
In the Supreme Court of the United States

RICHARD B. WOODS,
Petitioner

v.

STATE OF LOUISIANA,
Respondent

**ON PETITION FOR WRIT OF CERTIORARI TO THE
LOUISIANA SECOND CIRCUIT COURT OF APPEALS**

RESPONDENT’S APPENDIX A

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STATE OF LOUISIANA PARISH OF OUACHITA 4TH JUDICIAL DISTRICT COURT

STATE OF LOUISIANA

FILED: SEP 26 2018

VS. NO. 04-F2043

RICHARD BEN WOODS

BY: Carey Gordon
DEPUTY CLERK OF COURT

RULING ON DEFENDANT'S
"PETITION TO ABROGATE OR ABOLISH AN ILLEGAL
AND DISCRIMINATORY LAW"

Upon the showing made, Petition is DENIED. Apodaca v. Oregon, 406 U.S. 404 (1972).

MONROE, LOUISIANA THIS 25th DAY OF September,
2018.

NEAL G. JOHNSON, JUDGE
DIVISION G

PLEASE SERVE:

- DEFENDANT
- OFFICE OF THE DISTRICT ATTORNEY
OUACHITA PARISH

A TRUE COPY
Carey Gordon
DEPUTY CLERK

RICHARD WOODS
V.
STATE OF LOUISIANA

MOTION TO RECONSIDER AND KEEP LAWS, FACTS, ARGUMENTS AND COURT RECORD STRAIGHT.

COMES NOW, PETITIONER WHO AVERS:

THIS COURT ERRED BY APPLYING THE CASE OF APODACA 92 S. CT. 1128. IN APODACA THE U.S. SUPREME COURT HELD: THE LESS THAN UNANIMOUS JURY DOES NOT VIOLATE TRIAL BY JURY SPECIFIED BY 6TH AMEND. AND MADE APPLICABLE TO THE STATE BY THE 14TH AMEND. (SEE EXHIBIT C)

I DID "NOT" ARGUE A 6TH AMEND. VIOLATION, THEREFORE, THE CASE OF APODACA DOES NOT APPLY TO MY ARGUMENT, (SEE EXHIBIT D)

I ARGUED THE RACIALLY DISCRIMINATORY LAWS OF 11-1 OR 10-2 VIOLATES THE DUE PROCESS CLAUSE AND MY EQUAL PROTECTION OF LAW RIGHT NOT TO BE FOUND GUILTY UNLESS ITS BEYOND ALL REASONABLE DOUBT. THE EVIDENCE UPON WHICH A JURY IS JUSTIFIED IN RETURNING A VERDICT OF GUILTY MUST BE SUFFICIENT TO PRODUCE A CONVICTION OF GUILT BEYOND ALL REASONABLE DOUBT. TAYLOR - 606 SO. 2D 1292.

WHEN THERE IS A VERDICT OF 11-1 OR 10-2 CLEARLY SHOWS THERE WAS A REASONABLE DOUBT IN SOMEONES MIND(S) AND A CONVICTION CANNOT STAND.

THE NON-UNANIMOUS JURY VERDICTS WERE DESIGNED AS A DISCRIMINATORY LAW TO SUBVERT JUSTICE, THE U.S. CONSTITUTION DUE PROCESS AND EQUAL PROTECTION OF LAW, TO BE PROTECTED UNDER THE LAW THAT ONE MUST BE FOUND GUILTY BEYOND ALL REASONABLE DOUBT. A VERDICT OF 11-1 OR 10-2 SHOWS REASONABLE DOUBT.

THE BURDEN OF PROOF A PROSECUTOR IN LOUISIANA HAS TO SHOW IN ORDER TO OVERCOME REASONABLE DOUBT IS DIMINISHED BY THE 11-1 OR 10-2 VERDICT WHICH WAS WRITTEN AND ENACTED AS A DISCRIMINATORY LAW AND ALLOWS A DEFENDANT TO BE FOUND GUILTY BY A LESS THAN UNANIMOUS VERDICT, WHICH DOES VIOLATE DUE PROCESS AND THAT VIOLATES MY EQUAL PROTECTION OF LAW RIGHT.

EXHIBIT 4

STATE OF LOUISIANA

* PARISH OF OUACHITA *

4TH DISTRICT COURT

STATE OF LOUISIANA

FILED:

OCT 15 2018

Versus No. 04-F2043

Division: G

RICHARD WOODS

DEPUTY CLERK OF COURT

ORDER DENYING MOTION FOR RECONSIDERATION

Petitioner filed a Motion to Reconsider this Court's denial of his Petition for Post Conviction Relief contending that the Court erroneously denied the petition by relying on Apodaca v. Oregon, 406 U.S. 404, 92 S.Ct. 1628, 32 L.Ed.2d 184 (1972), which held that non-unanimous jury verdicts did not violate the 6th Amendment of the U.S. Constitution. Petitioner argues that non-unanimous jury verdicts violate the due process clause of the U.S. Constitution since it allows for a verdict where up to two of the 12 jurors may have had reasonable doubt about guilt. This argument ignores the fact that some jurors may feel that a defendant should be found guilty as charged rather than a responsive verdict for a lesser included charge.

