

19-7391
No. _____

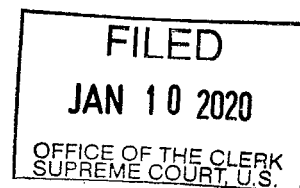
ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Larry David Davis — PETITIONER
(Your Name)

vs.

Larry Jegley ET AL — RESPONDENT(S)



ON PETITION FOR A WRIT OF CERTIORARI TO

Eighth Circuit Court of Appeals of St Louis, Mo
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Larry David Davis
(Your Name)

880 East Gaines
(Address)

Dermott, Arkansas 71638
(City, State, Zip Code)

in Prison
(Phone Number)

QUESTION(S) PRESENTED

1. WHETHER THE EVIDENCE IS INSUFFICIENT TO SUPPORT THE JUDGMENT OF MY TRIAL?
2. WHETHER MY RIGHT TO A SPEEDY TRIAL HAVE BEEN VIOLATED?
3. WHETHER A AFFIDAVIT IS NEEDED ALONG WITH THE WARRANT TO SET OUT PROBABLE CAUSE FOR THE ISSUANCE OF THE WARRANT?
4. CAN THE WARRANT BE SIGNED BY THE CLERK WITHOUT A JUDGE REVIEWING IT AND WITNESSES UP UNDER OATH?
5. CAN THE CIRCUIT COURT CAN CONVICT ME ON A BARE BONES INFORMATION WITH NO INTEREST AND NO DISTRICT ATTORNEY OR PROSECUTOR SIGNATURE?
6. CAN THE PROSECUTOR TELL THE JURY ABOUT MY PRIOR RECORD AND THAT I AM PRESENTLY IN PRISON WHEN I DIDN'T TAKE THE STAND?

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:

Larry Jegley head Prosecutor

Barry A Sims Judge

Ryan Childers Police officer

Justin Hicks former Detective

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TABLE OF AUTHORITIES CITED

CASES

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<u>Gravitt v. U.S.</u>	<u>523 F.2d. 1211, 1215</u>
<u>Klopfert v. N. Carolina</u>	<u>386 U.S. 213, 87 Sct 988</u>
<u>Poggett v. U.S.</u>	<u>505 U.S. 647, 652</u>
<u>U.S. v. Pickey v Florida</u>	<u>398 U.S. 30, 90 Sct 1564, 26</u>
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<u>Barker v. Wingo</u>	<u>407 U.S. 514, 530</u>
<u>Illinois v. Somerville</u>	<u>410 U.S. 458, 93 Sct 1066</u>
<u>Thompson v. Louisville</u>	<u>362 U.S. 199 80 Sct 624</u>
<u>Henry v. United States</u>	<u>361 U.S. 98, 80 Sct 168</u>

STATUTES AND RULES

<u>Volume 1 of the Arkansas rules of criminal Procedures</u>
<u>28.1(c), 28.2, 29.1(a), 29.1(c), 30.1(a), 30.2</u>

OTHER

<u>4th, 5th, 6th, and 14th Amendments of the</u>
<u>United State constitution</u>

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 A 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 B 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**:

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.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was September 20th, 2019.

☐ 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: October 11th 2019, 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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. 5th Amendment: Defective Base Bone informations not supported by oath. no signature.

2. 6th Amendment: Speedy trial, wrong jurisdiction, ineffective assistance of counsel,

3. 4th Amendment: no warrant, and no Probable cause supported by oath

4. 14th Amendment: no Due Process of Law, Equal Protection of the Laws

5. Volume 1 of the Arkansas Rules of criminal Procedure, Right to Speedy trial: 30.1(a), 30.2 and 29.1(a) 29.1(c) and 28.1(c)

statement of the case

IN The

Supreme court of the UNITED STATES

Larry David Davis Petitioner

VS

Larry Tegley ET AL APPELLES

Petition for writ of certiorari

Larry David Davis

840 East Gaines ST

Permott, Arkansas 71638

STATEMENT OF THE CASE

I Larry David Davis is raising issues on my appeal of my 1983 civil Rights complaint: Whether The evidence is insufficient to support the judgement of my trial on february 13th, 2019? The Prosecutors evidence consisted of 3 witnesses who said that they could not identify me as being the man on a Video surveillance camera committing a burglary. his second evidence was a set of finger prints. which the finger print analyst stated belonged to 13 different individuals. there was no other evidence Presented at my trial. I was found guilty and given 45 years as a result.

4. P. 10. Statement of case

11

The circuit court Judge erred in denying Larry David Davis 5th, 6th, and 14th Amendment Speedy trial motion to dismiss the criminal charges at issue: 3 days after I was Brought from Memphis, Tennessee by Clark County Arkansas Police to Clark County Jail 5-19-17 in Arkansas. Warrants was issued by Jacksonville Police May 22nd of 2017. November 29th, 2017, I Pled no contest at Clark Co a negotiated Plea of 30 years, January 4th, 2018. I was transported to the Arkansas Department of Correction. Jacksonville Arkansas Police Knew exactly where I was at, they stated in they case notes that I am currently in the Arkansas department of corrections. yet they intentionally delayed the warrants.

Pge 2 of Statement of the case

there was 423 days between the date the warrants was issued and the filing of the information. I was in continuous Arkansas State custody and the Jacksonville Arkansas Police that filed the warrants knew where I was at in the Arkansas Department of corrections. it was 630 days between day that (5-22-2017) the warrants were filed to the day that I went to trial february 13th, 2019, it was 724 days between the day the theft happen february 12th, 2017 to the date the prosecutor gave me a trial 2-13-19. and I never continued a court proceeding I only demanded a trial. I filed motions before my trial. and before my Plea for Dismissal for violations of my 6th Amendment USCA right to a speedy trial.

III

Defective Bare Bones informations filed against me, state no intent, no exact date the offenses happen, no exact amount of money stated, don't state whether they is a true bill or a not true bill, they do not have a signature on them. these informations is not supported by oath

IV

There was no affidavit along with warrants setting out Probable cause, warrants was signed by the court clerk, not supported by oath that was given to me at this Prison,

V

I didnot get on the stand at my trial 12-13-19, the Prosecutor told jury that I am Presently in Prison and told the jury about my prior record in the closing arguments of my trial

Pge 4 of statement of the case

REASONS FOR GRANTING THE PETITION

Petition for certiorari should be
Granted because my convictions is in
Violation of the 4th, 5th, 6th, and
14th Amendments of the United States
Constitution, no Affidavit with warrant, not
supported by oath, no judge signature, signed
by court clerk. Detective Bare Bones informat
ions not supported by oath, strip the court
of the Power and authority to bring me
into they court room, Violations of the
Speedy trial, I wasn't given a fair trial
2-13-19 the Prosecutor told jury that I was
in Prison and told jury about my prior record
and I did not take the stand.

Based on these Constitutional Violations and
authorities cited I request and Pray that this
U.S. Supreme Court reverse and Dismiss
these convictions entered against me case
No CR 18-2636 and case no CR-18-2635

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Larry David Davis

Date: 1-9-20