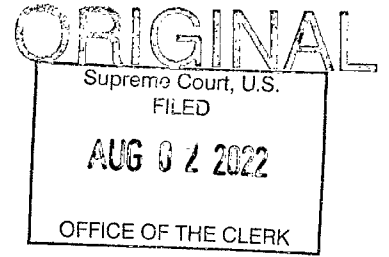


22-5716

No. _____



IN THE

SUPREME COURT OF THE UNITED STATES

Michael Tarvin — PETITIONER
(Your Name)

vs.

MSSC — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

The Mississippi State Supreme Court
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Michael Tarvin
(Your Name)

P.O. Box 1057
(Address)

Parchman, MS 38738
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

1. Whether The Mississippi Constitution, Article 4, Section 112, Recognized Petitioner AS CLASS ONE (1) PROPERTY With NO Civil OR Constitutional Rights.

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

None

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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☐ is unpublished.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☐ is unpublished.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**:

The opinion of the highest state court to review the merits 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☐ is unpublished.

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☐ is unpublished.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 5/4/2022.
A copy of that decision appears at Appendix B.

☐ 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

Mississippi Constitution, Article 4, Section 112,
particular species of property belonging to person who
are slaves as a basis for direct taxation.

U.S. Fifth (5th) Amendment Constitution

U.S. Sixth (6th) Amendment Constitution

U.S. Eighth (8th) Amendment Constitution

U.S. Ninth (9th) Amendment Constitution

U.S. Fourteenth (14th) Amendment Constitution

Mississippi Constitution, Article 4, Section 112

STATEMENT OF THE CASE

On March 21st, 2022, Petitioner filed an Post Conviction Relief in the Mississippi Supreme Court, in accordance with the U.S. Federal Constitution, Article IX (9), the enumeration in the Constitution, of certain Rights, shall not be construed to deny or disparage others retained by the people: alleging that the Mississippi Constitution, Article, 4, Section 112, Recognized him as Class One (1) property with no Civil or Constitutional Rights. However, utilizing municipal laws established by the Mississippi Constitution to shift or chattel him as government Class One (1) property to the penal system. Undoubtedly, these facts, taken together amount to an allegation that before Petitioner Conviction and at the time of his trial and at this current time of the year of 2022, the Mississippi Legislature Recognized him as a particular species of property belonging to persons of the government, treating him as an inferior class, subjecting him to strict police regulations, Racism by the local police authority, State Crime Lab, and Judicial System. The Mississippi Supreme Court was in fact aware that the Mississippi Constitution, Article 4, Section 112, Recognized Petitioner as Class One (1) property but however, on May 4th, 2022, Presiding Justice James W. Kitchens denied the Motion.

Presiding Justice James W. Kitchens pronounce his judgment solely on those facts. His judgment was technically final.

Petitioner asked the question. "Did the Presiding Justice James W. Kitchens deny Post Conviction Relief because he agree with the Mississippi Legislature that Petitioner is Recognized as Class One (1) property with no Civil or Constitutional Rights"?

Petitioner averment that he was born in the State of Mississippi in the Condition of Property belonging to the government of the State of Mississippi. Petitioner is a Negroid of African blood, the descendent of Africans who had been kidnapped and sold in this country as slaves and thus according to the Mississippi Constitution, Article 4, Section 112, he had no Capacity as a Citizen of Mississippi.

Petitioner asked the question. "Were he recognized as Class One (1) property in the eyes of the Presiding Justice James W. Kitchens"? "Is it not more Rational to conclude that they who framed and adopted the Mississippi Constitution were aware that the African Race held to service under the municipal laws of the State of Mississippi are Class One (1) property under the conditions fixed by those laws"?

"Does articles of merchandise have life expectancy like a human being"? "Does the Almighty Living God the Creator, give it a purposed as He does a man"? Slavery, being contrary to natural Right, is created only by municipal law.

Petitioner averment that according to the adoption of the Mississippi Constitution, Article 4, Section 112, point directly and specifically to the African Race as a separate class of person and show clearly that they are not regarded as a portion of the people or citizens of the government then formed.

