopardy Clause. The reason why the U.S. Bill of Rights, were specifically established by our forefathers of our great Nation, so as to give I Parnell R. May, an U.S. American citizen the right to be equally protected by the same U.S. Constitutional Laws, accordingly, in regard of this case, the Bill of Rights, protects I Parnell May, against double jeopardy where that it was the Judicial conduct that intended to goad and provoked that mistrial.

By this Court Simply denying to Accept my Case for review, without any express of this Court's views of the merits of my Case, is, this Court, allowing the State Prosecution, to Retray I Parvell R. May, again for the Same Offense, when, in actuality it is Unconstitutionally Double Jeopardy, and, this Court would Permit such injustice.

The Case of Parvell R. May vs. State of Arkansas et al, is very significant to the Public citizen of the United States of America, because, if this Court, was to deny this Petition for a Rehearing of the Order denying my Petition for a Writ of Certiorari in the United States Supreme Court, and, this Court does not Reverse my Petition for a Writ of Certiorari, in the United States Supreme Court, then the State of Arkansas, will use this Case of Parvell R. May vs. State of Arkansas et al, as the New Case Law, that "Will" supersede, this Courts Case Law of Oregon vs. Kennedy, 456 U.S. 667, 676, 679 (1982), and also the Delaware Court of Appeals Case Law, of Butler vs. State, 95 A.3d 21, 33 (Del. 2014), will be superseded, as well.

From that point on forward, trial Courts would be permitted to goad Any defendant into moving for a mistrial, At the trial Courts discretion, and be protected by the New Case Law, of Parvell R. May vs. State of Arkansas et al, where the defendant in that Case was told by the trial Court directly, that "Everyone is trying to help you and save you", "However" "Only you can Request a mistrial", "OKAY" you would Request a mistrial", and, encouraged the defendant, to talk to the Court appointed Public defender's about it, this is what will be the New Case Law, due to this Courts, denial to Accept my Case.

This is against, what the 5th Amendment to the U.S. Constitution's Double Jeopardy Clause's Second general Principle, established, as the Rule of Law, that it Prohibits trial Courts from Judicial Manipulation, for a mistrial, it forbids, the trial Court, from goading the mistrial, with the intention of getting the defendant I Parvell R. May to Relinquish his right to finish the trial before the currently composed Jurors.

The 5th Amendment's Double Jeopardy Clause is meant to Protect, I Parvell R. May from Retrial of the charges, based upon those very double jeopardy principles accordingly, and the 14th Amendment to the U.S. Constitution's equal protection of the Laws Clause, gives I Parvell R. May, the Right to be equally protected by that very double jeopardy Clause, of the U.S. 5th Amendment as due Process of Law, by this United States Supreme Court of Law.

This United States Supreme Court must uphold the United States Constitution's 14th Amendment's equal protection of the Laws, in my Case and make certain that I Parvell R. May, be equally Protected by the 5th Amendment to the United States Constitution's Double Jeopardy Clause's Second general Principle, accordingly, as due Process of Law, by this United States Supreme Court, granting Rehearing Petition for a Writ of Certiorari and

Accept my Case for Review, and After this Court's Review of my Case, then this Court must Express its views of the merits of my Case, according as due Process, that is the exercise of fair and equal Justice, and that is the fair and equal exercise of the American Justice, in accordance with the United States Constitutional Laws, accordingly by due Process of Law, that will Rightfully Provide equal Protection of the Laws to I.

This is the time for this Court, to exercise its Judicial discretion, to Accept my Case for Review, and express its views of the merits of my Case, for the most, very Significant fact, that, my Case is, "directly A harm to Life and Limb" This is about double Jeopardy, where in the U.S. Constitution's 5th Amendment, it holds that "No Person shall be subject for the same offense to be twice put in jeopardy of Life or Limb", and Now I Parnell R. May's Life and Limbs are face against double Jeopardy, accordingly.

Because, of the Jeopardy of Life and Limb, in my Case, the Seriousness of this very Case is highly extreme, and it would be very harmful to the rest of the Public Citizens in the United States of America, where any person could be goaded by the trial Courts in the exact manner as I Parnell R. May was goaded into moving for that mistrial on the day of January 26th 2018, and the 5th Amendment's Double Jeopardy Clause's second general Principle would no longer provide equal Protection to the Public Citizen in the United States of America, because, this United States Supreme Court, by its Judicial discretion denied and/or Refused to Accept my Case for Review, without any Comment or express of its views of the merits in my Case, that, it Left I Parnell R. May, U.S. American Citizen, Unequal and Unprotected by the U.S. Constitutional Laws, accordingly.

