

No. 19-8749

ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES

Paul Anthony Crayton — PETITIONER  
(Your Name)

vs.

FILED  
JUN 18 2020  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

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 / Coffield Unit  
(Address)

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

\_\_\_\_\_  
(Phone Number)

QUESTION(S) PRESENTED

- 1.) Was the Prosecutor statement made in the newspaper harmful enough to warrant a mistrial?
- 2) Did (Crayton) preserve his 6<sup>th</sup> Amendment Rights in the objections he presented?
- 3) Did merely questioning the Venuie members about the knowledge of the newspaper article and the responses in the presence of the future Venuie Panel violate (Crayton) Conat. Rights?
- 4) Did the trial Judge abuse her discretion by using the Venuie Panel from the same Venuie members even though they over heard the article in the newspaper? violate (Crayton) Conat. Rights (6 Amend)?
- 5) Does the State Prosecutor coming after the fact and admitting she "misspoke" in the newspaper article violate (Crayton) Right to a fair trial?
- 6) By Law was the trial (Crayton) receive fair and impartial? (mis conduct 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:

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## TABLE OF AUTHORITIES CITED

### CASES

### PAGE NUMBER

- Esquivel v. State, 595 S.W. 2d 516, 519 (Tex. Crim. App. 2007)
- Gonzalez v. State, 228 S.W. 3d 446, 449 (Tex. Crim. App. 2007)
- Henley v. State, 574 S.W. 2d 64, 75-76 (Texas Crim. App. 1978)
- Lopez v. State, 628 S.W. 2d 77, 81 (Tex. Crim. App. (Panel Opp.) 1982)
- Ocon v. State, 284 S.W. 3d 880, 884 (Tex. Crim. App. 2009)
- Shepard v. Maxwell, 324 U.S. 333, 363 (1946)
- 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.uscourts.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.uscourts.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 C to the petition and is

[ ] reported at www.txcourts.gov/14thCOA; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

The opinion of the 212<sup>nd</sup> 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,  
[X] 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 Statute Previsions Page 3;
- 2) Could someone explain?

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

### STATEMENT OF THE CASE

On the morning of June 12th the Galveston Daily News reported all or most of the suppressed evidence of a "piano" and "Kill list" that obtain the alleged victim name struck through according to the D.A., which she (Jennifer et al) later recited, but it was read by Potential Jurors during a break.

Some June 12th members admitted reading the newspaper. The morning of June 12th and 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 (Crayton) guilt or ~~innocence~~. (Crayton) Attorney ask for (mistrial) which was denied.

## Statement of Case (cont'd)

Defense Counsel stated that (Crayton) could not receive a fair trial after a prejudiced newspaper article was presented. Defense Counsel offered the article into evidence, stated the grounds for the objection ask again for non-trial and was denied

## REASONS FOR GRANTING THE PETITION

1. Due Dike Process  
was flawed and (Cratton) 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 (Cratton) 6<sup>th</sup>  
Amendment right
4. Const Violation 6<sup>th</sup> 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 (Crayton's) Const. Rights had been violated by the time defence counsel asked for a mistrial (Crayton) is asking this Court to overturn the case and Full Acquittal.

#### **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Paul A. Crayton Pro Se

Date: \_\_\_\_\_