The Mississippi Constitution, Article 4, Section 112, hold the following language:

"Taxation shall be uniform and equal throughout the State. All property not exempt from ad valorem taxation shall be taxed at its assessed value. Property shall be assessed for taxes under general

laws, and by uniform Rules, and in proportion to its true value according to the classes defined herein. The Legislature may, by general laws, exempt particular species of property from taxation, in whole or in part. The Legislature shall provide, by general laws, the method by which the true value of taxable property shall be ascertained; provided, however, in arriving at the true value of Class I and Class II property, the appraisal shall be made according to current use, regardless of location. The Legislature may provide for a special mode of valuation and assessment for railroads, and railroad and other corporate property, or for particular species of property belonging to persons, corporations or associations not situated wholly in one (1) county. All such property shall be assessed in proportion to its value according to its class, and no county, or other taxing authority, shall be denied the right to levy county and/or special taxes upon such assessment as in other cases of property situated and assessed in the county, except that the Legislature, by general law, may deny or limit a county or other taxing authority the right to levy county and/or special taxes on nuclear-powered electrical generating plants, the Legislature, by general law enacted by a majority vote of the members of each house present and voting, may provide for a special mode of valuation, assessment and levy upon nuclear-powered electrical generating plants and provide for the distribution of the revenue derived therefrom. The Legislature may provide a special mode of assessment, fixing the taxable year, date of the tax lien, and method and date of assessing and collecting taxes on all motor vehicles. The assessed value of property shall be a percentage of its true value, which shall be known as its assessment ratio. The assessment ratio on each class of property as defined herein shall be uniform throughout the state upon the same class of property, provided that the assessment ratio of any one (1) class of property shall not be more than

three (3) times the assessment ratio on any other class of property. For purposes of assessment for ad valorem taxes, taxable property shall be divided into five (5) classes and shall be assessed at a percentage of its true value as follows":

Class I. Single-family, owner-occupied, residential real property, at ten percent (10%) of true value.

Class II. All other real property, except for real property included in Class I or IV, at fifteen percent (15%) of true value.

Class III. Personal property, except for motor vehicles and for personal property included in Class IV, at fifteen percent (15%) of true value.

Class IV. Public utility property, which is property owned or used by public service corporations required by general laws to be appraised and assessed by the State or the County, excluding railroad and airline property and motor vehicles, at thirty percent (30%) of true value.

Class V. Motor vehicles, at thirty percent (30%) of true value.

The Legislature may, by general law, establish acreage limitations on Class I property.

(See attached documentation)

Petitioner averment that the above Constitution is not an act of Emancipation but confirmed that prior or before his conviction and at the time of his trial, he were not in legal parlance person, but considered as Class One (1) property with no civil or constitutional rights. Petitioner aver that he suffer racism and argue that the local police authority tampered with his blood to aid or assist the judicial system in a conspiracy to shift or chattel him as government Class One (1) property to the

penal system. However, Utilizing municipal laws established by the Mississippi Constitution.

Petitioner aver that the current Mississippi Constitution has been amended at least fifty (52) two times since 1968 and the most recent amendments to the Mississippi Constitution, of which there are two, were approved by voters in the year of 2020; The measure amended Section 140 of the Mississippi Constitution and repealed only Section 141, 142, and 143 of the Mississippi Constitution in the year of 2020; Petitioner aver that since the year of 2020, there has been no other repealed section of the Mississippi Constitution and argue that Section 112 is still active at this current time of the year of 2022 and still recognized Petitioner as Class One (1) property with no Constitutional Rights.

In Julia v. McKinney, 3 Mo. 270 (1833) Justice McGIRK in the majority opinion hold that:

"The Reason assigned for the new trial are, that the verdict is against law and evidence. The evidence is sufficient to bring the case within the operation of the Constitution. The judgment of the Circuit Court is reversed, the cause is remanded for a new trial."