The State of Arkansas will use that New found Authority as a Prime Case Law, that it would Promote over the United States Supreme Court Case Law, of Oregon Vs. Kennedy 456 U.S. 667, 676, 679, (1982), where the Judicial Conduct, will be permitted to goad a defendant into moving for a mistrial, it would be a terrible nightmare, in the Justice System.

The only way to prevent that terrible night from occurring and/or prevailing, is one way. This Court must Review my Case, and After this Court's Review of my Case, then this Court must express its views of the merits of my Case, there No doubt, about what this Court's decision will be After Review of my Case, the record actually contains Actual facts of the trial Courts Judicial Conduct, intending to goad I Parnell R. May into Requesting for that mistrial, on record in open Court.

According to the 5th Amendment to the U.S. Constitution's Double Jeopardy Clause's second general Principle, the State is barred from Retrying I Parnell R. May of the charges for the same offense, because of Judicial Manipulation for that mistrial on 01/26/2018.

(Please Refer to the Appendix Rehearing Exhibit: in its entirety completely).

To prevent a NATIONAL utter failure, in the United States Criminal Justice System, where that, by the action of this Court of merely simply denying my Petition for a writ of Certiorari in the United States Supreme Court, without reasonable comment or explanation, of my Case, simply because this Court's Judicial discretion, to chose, Not to accept my Case for review, without any express of this Court's view of the merits of my Case, the consequences of that will be the complete destruction of the Post-Mistrial's Second general Principle of the Double Jeopardy Clause in the 5th Amendment to the United States Constitutional Law, accordingly.

Where by, it would allow the emergence, of a New Case Law Authority, by the ARKANSAS Court of Appeals, where by, in the Case of Parnell R. May Vs. State of Arkansas, in the ARKANSAS Court of Appeals, its opinion, was that the trial Court did not intended by its conduct, to goad the defendant I Parnell May into requesting for a mistrial, but in Contrary, where I Parnell May had showed the Actual Judicial Conduct, given rise to the successful motion for that mistrial, and I Parnell May showed this evidence, that was in the Record, of the trial Court's Actual Intent, where that the trial Court did have in its mind, of I Parnell May the defendant, to come back in the Court Room and say I want a mistrial, that, that was the Clear and Present evidence, that proved, that the trial Court did intended to goad the defendant I Parnell May into requesting for a mistrial on January 26th 2018, all accordingly.

This is, definitely of a Very Serious National Significance, concerning a Person's Life and Limbs, that are being put in jeopardy twice, for the same offense, in a Criminal Court of Law, Unfairly according to the 5th Amendment's to the U.S. Constitution's Double Jeopardy Clause's Second general Principle, Post-Mistrial Law, that Prohibits the trial Court judge against goading a defendant into moving for a mistrial intentionally, and that in the event, that the trial Court did intended to goad the defendant as I Parnell R. May was done, by the trial Court in the Case of Parnell May Vs. Arkansas, that it is in the jurisdiction of this United States Supreme Court in accordance with Article III of the U.S. Constitution 1st Amendment and that, this Court in accordance with the 14th Amendment Right of equal Protection of the Laws Clause, this Court is Obligated by the U.S. Constitution, to Uphold the U.S. Constitutional Laws and enforce and defend the U.S. Constitutional Laws by due Process of Law accordingly, and in this very Case, this is, this Court's Prime Purpose, for its very existence, it is to Review and decide this Case of Parnell May Vs. Arkansas, Docket Number 19-7383, of the matter, about whether Parnell May is being or has been subject for the same offense to be twice put in jeopardy of Life and/or Limb, accordingly. This Absolutely a United States Constitutional Issue, that is of a Very tremendous National Significance, regarding the U.S. Bill of Rights of due Process of Law and Right to be equally Protected by the Double Jeopardy Clause Law. This is Nothing short of a travesty of Justice, and during a time of a global Pandemic, that this Court would, Permit I Parnell May to face double jeopardy without equal Protection.

I PARVELL R. MAY had under went such elaborate Processes, and Pain Shaking and Complex troubles, to get to this Level, So as to get this Court to Review my Case.

