

21-7553
No. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
MAR 29 2022
OFFICE OF THE CLERK
SUPREME COURT, U.S.

Larry David Davis — PETITIONER
(Your Name)

vs.

Dexter Payne - Director of ADK — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Eighth circuit court of appeals of St Louis, Mo
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Larry David Davis
(Your Name)

880 East Gaines
(Address)

Dermitty, Arkansas 71638
(City, State, Zip Code)

870-538-2049
Prison (Phone Number)

QUESTION(S) PRESENTED

1. IF I was Convicted on only a Thumbprint that belong to 13 different individuals, but 12 of the people is unknown to the Fingerprint Analyst who testified at my trial about the Fingerprint analysis, is my conviction on only this Thumbprint in violation of my Due process of the 14th Amendment to the U.S. Constitution For a lack of Evidence at my trial. Thompson v. Louisville, 362 U.S. 199, 80 S.Ct. 624, 4 L.Ed.2d 654, 2 at 1715, Harvey Johnson v. Florida 88 S.Ct. 1713 at 1715.
2. IF I was never arrested, and if I have never been served warrants; or Probable cause AFFidavits For these charges, and if these warrants, and Probable cause AFFidavits was issued May 11th, of 2017 For my arrest in Arkansas, while I was in jail custody in Arkansas, Then the Arkansas Police intentionally delayed these warrants and probable cause AFFidavits For until I am released, and a hold was placed on me may 22nd, of 2017 by Jacksonville, Arkansas Police Christopher Hicks saying in his officer case note The case will be inactive open the warrants being served while I was in Arkansas Clark county jail custody see Add. 16 bottom last paragraph, then 14 months later July 20th, of 2018 a information was Filed while I was in Arkansas Prison, then 7 more months later the prosecutor take me to trial 2-13-19 in Violation of my 8th Amendment right to a speedy trial? Doggett v. U.S. 505 U.S. 647, 652 n.1. Gravitt v. U.S. 523 F.2d 1211, 1215, U.S. v. Louzon, 392 F.Supp.1220, 1226-27.

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:

Dexter Payne - Director of Arkansas Department of Corrections

Rachel Kemp - assistant attorney General of Arkansas

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APPENDIX A Application For a certificate of Appealability is denied,
The appeal is Dismissed. Forma pauperis are denied as most.

APPENDIX B Motion to proceed in Forma pauperis is Granted

APPENDIX C AFFirmed the trial court Denial

APPENDIX D trial court notice of Appeal

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TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
<u>Johnson v. Florida</u> 385 U.S. at 1713 at 1715 Pgr 1,	
<u>Thompson v. Louisville</u> , 362 U.S. 199, 80 S.Ct. 624, 4 L.Ed.2d 654	
<u>Barker v. Wingo</u> , 407 U.S. at 519-21, at 530.	10, 7
<u>Barker v. Wingo</u> , 407 U.S. 514, 530 (1972).	2, 6, 9, 10
<u>Barker v. Wingo</u> 407 U.S. at 530-31.	7, 8, 9
<u>Barker v. Wingo</u> , 407 U.S. at 532-23.	6, 7
<u>Doggett v. U.S.</u> 505 U.S. 647, 652 at 1 (1992).	2, 9
<u>Gravitt v. U.S.</u> 523 F.2d 1211, 1215 (5th Cir. 1975).	2, 11
<u>Klopfer v. N. Carolina</u> , 368 U.S. 213, 221-22 (1967).	6,
<u>Klopfer v. N. Carolina</u> , 386 U.S. 213, 221-22 (1967).	6,
<u>Klopfer v. N. Carolina</u> , 386 U.S. at 223	6,
<u>U.S. v. Lockett</u> , 392 F. Supp. 1220, 1226-27 (E.D. Mich. 1975).	10,

STATUTES AND RULES

Arkansas Rules of Criminal Procedure: Rule 28.1(B),
Rule 28-2, and Rule 30.2

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 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 United States district court appears at Appendix B 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 C 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 trial court notice of appeal court appears at Appendix D 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 December 14th, 2021.

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: January 15th, 2022, 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 2-19-20.
A copy of that decision appears at Appendix _____.

A timely petition for rehearing was thereafter denied on the following date: I did a timely petition for, and a copy of the order denying rehearing appears at Appendix _____. Rehearing and for some they did not hear it,

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

1. Due Process of Law of the 5th Amendment
because the delay of the warrants and Probable
cause AFFidavits issued May of 2017.
2. 6th Amendment right to a speedy trial.
3. Due process of the 14th Amendment
For lack of Evidence at trial, right to speedy
trial, and no warrant, and no probable cause.
4. 4th Amendment For no probable cause, and me
never being served a warrant, to have me
Fingerprinted 8 days before my trial held 2-13-19.

STATEMENT OF THE CASE

1. February 13th, of 2019 no evidence was presented at my trial besides a thumbprint that belong to 13 different individuals and a video of a black man that was not me, the video had been downloaded onto a disk numerous times for numerous copies, then presented as evidence at my trial was one of the many copies for the jury to watch. Detective Hicks brought these accusations against me. Detective Hicks no longer worked for the Jacksonville Police Dpt, and testified on the stand that he did not know me, and that he could not identify me as the man on the video.
2. I am from Memphis, Tennessee, warrants and probable cause affidavits were issued for my arrest in May of 2017, and a hold was placed on me while I was in Clark County Jail in Arkansas, the warrants was intentionally delayed for when I was to be released, a information was filed July 20th, of 2018, my trial was held February 13th, 2019.

REASONS FOR GRANTING THE PETITION

1. I was Prejudiced by the prosecutor and my court appointed Attorney Directing the Police to the courtroom, and arranging for me to be brought to 7th Division courtroom and the Judge compelling me to be Fingerprinted by the Vindictive Police Ryan Childers February 5th of 2019 in 7th Division crowded courtroom 20 months and 2 weeks after warrants, and probable cause AFFidavits issued 5-17-2017 to gain a tactical advantage against me at my trial held 2-13-19. see court Proceeding transcript pages 7, 8, 9, and Page 10, and I was never served warrants for these charges.
2. I was Prejudiced by the prosecutor telling the Jury that I was in prison at the present time of my trial, in the closing arguments of my trial.
3. The Verdict Forms only had guilty written on them. The Jury was not given an option between finding me guilty or not guilty, I was prejudiced by no option.
4. I was Prejudiced by Hans dimmed memories at my trial.

based on no evidence presented at my trial, and the
prejudice that I have suffered, that caused me
not to have a Fair trial, I Pray that this U.S.
Supreme Court reverse and Dismiss this conviction
entered against me.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Larry David Davis

Date: March 10th, 2022