Petitioner aver and note that the word ad valorem in Article 4, Section 112, is a white race inhabitant of the United States who are Anglo-Americans descendants of the Anglo-Saxons of Great Britain. Before the Revolution, all free persons born within the dominions of the King of Great Britain, whatever their color or complexion, were native born British subjects and those born out of his allegiance were aliens. Slavery did not exist in England, but it did in the British Colonies. Slaves were not in legal parlance persons, but property. In Article 4, Section 112, the word ad valorem is evidently used to exclude the African race, so that

the privileges and immunities of general citizenship would be secured only to the Scandinavian or Caucasian Race. However, in the adoption of the Mississippi Constitution, the Congress had no power to naturalize the African Race and therefore there was no necessity for using particular words to exclude them. The language in the passage shows that the African Race are not to be citizens of the State of Mississippi by the fact that the general laws apply only to the Scandinavian or Caucasian Race.

In *Com v. Aves*, 18 Pick. 193 (1836) In the discussion the Court stated:

"So Slavery was tolerated by law in the British Colonies, but this did not prevent the Court of King's Bench from deciding on its immorality and impolicy in England. The law of all Europe is, that Slavery is a local institution; that Slaves in the Colonies are property, but that in the parent country they are men."

The language in the passage gives reference that the Mississippi Legislature may provide for a special mode of valuation and assessment for particular species of property belonging to persons. However, in this passage the Mississippi Legislature recognized the African Race as a particular species of property belonging to persons who are slaves as a basis for direct taxation.

In *Com v. Aves*, In the discussion the Court stated:

"But it has been argued, that as the Constitution of the United States recognizes Slavery, we are estopped to deny its morality or policy. It is true, we have agreed to recognize Slaves as a basis for direct taxation and representation, and to give them up when they abscond into the free States."

In *Dred Scott v. Sanford*, Justice Charles Curtis (1857) in his dissenting opinion cited reference of a previous case where Chief Justice Marshall said:

"I am not aware that the fact that it prohibited the use of a particular species of property, belonging almost exclusively to citizens of a few States, and this indefinitely, was ever supposed to show that it was unconstitutional."

The language also in the passage give reference that the Mississippi Legislature may, by general law, establish acreage limitations on Class (1) property. However, in this passage the Mississippi Legislature asserts rights, in respect to a part of the Mississippi Territory which require a passing notice (1798 - 1800 A.D.) acts for the settlement of limits with Mississippi Territory.

In *Rachael v. Walker*, 4 Mo. 350 (1836) In the discussion the Court stated:

"In all the cases decided by this Court, it is admitted that the people of the United States have a right to pass through any of the districts where slavery is prohibited with their slaves, and while they justly retain the character of emigrants passing through the country, the fact that they have in their possession, when so passing slaves, does not emancipate them under the ordinance."

Justice McGirk, in the majority opinion hold that:

"In this case the officer lived in the Missouri Territory at the time he bought the slave, he sent to a slave holding country and procured her, this was his voluntary act, done without any other reason than that of convenience, and he and those claiming under him must be holden to abide the consequence of introducing slavery both in

Missouri Territory and Michigan contrary to law. The judgment of the Circuit Court is reversed - the cause is remanded for a new trial.

Petitioner aver that the language in the passage of Article 4, Section 12, in the Mississippi Constitution shows that the African Race is not a necessary qualification for citizenship and divides them into class property. No one can pretend ignorance of this unconstitutional provision!

In Dred Scott v. Sandford, Justice Charles Curtis (1857) 60 U.S. 393, in his dissenting opinion shows that in five of the thirteen states, to wit, New Jersey, New Hampshire, Massachusetts, New York and North Carolina, Free Blacks were voters and in proportion to their numbers, had the same part in making the Constitution that the white people had. And, as a sort of conclusion on that point, holds the following language:

"The Constitution was ordained and established by the people of the United States, through the action, in each state, of those persons who were qualified by its laws to act thereon in behalf of themselves and all other citizens of the state. In some of the states, we have seen, Moorish persons were among those qualified by law to act on the subject. These Moorish persons were not only included in the body of the people of the United States, by whom the Constitution was ordained and established; but in at least five of the states they had the power to act, and doubtless, did act, by their suffrages, upon the question of its adoption."

