

23-5233

No. _____

FILED

JUL 18 2023

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

RANDALL LAMONT SANDERS- PETITIONER

VS.

STATE OF OKLAHOMA- RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI TO
the Oklahoma Court of Criminal Appeals

Randall Lamont Sanders #878315
James Crabtree Correctional Center
216 North Murray Street, Unit 6
Helena, Oklahoma 73741-1017
(572) 568-6000

QUESTIONS PRESENTED

(1) Whether the Oklahoma Court of Criminal Appeals failed to apply this Court's standard for insufficiency of evidence as described in *Jackson v. Virginia*?

LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

CONSTITUTION AND STATUTORY PROVISIONS INVOKED

United States Constitution, Supremacy Clause, Art. VI

United States Constitution Amendments 14

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[] is unpublished.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[] is unpublished.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 is unpublished.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[] is unpublished.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 May 25, 2023. 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).

STATEMENT OF THE CASE

Petitioner was found guilty of Murder First Degree (21 O.S. Supp 2012 § 701.7) and sentenced to life imprisonment with the possibility of parole.¹ On direct appeal, Petitioner asserted that there was insufficient evidence to show Petitioner caused the victim's death or that he had malice aforethought, as required to find a violation of the statute.

However, the Oklahoma Court of Criminal Appeals (OCCA) failed to apply this Court's standard of review laid out in *Jackson v. Virginia*, to determine whether there was sufficient evidence to establish guilt beyond a reasonable doubt.

REASONS FOR GRANTING THE WRIT

Respect for the Court and its rulings are at an all-time low. Individuals, organizations and even States have, at times, all but ignored the Court's holdings and circumvented their impact.

In the instant matter, the OCCA has once again failed to apply the law as required by this Court's decision. Where previously the OCCA circumvented implementation of this Court's *McGirt v. Oklahoma* ruling, Oklahoma's highest court on criminal matters now defies the Court in violation of the Supremacy Clause by failing to apply *Jackson*.

¹ Petitioner will be required to serve 85% of his sentence before becoming eligible for parole consideration. 21 O.S. Supp 2015 § 13.1

Petitioner seeks certiorari not only to vindicate his appeal claims but also to offer this Court an opportunity to reaffirm and reassert the Constitution's Supremacy Clause.

CONCLUSION

The Petition for a Writ of Certiorari should be GRANTED.

Respectfully submitted,

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