No. 19-814

ORIGINAL

Supreme Court, U.S.
FILED
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OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Eric Jeffrey Cowan — PETITIONER
(Your Name)

vs.

Josie Gastelo, Warden — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals Ninth Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Eric Jeffrey Cowan P34272
(Your Name)

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(Address)

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(City, State, Zip Code)

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QUESTION(S) PRESENTED

Should Petitioner receive relief under United States Constitution Fourteenth Amendment Equal Protection.

LIST OF PARTIES

[X] 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:

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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

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

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

[X] reported at Case No. 18-56681; or,
[ ] has been designated for publication but is not yet reported; or,
[X] is unpublished.

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

[X] reported at Case No.: 17 cv 1994 WQH (BLM); or,
[ ] has been designated for publication but is not yet reported; or,
[X] is unpublished.

[X] For cases from **state courts**:

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

[X] reported at Case No. S226592; or,
[ ] has been designated for publication but is not yet reported; or,
[X] is unpublished.

The opinion of the N/A court appears at Appendix N/A to the petition and is

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[ ] is unpublished.

JURISDICTION

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

The date on which the United States Court of Appeals decided my case was August 19, 2019.

[ ] No petition for rehearing was timely filed in my case.

[X] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: December 17, 2019, and a copy of the order denying rehearing appears at Appendix C.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including N/A (date) on N/A (date) in Application No. N/A A N/A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

[X] For cases from **state courts**:

The date on which the highest state court decided my case was June 24, 2015. A copy of that decision appears at Appendix D.

[ ] A timely petition for rehearing was thereafter denied on the following date: N/A, and a copy of the order denying rehearing appears at Appendix N/A.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including N/A (date) on N/A (date) in Application No. N/A A N/A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

United States Constitution Fourteenth Amendment

STATEMENT OF THE CASE

On November 27, 2018 United States District Court, Southern District of California denies Petitioner's Writ of Habeas Corpus.

The People enact the Three Strikes Reform Act of 2012 to restore the original intent of California's Three Strikes Law imposing life sentences for dangerous criminals like rapist, murderers, and child molesters.

I was not convicted of Rape, Murder, or Child Molestation, therefore I should receive Relief under U.S. Constitution Fourteenth Amendment Equal Protection.

I should not have been treated any differently then non-violent Three Strike Offenders that received Relief under Proposition 36 Three Strikes Reform Act of 2012.

REASONS FOR GRANTING THE PETITION

Equal Protection dictates relief, the purpose of justice is equity. The dictum and stare decisis warrants a En Banc Review.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Eric Cowan

Date: March 12, 2020