Petitioner is aware of the laws governing this country such as the Constitution, State, County,

and local ordinances, and the rights made available to him as citizens. A Constitution is defined in the fourth edition of "BLACK LAW DICTIONARY" AS SUCH:

"The organic and fundamental law of a nation or state, which may be written or unwritten, establishing the character and conception of its government, laying the basic principles to which its internal life is to be conformed, organizing the government and regulating, distributing and limiting the functions of its different departments, and prescribing the extent and manner of the exercise of sovereign powers. A charter of government deriving its whole authority from the governed."

In American Law, it is defined as:

"The written instrument agreed upon by the people of the union or of a particular state, as the absolute rule of action and decision for all departments and officers of the government in respect to all the points covered by it, which must control until it, and in opposition to which any act or ordinance of any such department or officer is null and void."

Petitioner honor the United States Constitution of this country in its sovereignty, not withstanding its many mis-adventures in equality. However, he reserve his God given rights as a man to be dedicated to the idea and the proposition that all men are created equal, and dedicated to the idea of life, liberty, and the pursuit of happiness. Petitioner note that MOORS did in fact contribute to the making of the Constitution of the Union or the United States of America. This fact can be observed by Abraham Lincoln's own words when he challenged the American Jurist and the 5th

Chief Justice Roger Brooke Taney
(1774 - 1864 A.D.) decision in the
Dred Scott v. Sandford, Case Stating:

"Justice Taney, in delivering the majority opinion of the Court, insists at great length that MOORS were no part of the people who made, and for whom was made, the declaration of independence, or the Constitution of the United States."

According to the Act of 1682, the enslavement of the MOORS was against the law. This Act of 1682 A.D. under the treaty between Morocco and Britain, reads:

"All servants brought into this country, (Virginia) by sea or land not being Christians, whether negroes, MOORS, mulattos or Indians, (except Turks and MOORS in amity with Great Britain) and all Indians which should thereafter be sold by neighboring Indians, or any other trafficking with us as slaves, should be slaves to all intents and purposes."

The Mississippi Constitution, advertised in the Index:

Section 15. (Slavery and involuntary servitude prohibited)

Petitioner aver that Section 15 is stricken out and does not insert this part of the Section in the body of the contents. The advertisement in the Index is a hoax or trick to the viewers who are ignorant to this deception. But ironically, in Article 4, Section 112, indicates that particular species of the African Race are considered Class One (1) property belonging exclusively to the Mississippi government.

Petitioner averment that the Mississippi Constitution is not mirrored by the Constitution of the United States because the State of Mississippi still unlawfully utilized a form of involuntary servitude or slave labor that still incarcerates Black and Brown bodies at a much higher rate than whites. Moreover, the African race here in Mississippi are being bought at a ten percent (10%) profit value to work indefinitely in the profitable penal system which the Mississippi Legislature continue to use vagrancy laws to incarcerate the African race who they considered poor and unemployed turning them over to work in the penal system known as Parchman farm. Parchman plantations encompasses 20,000 acres of the Mississippi Delta on land and the European colonization brought concepts of capitalism which property owners built cotton plantations that depended on the unfree labor of people of African descent. The land has borne witness to centuries of gendered racial terror and unfree labor. Ironically, both Constitution are not allies but are in opposition of one another which as a matter of fact, the Mississippi Constitution is absolutely against the significance of the contrary. The United States Constitution, Amendment (14), Section (1) Read as followed:

"All person born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of laws."

Ironically, the Mississippi Constitution, Article 4, Section 112, has different ideas or views on the contrary because the language in the passage give reference that all property not exempt from ad valorem which the privileges and immunities of general citizenship would be secured only to the Scandinavian or Caucasian Race and shows that the African Race is not a necessary qualification for citizenship and divide's them into class property.

But Petitioner asked the question. "Do he still obtained rights under the United States Constitution when the Mississippi Legislature recognized him as Class One (1) property under the Mississippi Constitution?"

In Wilson v. Melvin, 4 Mo. 592 (1837) "The plaintiff claims his freedom because he was, as is alleged, held in slavery in violation of the Constitution of the State of Illinois. The judgment was reversed and the cause remanded to the Circuit Court."

