

No. 19-8773

Supreme Court, U.S.

FILED

MAR 17 2020

OFFICE OF THE CLERK

IN THE  
SUPREME COURT OF THE UNITED STATES

Quincy Harrison — PETITIONER  
(Your Name)

vs.

Vance Laughlin — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

Quincy Harrison  
(Your Name)

Wheeler Correctional Facility, Po Box 466  
(Address)

Alamo Georgia 30411  
(City, State, Zip Code)

(Phone Number)

**ORIGINAL**

QUESTION(S) PRESENTED

Whether the Fifth AMENDMENT OF The United States Constitution Double Jeopardy Clause is Violated Where petitioner was charged and convicted of Armed Robbery by unlawfully taking a Honda Accord ~~of~~ of Jimmy Vega from the immediate presence of Jimmy Vega by use of a Hand gun on count one of the Indictment

And was also charged and convicted of count 2 of the same Indictment For taking the same Honda Accord from the presence of Jimmy Vega while in possession of a Firearm Hijacing A Motor a Motor Vehicle

Petitioner was convicted on Both charges and received multiple punishment for the same crime, there was only one taking of the Honda Accord  
Both crimes were committed by taking of the Honda Accord by use of a Hand Gun from the presence of Jimmy Vega

Whether petitioner Has been deprived of The Due process clause of the Fourteenth Amendment of the United States Constitution.

Whether the trial court had Subject-Matter Jurisdiction to punish twice for the same offense

Armed Robbery of the Honda Accord

Hijacing the Honda Accord with same Hand Gun at the exact same time.

## **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:

Vance Laughlin, Warden  
Homer Bryson, Commissioner

## **RELATED CASES**

Blockburger v. US 284 U.S. 299 at 304 (1932)

US. v. Cotton 535 US. 625, 630 (2002)

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## TABLE OF AUTHORITIES CITED

### CASES

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Blockburger v. U.S. 284 U.S. 299 at 304 (1932)

US v. Cotton 535 U.S. 625, 630 (2002)

### STATUTES AND RULES

### OTHER

Fifth Amendment of the United States Constitution  
Fourteenth Amendment of the United States Constitution  
Sixth Amendment of the United States Constitution

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 The Georgia Supreme court; 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 12/23/19. A copy of that decision appears at Appendix A.

[ ] 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**

The sixth, Fifth, and Fourteenth Amendments  
of the United States Constitution

Double Jeopardy Clause

Due Process Clause

Jurisdictional Issues

## STATEMENT OF THE CASE

Petitioner was tried and convicted in the Superior Court of Hall county State of Georgia Count one Armed Robbery taking of Motor Vehicle and Count two HighJacking the same motor Vehicle, only ONE Incident the same crime

Petitioner filed a State Habeas corpus on Grounds of Double Jeopardy in violation of the fifth Amendment of the United State constitution in violation of the Fourteenth Amendment of the united states constitution, The Habeas corpus court Deny the petition for the writ, petitioner file a certificate of probable cause to the Georgia Supreme Court it was Denied on 12/23/19

### REASONS FOR GRANTING THE PETITION

Petitioner is Being Held in unlawful custody and Illegal confinement on the HiJacking of Motor Vehicle Conviction which violates the Fifth Amendment Double Jeopardy Clause in violation of the Due process clause of the Fourteenth Amendment of the United States Constitution.

Petitioner prays that this Honorable court will  
Issue the Writ to Hear his Double Jeopardy claim

#### **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Quincy Harrison

Date: 3/17/2020