

NOV 29 2022

OFFICE OF THE CLERK

No. _____

22-6748IN THE
SUPREME COURT OF THE UNITED STATESJohn P. Holland — PETITIONER
(Your Name)The State of Kansas — RESPONDENT(S)
vs.

ON PETITION FOR A WRIT OF CERTIORARI TO

Supreme Court of the State of Kansas

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

PETITION FOR WRIT OF CERTIORARI

John Holland #77303

(Your Name)

WCF; 1806 Pinecrest Cnc.

(Address)

Winfield, KS 67156

(City, State, Zip Code)

(Phone Number)

ORIGINAL

QUESTION(S) PRESENTED

- 1.) The Supreme Court of the State of Kansas erroneously denied the Petitioner's previously filed Petition for a writ of Habeas Corpus under K.S.A. § 60-1501; For not liberally construing the previous petition (same) as a claim on its face that the petitioner's liberty is being unlawfully restrained for a Double Jeopardy violation of both State and Federal Constitution for the use of multiplicitous evidence; thus convicting the petitioner of two separate crimes using the same pseudoephedrine.
- 2.) The Supreme Court of the State of Kansas erred in not granting the Petitioner a Hearing.

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

1.) John Paul Holland v. The State of Kansas
No. 125, 345 (2022).

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
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STATUTES AND RULES

- 1.) 28 U.S.C. § 1251(a).
- 2.) U.S.A. § 60-1501

OTHER

Kan. Const. Art. Kansas Bill of Rights § 10 and;
U.S. Const. Art. Amendments § Amendment V.

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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 is unpublished.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 is unpublished.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 and 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 9-16-22. A copy of that decision appears at Appendix B.

A timely petition for rehearing was thereafter denied on the following date: No Hearing given, 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

There are Constitutional provisions involved in the previously filed petition for Habeas Corpus (Same), however, None for the purposes of the questions in this Review.

STATEMENT OF THE CASE

The petitioner filed a Petition for a Writ of Habeas Corpus under K.S.A. § 65-1501 directly to the Supreme Court of the State of Kansas Sometime around July of 2022. The petitioner has claimed that his rights were being violated by an unlawful restraint of liberty for the use of Multiplicitous evidence in using the same pseudophenine to convict him of two separate crimes, which invokes Double Jeopardy pursuant to both State and Federal Constitution.

The petitioner sought relief in reversing one of those two convictions. The Supreme Court of Kansas denied the petitioner's previous petition (same) on 9-16-22. There was no hearing. The petitioner believes that invokes this Courts review in lieu of a rehearing and timely files this petition.

REASONS FOR GRANTING THE PETITION

The petitioner believes this petition should be granted because the judgment rendered was from a State Court of last resort and such judgment was rendered erroneously. There are no other adequate remedies to pursue. This is the petitioner's only opportunity to have his Habeas Corpus petition (same) heard and allowed his day in court. The Kansas Supreme Court is the only Court involved and so which is their judgment under review. The Supreme Court of Kansas's decision was erroneous because the Court is liberally construed to understanding the petitioner's reasons and filings. On its face a Petition for a writ of Habeas Corpus under U.S.A. § 60-151 must be liberally construed as a claim that the petitioner's liberty is unlawfully restrained for a violation of U.S. laws. Therefore this petition should be granted.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

John Holland

Date: _____