Petitioner aver that according to the Mississippi Constitution, Article 4, Section 112, he is considered as a ordinary article of merchandise and argue that the local police authority and judicial system was in a cahoots of a conspiracy to unlawfully shift or chattel him as government Class One (1) property and politically bought at a ten percent (10%) profit value to work indefinitely in the profitable penal system by utilizing municipal laws establish by the Mississippi Constitution and continued to treat him as an inferior class and subject him to strict police regulations, drawing a broad line of distinction between the citizen and the slave race.

FURTHERMORE, according to the police and forensic reports, there were no semen or DNA tested to connect Petitioner to the Rape Kit, no fingerprints, no eyewitnesses, no confession, no eyewitness account by the victim, and no blood or any other biological substance discovered at the crime scene.

Although, the State Crime Lab, forensic technician attempted to manipulate the forensic reports, fabricating that semen was identified on the rectal swabs in submission five (5) but only appears to still be inconclusive in the chart of DNA results. Moreover, the forensic technician also fabricated that semen was identified on the fabric in submission four (4) but yet in the reports, it still remained in appearance as a non-sperm fraction in the results and conclusions.

But however, there were no clarification or explanation of what biological substance were detected on the question samples that were supposedly collected from the crime scene. The test was done incompetent. And the negative results to the Rape Kit proves facts beyond a reasonable doubt that the State did not prove the major element of the crime of Rape. Moreover, the non-sperm fraction confirmed that Petitioner blood was being tampered with when proof verify that there were no blood or any other biological substance collected or detected from the crime scene.

(See attached documentation)

Petitioner averment that the local police detective denied his right to remained silent and the right to consult with counsel guaranteed by the Fifth, Fourteenth and Sixth

Amendments of the United States Constitution. The local police detective coerced Petitioner with threats to signed a consent form against his will to have his blood drawn for forensic testing and that the blood that were obtained did not meet Fourteenth and Fifth Amendment Constitutional Standards. On December 10th, 2001, Petitioner was arrested at his mother home and taken into custody to the police station and interrogated for the purpose of obtaining his blood. Although, Petitioner was not identified by the victim, the local police detective indicated that his own personal confidential informant told him that he was advised by another person that Petitioner had been seen getting out of a white female vehicle with an orange shirt on. The local police detective did not effectively apprise Petitioner a full warning of his right to remain silent or of his right to consult with an attorney. Petitioner aver that he requested to the local police detective that he wanted to consult with an attorney and the detective denied him that right and stated to him in his own words:

"I know you rape that girl and you is not leaving this police station until you signed this consent form and if you refused to signed this consent form, I'm going to take you to jail for rape but if you signed the consent form, I will let you go back home after you give me your blood."

The local police detective interrogated Petitioner for at least four (4) hours and Petitioner denied any knowledge of the crime. But however, the local police detective continue his threats to take Petitioner to jail for the crime of rape if he didn't signed the consent form. By their threats to take Petitioner to jail, he was forced to signed the consent form to have his blood drawn for forensic testing. The local police detective then

escorted Petitioner to the hospital to have his blood drawn and thereafter, he was escorted back to his mother housed to be released.

Petitioner aver that the Mississippi Constitution, Article 4, Section 112, does not abolished Chattel Slavery and property owners are not deprived of their property and according to Petitioner Class One (1) Status as property, the local police detective claimed ownership of his blood by force and coercion.

Petitioner asked the question. "Why did the local police detective illegally obtained Petitioner Signature on the Consent form but with negligence failed to accompany a waiver of Miranda Warning form, Secured and Signed by Petitioner before the initiation of the interrogation"?

Petitioner aver that the Mississippi Constitution, Article 4, Section 112, Recognized him as Class One (1) property, with no Constitutional Rights to consult with an attorney and that when the local police detective subjected him to interrogation, he was never apprised of his Miranda warning verbally nor was it demonstrated formally. Apparently, however, the only form the local police detective presented in the interrogation room was the consent form to have Petitioner blood drawn for forensic testing.

Petitioner aver that without the demonstration of the Miranda warning form, the consent form alone is void or invalid and does not require to Relinquish his Fourteenth, Sixth, and Fifth Amendment Constitutional Rights.