I strongly remind this Court, About how and why the LAW, Regarding the Applicability of the Double Jeopardy Clause Post-Mistrial, of the Second general Principle of the 5th Amendment to the U.S. Constitution, it is very Significant, of due Process of LAW.

How it is Applied, is by an, empirical Investigation, by an Objective Review, of the facts and Circumstances, About How that mistrial had Played out, that CAN and will demonstrate that the trial Court, did, "embarked on a Course Set to Provoke a Mistrial" accordingly, where the LAW, bars Retrial of the defendant I Parvell May, accordingly.

The Reason Why it is Applied, in certain Cases, such as this very Case of Parvell R. May vs. State of Arkansas, is to find, whether the trial Court's Conduct, did give rise to the Successful Motion for a mistrial, by the trial Court's Conduct that did intended to board the defendant I Parvell R. May into requesting for a mistrial, on January 26th 2018, whereby it would bars Retrial of the defendant Parvell R. May of the Charges based upon the Double Jeopardy Principles, Accordingly by due Process of LAW, and equal Protection of the Laws, accordingly. Judicial Discretion is a travesty of Justice.

But the Only way the Due Process of LAW, and equal Protection of the 5th Amendment to the U.S. Constitution's Double Jeopardy's Second general Principle CAN equally Protect I Parvell R. May Against Double Jeopardy, this Court has to Review and decide this Case. This Court must Review for the Objective facts and Circumstances, accordingly.

This Court has to Review this Case and I Parvell May's Argument on the Merits the Oral Argument Process, accordingly, and then this Court has to decide this very Case by their Justice Conference, where each Justice shall state their views on this Case and Raise any questions or concerns they may have, then a decision shall be established as the New and/or updated version of the LAW, According to the facts, evidence, and Merits, of this Case, That is the due Process of LAW I seek, by this United States Supreme Court, by fair and equal exercise of Justice.

The ARKANSAS Court of Appeals did Not exercise fair and equal Justice, in its action of due process of the LAW, instead the Arkansas Court of Appeals, has used the Same U.S. Case LAW of Oregon vs. Kennedy, 456 U.S. 667 (1982), to insert its opinion into the Realm of Case LAW Authorities, and the Objective facts and Circumstances in this Case, is Not in sync with the ARKANSAS Court of Appeals decision, as the Second general Principle of the Double Jeopardy Clause, had Regulated as LAW.

The ARKANSAS Court of Appeals, deliberately Misconstrued the Record So as to Justify the Mistrial Consent, by the highlighting of the defendants Conduct, which was I Parvell May and the Arkansas Court of Appeals did not, Address any of the Objective facts and Circumstances, by a factual Analysis, in accordance with the U.S. Constitutional LAW, of the Second general Principle of the Double Jeopardy Clause, and Case LAW Authorities accordingly, by due Process of LAW. Once the Judicial Conduct, Judicially Overreached, it is Not About the defendants Conduct, anymore, but the Judicial Conduct, that gave rise to the Mistrial.

In this very Court, a CONCURRENCE was issued, by two Justice members of this Court, Justice Neil Gorsuch, joined by Justice Clarence Thomas, in regard of Lifting a Stay on a "green CARD Rule." Specifically, Justice Gorsuch, stated that "I concur in the Court's decision to issue a Stay." But I hope, too, that we might at an appropriate juncture, take up some of the underlying equitable and CONSTITUTIONAL QUESTIONS RAISED, the Justice expressed such moral and ethical view about this Court's duty.

Well, this very case, had been brought to this Court's attention, as the appropriate juncture, as a Judicial Union, Joint or Connection, specifically meant to take up some of the underlying equitable and U.S. Constitutional questions, of whether the trial Court in this case did intended to goad I Parrell May into requesting for that mistrial, that constituted violation against the 5th Amendment to the U.S. Constitution's second general principle. Accordingly, this is a significant underlying equitable and Constitutional issue.

Another Justice member of this Court, Justice Sonia Sotomayor, wrote a dissent, where the Justice Sotomayor, wrote "what is more troubling that the government would seek this extraordinary relief, seemingly as a matter of course, or that the Court would grant it." "The Administration <the government> has been treated far better by the Justices than death row inmates seeking last minute stays of executions."

Again, this case came down to a factual analysis, and that is why I Parrell May had a Petition for a Writ of Certiorari filed in this Court, so that, this Court take up this U.S. Constitutional issue, and resolve this U.S. Constitutional issue, accordingly, by the U.S. Constitution's due process of law.

