

No. 19-8601

ORIGINAL

Supreme Court, U.S.
FILED

JAN 30 2020

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

William C Walker Jr. — PETITIONER
(Your Name)

vs.

State of Minnesota — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Minnesota Court Of Appeals

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

PETITION FOR WRIT OF CERTIORARI

William Cornell Walker, Jr
(Your Name)

6805 Withany Avenue
(Address)

Cincinnati, OH 45213
(City, State, Zip Code)

513-432-0567
(Phone Number)

QUESTION(S) PRESENTED

1. Whether jurors twice your age can be considered your peers. the jury of 12 were not my peers except for one or two I I has nothing to do with being your peer but everyone in the courtroom was Caucasian, except my mother, father and I. Not one single other race was available to have a chance to be on jury.
2. Should a police officer that lied in his Affidavit, falsely arrested me, assumed my charges after the accuser said I did not rape (force or threaten her) be able to testify in a trial for a different incident with the same person in a different state. I told my lawyer to cancel his testimony after I found out he was lying saying I confessed by Jara until closer to trial. In his reports to police officer Langseth there is no mention of a confession from me.
3. Should evidence that supports your case and helps you defend yourself not be allowed. A sworn deposition, history of accusations of other men raping her.

In court of appeals if there was found to be prosecutorial misconduct during chief in case and rebuttal. My trial lawyer did not object to this at the time even though I asked him to, do I have the right to try to prove by affidavits, preliminary reports in another state to argue I think would help prove I did not make post miranda statements about assaulting accuser in Minnesota. Nowhere in chief Langseth's probable cause, primary narrative did chief mention that I made post miranda statements confessing to Minnesota incident.

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:

RELATED CASES

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STATUTES AND RULES

OTHER

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 _____ 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 _____ 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 _____

☐ 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: _____, 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 Oct 31, 2019.

A copy of that decision appears at Appendix ____ My public appellee sent me a letter with the decision of supreme court I could not find.

☐ 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

STATEMENT OF THE CASE

I feel the jury were not my peers. The majority of them were my elders except for two. There were prejudice remarks made during selection. One man said 50% of African Americans are criminals. One man was overheard stating "We could have done this trial from home. A lady that was kept for jury did not know the terms friends with benefits. The environment felt very prejudicial and there was no diversity. Appendix A

In court of appeals, it was argued the prosecutor committed misconduct constituting plain error by eliciting testimony of my post-miranda silence for substantive and impeachment purposes. The state said since I spoke to police about the incident after the Miranda warning, the prosecutor was entitled to present evidence of what I said post-Miranda. My public appellate did not argue denying I made the statements. I would like to state I did testify in trial that I did not tell Jara these statements "I went to far in Minnesota, etc." I made none of those statements. I have enclosed the Minnesota chief of police primary report and probable cause statement. When he talked to Jara and got reports. Jara not once mentioned I made statements to him of that nature. At trial when the prosecutor did this impeachment, I did not know it was improper. My lawyer did not object to it.

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Chief Jara lied in his Affidavit, I was falsely arrested in Iowa and held for three weeks. I continued to be charged in Iowa until after my trial when it was dismissed. In his affidavit, he stated I was being charged in Iowa because I forced Penny. In Penny's sworn deposition she stated I did not force or threaten her in Iowa. He took the stand in Minnesota and said I gave post-miranda statements confessing to assaulting her in Minnesota. Appendix B

Evidence of Penny accusing two other men of sexual assault was left out. Penny and I were really good friends and I knew of the accusations of the other men. Her telling me I physically, mentally, emotionally hurt her the night before my arrest were crucial reasons for me sending the text. Appendix C is document

My lawyer ignored me repeatedly during trial, before trial as well. The jury was the first thing I wanted him to object many more. He did not fight for me in a way for me to win. Things I wanted him to do like bring up that Jara lied and falsely arrested he ignored. Which was crucial to attack his credibility because he was saying I confessed to rape and not.

My public appellate had one issue she brought up that I would like to add. The state supreme denied it because they didn't object to Jara saying I made confession that I went to far in Minnesota. During trial while on stand I made it clear I did not tell him that. In Chief Langseth probable cause report and preliminary report there is never any mention of confession I made of assaulting her. Appendix D is documents.

REASONS FOR GRANTING THE PETITION

I feel the petition should be granted because a unfair trial took place. The entire atmosphere along with the trial its prejudice. Chief Jara testified a lie that was crucial. I did no crime in Iowa by Pennys own admission so how was he able to take stand. Evidence that could have explained in depth more why I felt the need to send to the jury I was judged by were not my peers, some were old enough to be my grandparents and had children my age. Im not a lawyer but I know theres alot im missing that would testify to me having unfair trial.

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CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Willie Walker

Date: 1-30-2020