Petitioner asked the question. "Were the local police detective knowledgeable or cognizant that Petitioner were recognized as Class One (1)

PROPERTY UNDER the Mississippi Constitution, Article 4, Section 112, "And so knowing, decided to turn a blind eye and violate Petitioner United States Fourteenth, Sixth, and Fifth Amendment Constitutional Right to Remain Silent and CONSULT with an attorney PRIOR to any questioning.

Petitioner aver that the local police detective testified at trial that Petitioner voluntarily signed a consent form to have his blood drawn and testified that he verbally read the Miranda warning to Petitioner but testified that he failed to produce a Miranda warning form signed by Petitioner. Petitioner aver that unless and until such warnings and waiver are demonstrated by the prosecution at trial, no evidence obtained as a result of interrogation can be used against him.

In *Miranda v. Arizona*, 384 U.S. 436 (1966) The majority opinion hold that:

"We Reverse. From the testimony of the officers and by the admission of Respondent, it is clear that Miranda was not in any way apprised of his right to consult with an attorney and to have one present during the interrogation, nor was his right not to be compelled to incriminate himself effectively protected in any other manner. The mere fact that he signed a statement which contained a typed-in clause stating that he had full knowledge of his legal rights does not approach the knowing and intelligent waiver required to relinquish constitutional rights."

Petitioner aver that when he requested to the local police detective that he need to consult with an attorney, the interrogation should have ceased but unfortunately, the detective was determined to illegally obtained Petitioner blood

for the purposed to tampered with his blood to fabricate evidence against him.

Petitioner asked the question. "Did the local police authority tamper or plant Petitioner blood on a replica piece of fabric that were reserved for the purposed to framed him for the crime of Rape"?

Petitioner aver that the consent form contained a typed-in clause stating that he had full knowledge of his legal rights and that he could waived his right to have his blood drawn for reason of forensic testing. But however, the language in the consent form are contrary to Article 4, Section 112, because in the Mississippi Constitution, Petitioner is recognized as Class One (1) property who do not have constitutional rights, making the consent form void or invalid. Furthermore, the typed-in clause stating that he had full knowledge of his legal rights does not approach the knowing and intelligent waiver required to relinquish his constitutional rights.

Petitioner asked the question. "Is the consent form considered void or invalid in regards to Petitioner Class One (1) status as property under the Mississippi Constitution, Article 4, Section 112"? "OR was the consent form considered adequate or sufficient advising him of his right under the United States Fourteenth and Fifth Amendment Constitution"?

"Was Petitioner blood obtained in good faith and honesty by the local police authority recognizing him as a person or human of naturalize rights under the United States Constitution"? "OR was his blood obtained to be degrade or debase in recognition of his Class One (1) status as property under the Mississippi Constitution"?

In Edward v. Arizona, 451 U.S. 477 (1981) The Supreme Court in Edwards Stated that:

"When an accused has invoked his right to have counsel present during custodial interrogation, a valid waiver of that right cannot be established by showing only that he responded to further police initiated custodial interrogation even if he has been advised of his rights. An accused having expressed his desire to deal with the police only through counsel, is not subject to further interrogation by the authorities until counsel has been made available to him, unless the accused himself initiates further communication, exchanges, or conversations with the police."

Petitioner aver that the consent form was void or invalid and there is no evidence of any warning given prior to the local police detective interrogation nor is there any evidence of an accompany waiver of Miranda Rights form secured with Petitioner Signature before the local police detective commenced its interrogation.

REASONS FOR GRANTING THE PETITION

The Mississippi Supreme Court has decided that Petitioner is recognized as Class One (1) property under Article 4, Section 112, of the Mississippi Constitution and are not included in the body of the people of the State of Mississippi.

Petitioner urges this Court to conclude that the Mississippi Supreme Court failed to perceive that he as a descendant of the African Race has the right as a human being to be free from slavery and dedicated to the idea and proposition that all men are created equal and dedicated to the idea of life, liberty, and the pursuit of happiness.

Furthermore, the Mississippi Supreme Court has totally ignored that the United States Constitution prohibit slavery and protects him from cruel treatment established by the Mississippi Legislature who intends to treat Petitioner as an inferior class.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Michael Tarvin

Date: 9/6/2022