

23-7051

ORIGINAL

In The
Supreme Court of the United States

MAR 11 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

Loren J. Larson Jr.,
Petitioner,

v.

Alaska,
Respondent.

On Petition for a Writ of Certiorari
To the Alaska Court of Appeals

PETITION FOR A WRIT OF CERTIORARI

Loren J. Larson Jr., #204981
Pro-se Petitioner
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QUESTION PRESENTED

1. Does a systemic appearance of bias from a State court of appeals create structural error to a defendant's Sixth Amendment guarantee to a fair trial?
2. Does the Fourteenth Amendment require that a State court of appeals be free from a systemic appearance of bias towards a defendant's litigation?

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PETITION FOR WRIT OF CERTIORARI

Petitioner, Loren J Larson Jr., respectfully petitions for a writ of certiorari to review the judgment of the Alaska Supreme Court.

OPINIONS BELOW

Petitioner was placed in prison for life by a criminal judgment entered on March 11, 1998. The trial court denied Petitioner's Motion for Relief from Judgment on April 19, 2021. (Appendix B). Petitioner then sought review by the Alaska Court of Appeals who denied relief on August 16, 2023. (Appendix A). Petitioner then sought review with the Alaska Supreme Court, but that court denied hearing his case on December 26, 2023. (Appendix C).

JURISDICTION

The order denying review by the Alaska Supreme Court was entered on December 26, 2023. This Court has jurisdiction pursuant to 28 U.S.C. § 1257(A).

RELEVANT CONSTITUTIONAL PROVISIONS

The Fifth Amendment States in relevant part:

No person ... shall be compelled in any criminal case to be a witness against himself.

The Sixth Amendment states:

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the shall have been committed, which district shall have been preciously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

The Fourteenth Amendment states:

All persons 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 protections of the law.

STATEMENT OF THE CASE

In 2019 Alaska held for the first time that "compelling" a defendant to testify was structural error. Alvarez-Perdomo, 454 P.3d 998, 999 (Alaska 2019). Larson's subsequent attempt to have Alaska address IN PRINT Larson's actual juror statements (Appendix D, 12a) was again met with blatant judicial bias. See Appendix D, 7a-14a.

REASON FOR GRANTING WRIT

Judicial bias alone is why Alaska refuses to address IN PRINT Larson's actual juror statements:

"we're supposed to look at everything, his wife not in the courtroom supporting him, shows he is guilty."

"she can't even support him in the court room, he must be guilty."

"she couldn't be in the courtroom because she could not look him in the eye, so he must be guilty."

"I don't care what they say if a man won'[t] testify for himself he is guilty."

"If he won't testify for himself he must be guilty."

"Anyone who won't testify for himself is guilty."

"Specifically I remember Joe Hayes announcing that if Larson did not take the stand in his own defense he was guilty and the other three jurors, the ballet dancer, the fireman from Ester and the tall light haired man all agreeing."

"I also heard several jurors comment that they wished Larson would get up and speak for himself and if not it proved his guilt."

"Mr. Larson's attorney said Mr. Larson was not going to testify for himself. That showed Mr. Larson was guilty of the crime."

See Appendix D, 7a-14a.

This Court is now the only Court who can address IN PRINT Larson's actual juror quotes and make a judicial determination of whether Larson has or has not been deprived of his liberty through a constitutional process under the 6th and 14th amendment of the United States Constitution.

In closing Larson would ask for the Justices reading this to say out loud:

"we're supposed to look at everything, his wife not in the courtroom supporting him, shows he is guilty."

and

"I don't care what they say if a man won't testify for himself he is guilty."

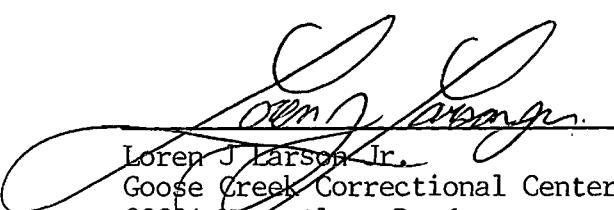
If your Honors have said those words out loud and are satisfied (as Justices over the highest law of the land) that those words could be spoken to my family as being the constitutional reason why I was taken away from them and remain in prison -- then please write the juror quotes in the opinion that denies my petition for writ of certiorari so that I may have an explanation to give to my family. Please (emphasis added) See Appendix E, 16a ¶¶ 4-10; Appendix G, 48a ¶¶ 22-25, 49a-51a.

CONCLUSION

For the foregoing reasons, Larson respectfully requests this Court to grant Certiorari in this matter.

March 6, 2024

DATE


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