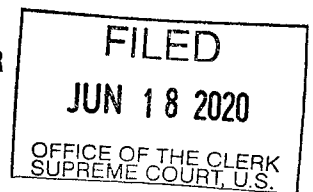


No. 19-8749

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Paul Anthony Crayton — PETITIONER
(Your Name)



vs.

William Stephens / Lorie Davis RESPONDENT(S) et al.

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. District Court (Galveston) Southern District
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Paul Anthony Crayton #1886839 (Pro Se)
(Your Name)

2661 Fm 2054 / Cofield Unit
(Address)

Tenn Colony, TX 75884
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

- 1.) Was the prosecutor's statement made in the newspaper harmful enough to warrant a mistrial?
- 2) Did (Clayton) preserve his 6th Amendment Rights in the objections he presented?
- 3) Did merely questioning the venire members about the knowledge of the newspaper article and the responses in the presence of the future venire panel violate (Clayton's) Const. Rights?
- 4) Did the trial judge abuse her discretion by using the venire panel from the same venire members even though they overheard the article in the newspaper? violate (Clayton's) Const. Rights (to Amend)?
- 5) Does the State Prosecutor coming after the fact and admitting she "misspoke" in the newspaper article violate (Clayton's) Right to a fair trial?
- 6) By Law was the trial (Clayton) receive fair and impartial? (misconduct of state Prosecutor)

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:

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	
STATEMENT OF THE CASE	
REASONS FOR GRANTING THE WRIT	
CONCLUSION.....	

INDEX TO APPENDICES

APPENDIX A	U.S. Court of Appeals (5 circuit)
APPENDIX B	U.S. District Court (Southern District of Texas)
APPENDIX C	212 th District Court (Galveston County)
APPENDIX D	121 st Civil Court of Appeals (Texas)
APPENDIX E	
APPENDIX F	

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

- Esquivel v. State, 595 S.W. 2d 516, 519
(Tex. Crim. App. 2007)
- Gonzalez v. State, ~~628~~³²³ S.W. 3d 446, 449
(Tex. Crim. App. 2007)
- Hensley v. State, 576 S.W. 2d 66, 75-76
(Texas Crim. App. 1978)
- Lopez v. State, 628 S.W. 2d 77, 81 (Tex. Crim. App. (Panel App.)
1982)
- Ocon v. State, 284 S.W. 3d 880, 884 (Tex. Crim. App. 2009)
- Shepard v. Maxwell, 394 U.S. 333, 363 (1966)
- Wood v. State, 18 S.W. 642, 650 (Tex. Crim. App. 2000)

STATUTES AND RULES

OTHER

INDEX OF AUTHORITIES

Cases, statutes and other authorities

Wood v. State 18 S.W. 642,650 (Tex. Crim. App.(2000))
Shepard v. Maxwell, 384 U.S. 333,363 (1966)
Lopez v. State, 628 S.W. 2D 77,81 (Tex. Crim. App.(Panel Op.)1982)
Henly v. State, 576 S.W. 2D 66,75-76 (Tex. Crim. App.(1978)
Ocon v. State, 284 S.W. 3D 880,884 (Tex. Crim. App.(2009)
Esquivel v. State, 595 S.W. 2D 516,519 (Tex. Crim. App.(2007),
(Continuance)
Gonzalez v. State, 222 S.W. 3D 446,449 (Tex. Crim. App.(2007),
(Change of Venue)

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 www.CAS U.S. Courts.gov; 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 www.txS. US Courts.gov; 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 D to the petition and is

☐ reported at www.tx Courts.gov 14th COA; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the 212th District Court court appears at Appendix C 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 3-25-2020.

[] 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: 4-28-2020, 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 4-9-2020 (date) on 4-23-2020 (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 2-24-2015.
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 4-9-2020 (date) on 4-23-2020 (date) in Application No. A.

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

To the Clerk

- 1) I did not understand how to do the Const. and Statutory Provisions Page?
- 2) Could someone explain?

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

STATEMENT OF THE CASE

On the morning of Voice Drive the Malveston Daily News reported all or most of the suppressed evidence of a "firearm" and "kill list" that obtain the alleged victim's name struck through according to the D.A., which she (Jenniffer et al) later recorded, but it was read by potential jurors during a break.

Some Voice Drive members admitted reading the newspaper. The morning of Voice Drive end was questioned by the trial judge about the knowledge of the newspaper. After that the trial judge instructed the panel members not to discuss the article but some had admitted to reading it in front of the panel. Also discussed was what they thought of (Cratone) guilt or ~~innocence~~ ^{innocence}. (Cratone) Attorney ask for (mistrial) which was denied.

Statement of Case (cont'd)

Defence Counsel stated that (Crayton) could not receive a fair trial after a prejudicial Newspaper article was presented. Defence Counsel offered the article into evidence, stated the grounds for the objection ask again for mis-trial and was denied

REASONS FOR GRANTING THE PETITION

1. Due Process

was flawed and (Crayton) wasn't allowed
Due Process

2. Fair trial with impartial jury was
denied / when the venire members (some) who
were struck from panel but it was done in front
of the entire panel.

3). All motions for mistrial were denied
after Defence Counsel entered the article into
evidence and clearly violated (Crayton) 6th & 14th
Amendment Right

4. Const Violation 6th Amendment

By the trial Trial Judge not granting
a mistrial was abuse of the Court

The State was responsible for the adverse
Publicity it was hopeless to believe that the
issue from the newspaper attack had been
cured by the instructions from the trial Judge
clearly (Craytons) Const. Rights had been violated
by the time defence counsel ask for a mistrial
(Crayton) is asking this court to overturn its case
and Full Acquitted.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Paul A. Crayton Pro Se

Date: _____