

19-8232
No. _____

ORIGINAL

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SUPREME COURT, U.S.

IN THE
SUPREME COURT OF THE UNITED STATES

William Lynn Jackson — PETITIONER
(Your Name)

vs.

State of Mississippi — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Mississippi Supreme Court

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

William Lynn Jackson
(Your Name)

MSP, Unit 30-C, A-Zone, Bed #16
(Address)

Parchman, Ms. 38138
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

Whether this Petitioner is another example of such deprivation of the Equal Protection Clause which forbids the State's to exclude black persons from venire on the assumption that blacks as a group are unqualified to serve as jurors. So it forbids the States to strike black veniremen on the assumption that they will be biased in a [particular] case simply because the defendant is black.

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:

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OTHER

IN THE
SUPREME COURT of the United STATES

William Lynn Jackson
(Petitioner)

Vs.

State of Mississippi
(Respondent)

PETITION FOR A WRIT OF CERTIORARI

The decision of the Mississippi Supreme Court Order is ATTACHED AS (Appendix A.1). The State of Mississippi Attorney General failed to submit an ARGUMENT of Rebuttal concerning the CLAIM of BATSON CHALLENGE of this Courts decision in Flowers vs. Mississippi, 139 S.Ct. 2228 (2019). OPINION ATTACHED (Appendix A.1)

JURISDICTION

The Judgment of the Mississippi Supreme Court was entered on the 19th day of February, 2020 (filed 02/20/2020). 28 U.S.C. § 1257(a) (Appendix A-1)

CONSTITUTIONAL AND STATUTORY
Provisions INVOLVED

This case involves constitutional and statutory provisions as duly noted of recent in Flowers v. Mississippi, 139 S.Ct. 2228 (2019) See also BATSON v. KENTUCKY, 476 U.S. 79, 106 S.Ct. 1712, 90 L.Ed. 2d 69

(1986)'; MILLER-EL vs. Drethe, 545 U.S. 231, 125 S.Ct. 2317, 162 L.Ed 2d 196 (2005). cited in Flowers (**7 "In 1875, to help enforce the Fourteenth Amendment, Congress passed President Ulysses S. Grant signed the Civil Rights Act of 1875. Ch. 114, 18 Stat. 335. Among other things, the law made it a criminal offense for state officials to exclude individuals from jury service on account * 2239 of their race. 18 U.S.C. § 243. The Act provides: No citizen possessing all other qualifications which are or may be prescribed by law shall be disqualified for service as grand or petit juror in any Court of the United States, or of any State on account of race, color, or previous condition of servitude)."

It is clear that the Petitioner demonstrated with his trial Attorney submitted objections see (Appendix B-1) (Captioned as: Assignment of Errors), that this Petitioner faced prejudice and discrimination as identified in this Honorable Courts decision in Flowers vs. Mississippi, 139 S.Ct. 2228 (2019).

STATEMENT of the Case

The Mississippi Supreme Court failed to state why there was "NO ARGUABLE basis" or how such a profound claim of fundamental Constitutional rights could be ignored. Before this Court's decision in Flowers mirrors this Petitioner's claim see Attorney's Argument (Appendix B-1) (Assignments of Errors). The

SUPREME COURT MAKES NO MENTION OF THEIR REVIEW OF THE TRIAL TRANSCRIPTS TO PROVIDE SUFFICIENT CAUSE TO NOT ALLOW FOR A PROPER AND ADEQUATE REVIEW ONE WITHOUT BIAS OR PREJUDICE ALLOWING FOR THIS CLAIM TO RECEIVE A CLEAR PERSPECTIVE OF PETITIONERS, NEWLY DISCOVERED EVIDENCE BECAUSE OF THIS COURT'S DETERMINATION IN Flowers v. Mississippi, 139 S.Ct. 2228 . SEE (Appendix B-1), "Assignment of Error".

PETITIONER'S TRIAL COUNSEL MAKES AN ARGUMENT CONCERNING THE BATSON CHALLENGE, HOWEVER, PETITIONER PRESUMED COUNSEL HAD CHASED YET ANOTHER RABBIT THAT IS UNTIL THIS COURT HELD SO IN Flowers v. Mississippi, PETITIONER BEGAN TO UNDERSTAND FOR THE FIRST TIME HOW PREJUDICIAL HIS TRIAL WAS MADE AGAINST HIM.