The 5th Amendment to the U.S. Constitution's Double Jeopardy Clause's second general principle exception Rule, can not equally protect I Parrell R. May as a United States Constitutional Law, where that, this Court, had simply denied to review this case, and records, accordingly, this Court, denied to I Parrell May the right of equal protection.

I Parrell May ask this Court especially the three named Justices members, about how shall, fair and equal justice, be given to I Parrell May, where I Parrell May had been exposed to double jeopardy in a Criminal Court of Law, and denied, of equal protection of the laws, both the Arkansas Court of Appeals and this Court had denied, I Parrell R. May the right of equal protection against double jeopardy, accordingly in a Criminal Court of Law, and this Court, would also be denying to I Parrell May due process of law, where that I seeked for relief, of my grievance, accordingly by this Court, about a U.S. Constitutional issue, regarding the Double Jeopardy Clause.

How else, am I Parrell May as a person, going to be able to be equally protected against double jeopardy in this case, where this Court, exercise judicial discretion to simply deny to review, my case, without express or comment on the merits of my case.

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This Court's Judicial discretion, is a REAL travesty to the due Process of fair and equal Justice by this United States Supreme Court, in regard of I Parnell May's Case.

The Petition for a Writ of Certiorari, in this United States Supreme Court, that I Parnell R. May had Prepared, was Specifically Prepared, in accordance with this Court's Rule 10. (b) and (c) accordingly, where by, "A state Court of Last Resort had decided AN important federal question in a way that Conflicts with the decision of another State's Appellant Court, of a Last Resort, and also, the State Court of Last Resort, had decided AN important question of federal Law, that should be, Settled by this United States Supreme Court, and that, the State Court of Last Resort, had decided AN important question in a way that Conflicts Against A relevant decision of this United States Supreme Court, accordingly.

I Parnell R. May, Am a Person born in the United States, where the 14th Amendment Provided, I Parnell R. May, A U.S. Citizen, the Right of due Process, of equal Protection of the Laws, accordingly. I Parnell R. May had been Subject for the Same offense to be twice put in jeopardy of Life and/or Limb, accordingly, but this Court, has exercised its Judicial discretion, that obstructed that very due process of Law to be Provided AS equal Protection, Against double jeopardy to I Parnell R. May and that is wrong and Unfair, to I Parnell R. May.

I Parnell R. May Can Not find, the equal Protection Against double jeopardy Any where else in the United States. This Court is the Only United States Supreme Court, whereby the United States Constitutional Laws are to be ~~Defended~~, enforced and Upheld, by the 9 Justices, Sworn to do so, but here I Parnell R. May, Petitioned the government <the U.S. Supreme Court> for a Redress of I Parnell May's grievance, And the government <the U.S. Supreme Court> exercised its Judicial discretion, to Just Simply deny to Review my Case, and had done so without Any expression, or Comment on the merits in my Case, abandoned I Parnell May, to injustice, where,

I Parnell R. May believes that the trial Court, had violated against I Parnell May's Right to be equally Protected against double jeopardy, and I need Relief accordingly by the Official due Process of Law, by the United States Supreme Court, where that Official due Process of Law, is to be exercised, accordingly, in order to Protect I Parnell May.

This Court had Simply, denied to review my Case, and had done so without, even express or implied Any reasonable Comment on the Merits in my Case, is this Court's Conduct and Action, of abandoning I Parnell R. May, to be wrongfully, Unfairly, and Unconstitutionally, mistreated in A Criminal Court of Law, in the United States, it is the Same AS the United States Supreme Court has Left I Parnell R. May alone, and Unprotected Against, A Pack of Savage beasts, that are closing in to cause harm to me, to deny granting this Petition for Rehearing is Nothing short of A travesty of Justice.

To give support, to my effort, of Convincing this Court, to GRANT my Petition for Rehearing, the Order denying my Petition for a WRIT of CERTIORARI, in this United States Supreme Court, accordingly, I shall re-cite and quote what the Justice Sotomayor had wrote, that reflected the Justice's view, about, the treatment of issuing Certain Reliefs, to the government, when ever, the government, would seek extraordinary relief, or emergency Relief, "seemingly as a matter of course, or that the Court would grant it."

