

# No. 20-6138

January term, 2021

IN THE  
SUPREME COURT OF THE UNITED STATES

JERRY WALKER----- PETITIONER

vs.

WENDY KELLEY----- RESPONDENT

PETITION FOR REHEARING RULE 44

UNITED STATE SUPREME COURT

**PETITION FOR REHEARING ON WRIT OF CERTIORARI**

JERRY WALKER # 124248  
DELTA REGIONAL UNIT  
880 EAST GAINES STREET

DERMOTT, AR. 71638

Jerry Walker

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MAR 19 2021

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

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OFFICE OF THE CLERK  
SUPREME COURT, U.S.

Come now Petitioner, Jerry Walker bring fourth his pro se petition for rehearing under Rule 44 in good faith and not delay. Requesting that the United States Supreme Court would grant petition for rehearing in the above style case so, that the constitutional merits be address by the court on writ of certiorari that was denied on December 14, 2020. The six amendment of the united states constitution plainly states; In all criminal prosecution, the accused shall enjoy the right to a speedy and public trial, by impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense. Here are the grounds why petition for rehearing should be granted.

**Ground One:** Petitioner base ground one on the sole fact his reliance upon, Lee v. Illinois, 476 US 530, 106 S.ct. 2056, 90 L.Ed. 2d 514, Writ of Certiorari was granted, Supreme Court, Justice Brennan, held that trial court's reliance upon a codefendant's confession as substantive evidence against the defendant violated her rights under the confrontation clause of the Sixth Amendment.

**Ground Two:** Petitioner base ground two on the sole fact his reliance upon, Douglas v. Alabama, 380 U.S. 415, 85 S.Ct 1074, 13 L.Ed.2d 934 The Supreme Court Granted certiorari and in an opinion by Mr. Justice Brennan, held that state defendant's inability to cross examine witness, who had convicted for the same crime and refused while acting in his own interests to answer questions in reliance on privilege against self-incrimination as to witness alleged confession which implicated defendant and which was read to jury by prosecutor under guise of cross-examination after witness had claimed privilege, constituted a denial of defendants right of cross- examination secured by Confrontation Clause of the Sixth Amendment.

**Ground Three:** Petitioner base ground three on the sole fact his reliance on, Barber v. Page, 390 U.S. 719, 88 S.ct. 1318, 20 L.Ed 255, Where certiorari was granted, The Supreme Court, Mr. Justice Marshall, held that where principal evidence against accused at trial in Oklahoma for armed robbery consisted of reading a transcript of preliminary hearing testimony of witness who at the time of trial was incarcerated in federal prison in Texas and it appeared that witness had not been present to testify in person because state had not attempted to seek his presence, accused was deprived of his Sixth and Fourteenth Amendment rights to be confronted with witness against him.

I pray that the United States Supreme Court would grant petition for rehearing, so that court can address the constitutional merits on certiorari.

**CERTIFICATION**

I do here by certify stating that the grounds are limited to intervening circumstances of substantial or controlling effect or to other substantial grounds not previously presented.

Respectfully Submitted  
Jerry Walker# 124248  
Delta Regional Unit  
880 East Gaines Street  
Dermott , Ar. 71638



STATE OF ARKANSAS )  
COUNTY OF Drew )  
                          )

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, on this 10 day of  
Jan, 2021.

St. G. Mitchell, Sr.  
Notary Public

My Commission Expires : 4-5-2028

STEVEN A MITCHELL SR.  
NOTARY PUBLIC-STATE OF ARKANSAS  
DREW COUNTY  
My Commission Expires 04-05-2028  
Commission # 12705937

**CERTIFICATE OF SERVICE**

This is to certify that on the 10 day of January, 2021 a copy of  
the foregoing Petition For Rehearing was mailed, with sufficient  
postage affixed, to:

Supreme Court of the United States  
Scott, Harris, Clerk  
Washington, DC  
20543-0001

Derry Walker  
Appellate, Pro-Se  
ADC# 124248  
880 East Gaines St.  
Dermott, Arkansas, 71638

**CERIFICATE OF COUNSEL**

I, Jerry Walker#124248, is not represented by any counsel, I am submitting this petition to the United States Supreme Court pro se timely and in good faith and not delay.

Respectfully Submitted,

Jerry Walker

Jerry Walker# 124248  
Delta Regional Unit  
880 East Gaines Street  
Dermott , Ar. 71638

# No. 20-6138

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JERRY WALKER----- PETITIONER

vs.

**WENDY KELLEY----- RESPONDENT**

PROOF OF SERVICE

I, Jerry Walker, do swear or declare that on this date, January 10, 2021, as required by Supreme Court Rule 29, I have served the enclosed MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS and PETITION FOR PETITION FOR REHEARING on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage pre paid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days

The names and address of those served are as follows:

Scott S. Harris, Clerk  
Supreme Court of the United State  
Office of The Clerk  
Washington, DC 20543-0001

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 10, 2021

Jerry Walker  
Signature