THIS PETITIONER HAS STRUGGLED TO BE HEARD BECAUSE HE WAS NOT IN THE JURISDICTION OF MISSISSIPPI OR MOORE DURING HIS DIRECT APPEAL BECAUSE HE WAS RETURNED TO THE STATE OF MISSOURI. THE TRIAL ATTORNEY, COUNTY PROSECUTOR, ATTORNEY GENERAL NOR THE MISSISSIPPI SUPREME COURT MADE (NO EFFORT) TO ENSURE THE PETITIONER RECEIVED COPIES OF TRIAL TRANSCRIPTS, APPELLATE AND APPELLEE BRIEFS AND THE COURT'S FINAL DECISION ON APPEAL DOES NOT HAVE ANY FORM OF ARGUMENT FOR OR AGAINST OR CASE CITINGS TO DETERMINE LEGAL RULE FOR CAUSE TO "AFFIRM" THE CONVICTION. (Appendix C-1) WHERE A BATSON CHALLENGE (CLAIM) WAS CERTAINLY A CLAIM ON APPEAL, (Appendix B-1). BUT, THE

Petitioner was not afforded any of the alleged legal documentation because he was returned back to the State of Missouri per Extradition Order. Shields v. Bero, 370 F.2d 1003 (5th Cir 1967).

The Mississippi Supreme Court has as is the norm, to demand the trial Court of Desoto County, Mississippi to provide this Petitioner with copies of all actions and their pertinent legal documentations or to have Desoto County demand his trial and Appeal Attorney Mr. Clay Vanderburg provide his client with these essential documents where Appeal was done in the clients absence from the State of Mississippi. Petitioner was never contacted or provided State or Court responses or even a copy of his Appellate Brief or the trial transcript. Petitioner did not even know Mr. Vanderburg had continued on Appeal or whether he followed through in compliance to deadlines, and all Court rules.

(Appendix B:1) Allows for cause that Petitioners Equal Protection rights were violated where this Court determined that "EVEN A SINGLE INSTANCE OF RACE DISCRIMINATION AGAINST A PROSPECTIVE IS IMPERMISSIBLE." Flowers v. Batson, In re Sawyer, 360 U.S. 622, 665, 79 S.Ct. 1376, 1397, 3 L.Ed. 2d 1473 (1959) ("... judges as guardians and trustee's of the law...") But the Courts have concealed and deprived even [the copy of the transcript, in order to prove his claim, Mississippi Supreme Court has

the trial Court in covering up the deprivation of his Constitutional rights of Equal Protection of the law protected under the Constitution of the United States and written within the Mississippi Constitution but often ignored. A Batson claim may not be found in every one of the eighty-two counties within the borders of Mississippi today but there are many such deprivations found of those still incarcerated in Mississippi today. Flowers v. Mississippi brought to light that these infractions within the Courts of Mississippi have been present and used to serve their needs outside of the very Constitution they were sworn to protect. In re Sawyer 360 U.S. 622, 665, 79 S.Ct. 1376, 1397, 3 L.Ed. 2d 1473 (1969).

ARGUMENT IN SUPPORT
of
GRANTING CERTIORARI

This case is important for the issue it raises as to the continued vitality and validity of the impact of such a prejudicial deprivation in the interest of justice and the decision founded in this Court where the Equal Protection of every citizen during the adversarial process to seek the truth without the shadow's looming the ugly face of racism just to ensure a conviction regardless of depriving the rights of people of color. (Appendix B-1). The trial transcript would in fact prove this Constitution right was a deliberate act by the prosecutorial authorities and the trial Court turned a

two blind eyes to the STATES deliberate ACTS TO STRIKE the black jurors without good CAUSE, except they were black ... to prevent them from ruling in favor of the black defendant.

Please note: The Mississippi Attorney General made no effort to submit a Rebuttal Brief of any kind on this STATE Post Conviction. Nor, did the Attorney General or Mississippi Supreme Court suggest the trial Court Desoto County, Mississippi produce a trial transcript, Appellate or Appellee Briefs in order to properly review the BATSON Challenge to ensure whether Equal Protection Clause was not violated, in accordance with State and Federal laws. See Turner v. State, 383 So.2d 489 (Miss. 1980); In re LeWallen, 23 Cal.3d 274 (1979); In re Sixto, 48 Cal.3d 1247 (1989).

This Petitioner has attempted to bring other constitutional claims having never been provided court documents and transcripts to no avail, Petitioner was not in the State during Appeals he was returned back to Missouri Department of Corrections. Shield v. Beto, 370 F.2d 1003 (5th Cir 1967) (Prisoner cannot be required to serve sentence in installments). Mississippi is well aware of how Desoto County placed Petitioner in prison here in Mississippi after conviction, then returned him upon Missouri's demand he be returned. (Factual Proof). Mississippi has ignored every attempt made in spite of State's errors to include deprivation of Equal Protection Clause.

Conclusion

The petition for a writ of Certiorari should be granted, based upon this Court's decision (s) of the same claim where the petitioner equal protection rights were so blatantly deprived.

Respectfully Submitted,
28 U.S.C. § 1746

William Lynn Jackson 43577
Petitioner / pro se
Date: March 13, 2020