"The Administration" <the government> basically she wrote, "has been treated far more better by the Justices than death row inmates seeking last-minute stays of executions!" "I fear," she wrote, "that this disparity in treatment, erodes the fair and balanced decision-making process, that this Court must strive to protect." I had faith in this Court, that it would exercise fair Justice,

What this Court, had done by simply denying to Review I Parnell R. May's Case, by simply denying my Petition for a WRIT of CERTIORARI, was exactly that disparity treatment, that eroded the fair and balanced decision-making process, of fair and equal Justice, where that I Parnell R. May had Petitioned this Court for a Redress of I Parnell R. May's grievance, accordingly where that, the trial Court in I Parnell May's Case, did violated against I Parnell R. May's Right against Double Jeopardy, accordingly, by due Process of Law and of equal protection against Double Jeopardy accordingly, as equal protection of the Laws Clause, provided I Parnell R. May such Rights, accordingly, I Petition this Court for a Redress and Relief, accordingly as well.

I Parnell R. May, Seek Relief by this United State Supreme Court, in regard of I Parnell R. May's grievance, accordingly, and it is an emergency, where by I Parnell R. May had been subject for the same offense, to be twice put in Jeopardy of Life and/or Limb, and that, I Parnell R. May's Life and/or Limbs, is Absolutely an Extreme Emergency, it's, Life and/or Limbs, accordingly.

Property can be replaced, Life and/or Limbs, is Living entity, and its members, flesh, it feels Pain, hurt, suffering, it is Conscious, and AWARE of the motion of time, therefore this Court, must strive to protect, a Person, that was born in the United States a Citizen of the United States, therefore subject to its Jurisdiction, and I Parnell R. May, is a Person, that was born in the United States, a Citizen of the United States, therefore, I Parnell R. May am Subject to the United States Jurisdiction, accordingly, and I asked this Court, of equal Protection by due Process of Law, by this Court.

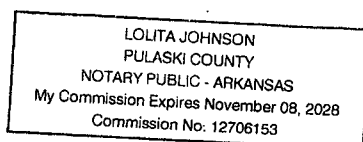
BECAUSE of the Covid-19 Pandemic, this Court should not deny, to Uphold, enforce, And Protect, the U. S. Constitutional LAWS, where by, especially those Bill of Rights, meant to Protect the U. S. Citizen, I Parnell R May Accordingly,

I Parnell R. May, did Petitioned this Court for a Redress of I Parnell R May's grievance, in accordance with the First Amendment to the U. S. Constitution, and I Parnell R May, do seek a Remedy and Relief from my distress, Accordingly wherefore, I Parnell R. May, was subject for the Same offense, to be twice Put in Jeopardy of Life and/or Limb, accordingly, and the Fifth Amendment to the U. S. Constitution, Provided, that I Parnell May, who is a Person, shall Not be Subject for the Same offense to be twice Put in Jeopardy of Life and/or Limb, accordingly, And the Court of Appeals of the State of Arkansas, and this Court, had denied to I Parnell R. May that Right of due Process of Law, and also equal Protection of that Law, accordingly, as well as equal Protection of the Laws, accordingly too. The Fourteenth Amendment to the U. S. Constitution, Provides that all Persons born or Naturalized in the United States, and Subject to the Jurisdiction thereof, are Citizens of the United States, and the State, where in, they do reside. No State shall make or enforce Any Law which shall abridge the Privileges or Immunities of any Citizens of the United States: Nor shall Any State deprive any Person of Life, Liberty or Property, without due Process of Law: Nor deny to any Person within its Jurisdiction the equal Protection of the Laws, accordingly I Parnell R. May who is a Person that was born in the United States, a Citizen of the United States, therefore Subject to its Jurisdiction, I Parnell R. May do Seek Relief, by this United States Supreme Court in the form of due Process of the Law, of equal Protection against double jeopardy, and that the Only manner that this Court Can Provide that, due Process of Law by fair and equal Justice, is that this Court grants this Petition for a Rehearing of the Order denying the Petition for a Writ of Certiorari, and also that this Court grant I Parnell R. May's Petition for a Writ of Certiorari, accordingly, as fair and equal Justice, by due Process of Law Provides I Parnell R. May the Right to be equally Protected by the Laws, accordingly, I Pray that this Court grant the Above Requests, accordingly.

I declare Under Penalty of Perjury that the foregoing is true and Correct.

Executed 12 March, 2020

Lolita Johnson
Notary Signature



Parnell R May Prose