Petitioner further claims that the law which authorizes a non-unanimous verdict was designed as a discriminatory law to deny equal protection to black defendants in violation of the equal protection of the U.S. Constitution. This argument is without merit since there is no showing that such laws apply unequally to minorities or any other protected class of citizens.

For the above reasons, the Motion for Reconsideration is denied.

Monroe, Louisiana, this 15th day of October, 2018.

NEAL G. JOHNSON
District Judge, Pro Tempore, 4th JDC

A TRUE COPY

DEPUTY CLERK
4TH JUDICIAL DISTRICT COURT
OUACHITA PARISH, LA

copy TO DA/Defendant 10/15/18

V.

STATE OF LOUISIANA

SUPERVISORY WRIT

COMES NOW, PETITIONER WHO AVERES:

THE TRIAL COURT ERRED BY APPLYING ADOBACATO MY -
CHALLENGE TO THE 11-1 OR 10-2 JURY VERDICTS. I SHOWED THE
COURT THAT I DID NOT ARGUE MY CASE UNDER THE 6TH AMEND.
I SHOWED THAT STATE AND FEDERAL LAWS VIOLATE
DUE PROCESS WAS VIOLATED. SEE EXHIBITS 1 AND 3.

JURISDICTION OF THIS COURT IS ART. 5 § 10 LA. CONST.

A COPY OF MY MOTION IS EXHIBIT 1 AND THE COURT'S
RULING IS EXHIBIT 2.

A COPY OF MY MOTION TO RECONSIDER IS EXHIBIT 3 AND
THE COURT'S RULING IS EXHIBIT 4.

ISSUES FOR REVIEW:

1) DOES THE 11-1 OR 10-2 JURY VERDICTS VIOLATE DUE -
PROCESS AS STATED IN TAYLOR 606 SO.2D 1292, POWKILL 684 SO.2D 350,
GAUDIN 115 S. CT. 2310?

2) DOES THE 11-1 OR 10-2 JURY VERDICTS DIMINISH THE PROOF
A PROSECUTOR HAS TO SHOW TO OVERCOME REASONABLE DOUBT?

3) WHEN 1 OR 2 JURORS VOTE NOT TO CONVICT DOES
IT SHOW THE JUROR OR JURORS HAD A REASONABLE DOUBT?

4) CAN A LAW THAT VIOLATE FEDERAL LAW BE ALLOWED TO
STAND?

5) WHEN 1 OR 2 JURORS VOTE NOT TO CONVICT DOES
ALLOWING A CONVICTION TO STAND VIOLATE THE 14TH AMEND. EQUAL

STATE OF LOUISIANA
COURT OF APPEAL, SECOND CIRCUIT
430 Fannin Street
Shreveport, LA 71101
(318) 227-3700

No. 53,024-KH

STATE OF LOUISIANA

VERSUS

RICHARD B. WOODS

FILED: 05/20/19

RECEIVED: PM 10/30/18

On application of Richard B. Woods for POST CONVICTION RELIEF in No. 04-F-2043 on the docket of the Fourth Judicial District, Parish of OUACHITA, Judge Neal Glen Johnson, *pro tempore*.

Pro se

Counsel for:
Richard B. Woods

Robert Stephen Tew

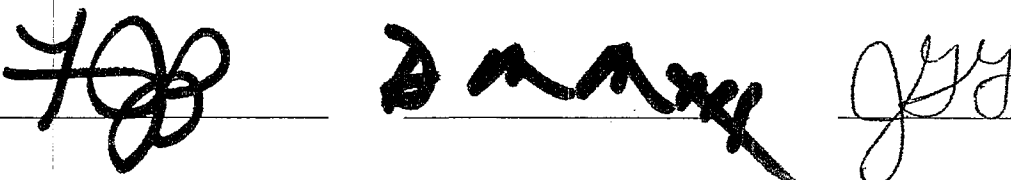
Counsel for:
State of Louisiana

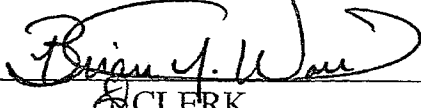
Before MOORE, PITMAN, and GARRETT, JJ.

WRIT DENIED.

The applicant, Richard B. Woods, seeks supervisory review of the trial court's denial of his "Petition to Abrogate or Abolish an Illegal and Discriminatory Law" and "Motion to Reconsider and Keep Laws, Facts, Arguments and Court Record Straight." On the showing made, this writ is hereby denied.

Shreveport, Louisiana, this 6th day of June, 2019.



FILED: June 6, 2019

CLERK

SECOND CIRCUIT COURT OF APPEAL
STATE OF LOUISIANA

Endorsed Filed June 6, 2019


LILLIAN EVANS RICHIE, CLERK OF COURT
A TRUE COPY - Attest

STATE of Louisiana

v.

Richard B. WOODS

301 So.3d 1189 (Mem)
Supreme Court of Louisiana.

No. 2019-KH-01198

|
09/23/2020

Applying for Rehearing/Reconsideration,
Parish of Ouachita, 4th Judicial District

Court Number(s) 04-F-2043, Court of
Appeal, Second Circuit, Number(s)
53,024-KH.

Opinion

*1 Application for reconsideration not
considered. See La.S.Ct.R. IX § 6.

All Citations

301 So.3d 1189 (Mem), 2019-01198 (La.
9/23/20)