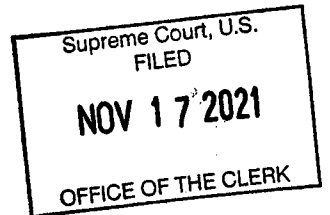


~~21-6521~~ ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



JAMAR ALLEN — PETITIONER
(Your Name)

vs.

MISSISSIPPI — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

MISSISSIPPI COURT OF APPEALS
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Samar Allen
(Your Name)

M.S.P. Unit 30-C Bldg.
(Address)

Patchman, MS. 38733
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

IS THE DUE PROCESS CLAUSE BURDEN OF PROOF MET IF THE ONLY EVIDENCE IDENTIFYING THE PETITIONER AS THE SHOOTER IS THE VICTIMS TESTIMONY WHO BOTH TESTIFIED TO USING A HALLUCINOGENIC DRUG PRIOR TO THE SHOOTING?

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:

RELATED CASES

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DECISION AFFIRMING PETITIONER'S CONVICTIONS

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Jackson v. Virginia, 443 U.S. 307 (1979)

STATUTES AND RULES

OTHER

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☐ is unpublished.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☐ is unpublished.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**:

SEE → The opinion of the highest state court to review the merits appears at Appendix C to the petition and is 2021 WL 248050

DENIED CERTIORARI REVIEW
☐ reported at Allen v. State, 503d (Miss. 2021); or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the Mississippi Court of Appeals appears at Appendix A to the petition and is

☐ reported at Allen v. State, 503d (Miss. App. 2021); 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 1/26/21.
A copy of that decision appears at Appendix A.

☐ A timely petition for rehearing was thereafter denied on the following date: 5/18/2021, and a copy of the order denying rehearing appears at Appendix B.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including 6/30/2021 (date) on 9/28/2021 (date) in Application No. ____ A ____ SEE Appendix C, Appendix D

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

" NO PERSON SHALL BE DEPRIVED
OF LIFE, LIBERTY, OR PROPERTY
WITHOUT DUE PROCESS OF LAW."

United States Constitution 14th
Amendment

STATEMENT OF THE CASE

On September 6, 2017 petitioner was indicted by a grand jury held in Alcorn County, Mississippi, for the crime of Aggravated Assault shooting into a dwelling and a felon in possession of a firearm.

On July 29, 2019 trial began and this petitioner was convicted upon all counts and was sentenced to 20 years for two counts of Aggravated Assault to run consecutive to one another. 10 years suspended for the

charge of shooting into a dwelling to run consecutive to the assault convictions, and 10 years suspended for the charge of a felon in possession of a firearm to run consecutive to the assault and shooting into a dwelling convictions.

Petitioner court-appointed counsel appealed the case which was heard by the Mississippi Court of Appeals. On January 26, 2024 the Mississippi Court of Appeals affirmed this petitioner's convictions.

On February 7, 2021 petitioner sought CERTIORARI REVIEW by the Mississippi Supreme Court. THE Mississippi Supreme Court found that the petition for CERTIORARI WAS untimely initially, but after this petitioner submitted proof that the petition was timely the Mississippi Supreme Court then RE-instated the petition, but denied this petitioner's request for CERTIORARI REVIEW on September 28, 2021.

REASONS FOR GRANTING THE PETITION

This Honorable Court should grant this petition because the Mississippi Court of Appeals decision is contrary to this Court's decision rendered in Jackson v. Virginia, 443 U.S. 307 (1979)

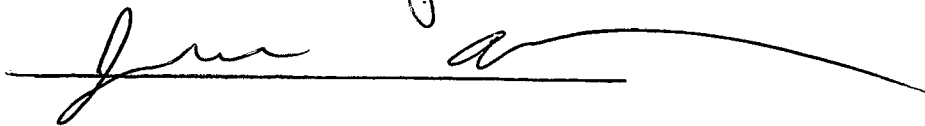
The Mississippi Court of Appeals misapplied Jackson v. Virginia in a way that would not take into account the fact that the victims admitted to using a hallucinogenic drug moments prior to the shooting.

No one testified that this petitioner ever had a gun, but yet this petitioner has been convicted of a felon in possession of a firearm, shooting into a dwelling and two counts of Aggravated Assault.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: 11/15/21