

21-5483  
No. \_\_\_\_\_

ORIGINAL

FILED

AUG 18 2021

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

David Jackson — PETITIONER  
(Your Name)

vs.

State of Oklahoma RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

O. C. C. A.  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

David Jackson  
(Your Name)

8607 S.E. Flowerman Rd.  
(Address)

Lawton, OK 73501  
(City, State, Zip Code)

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

RECEIVED

AUG 25 2021

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

QUESTION(S) PRESENTED

- ① Can the O.C.C.A ignore the double jeopardy prohibition as mentioned in proposition (1) in attached appendix A.

## 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.....	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	3
STATEMENT OF THE CASE .....	4
REASONS FOR GRANTING THE WRIT .....	5
CONCLUSION.....	6

## INDEX TO APPENDICES

APPENDIX A	O. C. C. A. Summary Opinion
APPENDIX B	
APPENDIX C	
APPENDIX D	
APPENDIX E	
APPENDIX F	

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## TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

STATUTES AND RULES

OTHER

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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☐ is unpublished.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☐ is unpublished.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 A 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☒ is unpublished.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 \_\_\_\_\_ 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 June 17, 2021.  
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**

(see attached Documents as requested above)



**TABLE OF AUTHORITIES**  
**CASE AUTHORITIES**  
**FEDERAL CASES**

<i>Fuller v. Oregon</i> , 417 U.S. 40 (1974) .....	9
<i>Gleckman v. United States</i> , 80 F.2d 394 (8th Cir. 1935) .....	16
<i>James v. Strange</i> , 407 U.S. 128 (1972) .....	9
<i>Olson v. James</i> , 603 F.2d 150 (10th Cir. 1979) .....	11
<i>Strange v. James</i> , 323 F. Supp. 1230 (D. Kan. 1971) .....	9

**STATE CASES**

<i>Barnard v. State</i> , 2012 OK CR 15, 290 P.3d 759 .....	4
<i>Davis v. State</i> , 1999 OK CR 48, 993 P.2d 124 .....	4
<i>Head v. State</i> , 2006 OK CR 44, 146 P.3d 1141 .....	4
<i>Honeycutt v. State</i> , 1992 OK CR 36, 834 P.2d 993 .....	21
<i>Murphy v. State</i> , 2012 OK CR 8, 281 P.3d 1283 .....	15, 18
<i>Shackelford v. State</i> , 1971 OK CR 49, 481 P.2d 163 .....	5
<i>Simpson v. State</i> , 1994 OK CR 40, 876 P.2d 690 .....	4
<i>Smith v. State</i> , 1971 OK CR 245, 486 P.2d 770 .....	6
<i>State v. Cooper</i> , 2018 OK CR 40, 434 P.3d 951 .....	8
<i>State v. Dist. Court</i> , 2007 OK CR 3, 154 P.3d 84 .....	13
<i>Walters v. State</i> , 1993 OK CR 4, 848 P.2d 20 .....	12, 18, 19
<i>Zeigler v. State</i> , 1991 OK CR 25, 806 P.2d 1131 .....	16

## **OKLAHOMA STATUTES**

19 O.S.2011, §138.10 .....	13
21 O.S.2011, §142.18(A) .....	12, 18, 19
22 O.S.2011, § 1355.14 .....	8, 11, 13, 14
28 O.S.2016, § 153(A)(8) .....	15, 17
28 O.S.2017, § 86(A)(1) .....	15

## **DOCKETED CASES**

<i>Henderson v. State.</i> (February 9, 2017).....	5
--	---

## **MISCELLANEOUS**

Rule 3.5(C)(3), <i>Rules of the Oklahoma Court of Criminal Appeals</i> , Title 22, Ch. 18, App. (2008).....	5
Rule 8, <i>Rules of the Court of Criminal Appeals</i> , Title 22, Ch. 18, App. (2011).. ..	12

## STATEMENT OF THE CASE

Mr. Jackson was charged on November 1, 2019, in a 4-Count Information. The Counts were as follows; Count 1: Felony Discharging Firearm Into Dwelling, in violation of 21 O.S. 2011, § 1289.17 A. Count 2: assault and battery with deadly weapon, in violation of 21 O.S. 2011, § 652. Count 3: knowingly receiving, Concealing and/or withholding Stolen property, in violation of 21 O.S. Supp. 2018, § 1713. Count 4: possession of Firearm after former Felony Conviction, in violation of 21 O.S. Supp. 2011, § 1283 (A). preliminary hearing was held on May 15, 2019 (P.H. 1). after Presentation of evidence, the Court Bound over Mr. Jackson on Counts 1, 2, and 4 (P.H. 5). Jury trial was held January 27, 2020, through January 29, 2020. (J. Tr. 1, J. Tr. 111) The Jury Convicted Mr. Jackson of all three Counts, as to Discharging a Firearm into a dwelling, the Jury assessed punishment of a \$10,000 Fine and 25 years Incarceration. as to assault and battery with a deadly weapon, the Jury assessed punishment of a \$10,000 Fine and life Imprisonment. as to possession of a Firearm after previous Felony Conviction

Case.

(Additional Page of Statements of the Facts)

Fine and 25 years Incarceration. (J.Tr. 414-415)  
Formal Sentencing was held on May 19, 2020.  
(S.Tr. 1) after hearing argument, the Judge  
Sentenced Mr. Jackson according to the Jurys  
Verdict and ordered the Sentences to run  
Consecutively to each other, with Credit given  
for time Served. (S.Tr. 9) The trial Judge also  
Imposed a restitution amount of \$3,873.59.  
(S.Tr. 9) It is from this Judgment and Sentence  
that Mr. Jackson now appeals.

**REASONS FOR GRANTING THE PETITION**

Due to the major Constitutional violations  
that took place in the above styled Case.....

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

David Jackson

Date: 8/17/21