

24-5320 **ORIGINAL**

Supreme Court, U.S.  
FILED

JUL 30 2024

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

AHKEMON J. BARDELL  
NAME - PETITIONER

VS.

Tim HOOPER -- RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Supreme Court of Louisiana

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

PETITION FOR CERTIORARI

NAME AHKEMON J. BARDELL

CAMP "D" EAGLE 2

LOUISIANA STATE PENITENTIARY

ANGOLA, LA 70712

QUESTION(S) PRESENTED

1. WAS THE LOUISIANA SUPREME COURT IN ERROR, FOR FAILING TO CORRECT THE APPELLATE COURT'S FAILURE TO CORRECT A CONFRONTATIONAL VIOLATION THAT TRANSPired IN THE TRIAL COURT, DUE TO THE STATE'S PRESENTATION OF INADMISSIBLE HEARSAY OVER THE DEFENSE'S OBJECTION?
2. DID PETITIONER SUFFER A VIOLATION OF HIS CONFRONTATIONAL RIGHT UNDER THE SIXTH AND FOURTEENTH AMENDMENTS, AND DUE PROCESS OF LAW UNDER THE FOURTEENTH AMENDMENT?

### 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:

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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 is unpublished.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 is unpublished.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 "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 is unpublished.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 Louisiana Court of Appeal, Fifth Circuit court appears at Appendix "B" To the petition and is

reported at 50.3d - 2023 WL 7638701; 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 is unpublished.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 6-5-24. A copy of that decision appears at Appendix C.

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

U.S. Constitution Amendments, 6 & 14

LSA-R.S. (14:24) 14:30.1, Principle To Second Degree Murder

#### STATEMENT OF THE CASE

Athkemon Bardell was tried, convicted and sentenced in the Fortieth Judicial District Court, Parish of St. John The Baptist, State of Louisiana for principle to second degree murder, in relation to LSA-R.S (14:24) 14:30.1, Appendix "A"

On the date of 11-15-23, Bardell's conviction and sentence were erroneously affirmed by the Louisiana Court of Appeal, Fifth Circuit. Appendix "B"

On the date of 6-5-24, Bardell was denied A Writ of Certiorari in the Supreme Court of Louisiana. Appendix "C"

Finally, Bardell is before this HONORABLE COURT for consideration for A Writ of Certiorari.

REASONS FOR GRANTING THE PETITION

This HONORABLE COURT should grant certiorari, because the error that was actually complained of that violated petitioner's Confrontational rights was the taped statement/interview of Jamie Jacobs that was played for the jury during the redirect-examination of Det. Brandon Barlow of the St. John The Baptist Sheriff's Office.

It was this piece of evidence, not the playing of the 911 calls that violated petitioner's Confrontational rights as illustrated in Appendix "C", in which contains the Assignment of error presented to the Supreme Court of Louisiana, as well as the denial of Certiorari by said court. The interview of Ms. Jamie Jacobs did meet the criteria for this piece of evidence, that was presented to the jury, to be testimonial in nature, thus violating petitioner's Confrontational rights. U.S. Const. Amends. 6 & 14: Crawford v. Washington, 541 U.S. 36, 124 S. Ct. 1354, 158 L. Ed. 2d. 177 (2004); State v. Anthony, 98-0406, p24 (La. App. 5 Cir. 4-11-00) 776 So. 376, 392, cert. denied, 531 U.S. 934, 121 S. Ct. 320, 148 L. Ed. 2d 258 (2000).

## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Akhemon Bardell

Date: 7/29/24