

24-7294

No. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
MAY 19 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

RUSTIN R. MIDDLETON — PETITIONER
(Your Name)

vs.

STATE OF LOUISIANA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

SUPREME COURT OF THE STATE OF LOUISIANA
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

RUSTIN R. MIDDLETON (DOC #778133

(Your Name)

DAVID WADE CORRECTIONAL CENTER
670 BELL HILL RD. H5A

(Address)

HOMER, LOUISIANA 71040

(City, State, Zip Code)

N/A

(Phone Number)

QUESTION(S) PRESENTED

WHETHER THE LOUISIANA SUPREME COURT ERRED WHEN IT DENIED PETITIONER'S WRIT APPLICATION FILED ON DIRECT APPEAL AND HIS CLAIMS OF THE EVIDENCE BEING INSUFFICIENT AND THAT THE SENTENCE IMPOSED WAS EXCESSIVE?

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:

TABLE OF AUTHORITIES CITED

CASES

	PAGE NUMBER
Furman v. Georgia, 408 U.S. 238 (1972)	10
Hart v. Coiner, 483 F.2d 136, 149 (4thCir.1973)	10
Jackson v. Virginia, 443 U.S. 307 (1979)	7
Rummel v. Estelle, 445 U.S. 263 (1980)	10

STATUTES AND RULES

LSA-C.Cr.P. Art. 821	7
LSA-C.Cr.P. Art. 894.1	9, 10

OTHER

Louisiana Constitution Art. 1, § 20	9
Louisiana Constitution Art. 10 (A)(3)	1
United States Constitution 14th Amendment	7

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION.....	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	3
STATEMENT OF THE CASE	4
REASONS FOR GRANTING THE WRIT	5
CONCLUSION.....	6

INDEX TO APPENDICES

APPENDIX A	SECOND CIRCUIT COURT OF APPEALS STATE OF LOUISIANA - No. KA 23-55634
APPENDIX B	LOUISIANA SUPREME COURT No. 2024-KO-00822
APPENDIX C	PETITIONER'S APPELLATE BRIEF (Second Circuit C/Appeals) ON DIRECT APPEAL FILED BY THE LOUISIANA APPELLATE PROJECT
APPENDIX D	STATE OF LOUISIANA - APPELLEE BRIEF (Second Circuit) FILED BY DISTRICT ATTORNEY'S OFFICE
APPENDIX E	
APPENDIX F	

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 400 So.3d 926 (Feb. 19, 2025); or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

(Louisiana)

The opinion of the Second Circuit Court of Appeals court appears at Appendix A to the petition and is

- ☒ reported at 386 So.3d 1283 (May 2, 2024); 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 **Feb. 19/2025**
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

During the process of Direct Appeal at the State of Louisiana Petitioner raised two (2) claims:

Claim One

The evidence to convict Petitioner was insufficient to support a criminal Conviction and in violation of the 14th Amendment to the United States Constitution and its Due Process Clause which requires the Court to determine whether the evidence is minimally sufficient.

See Due Process Clause of the 14th Amendment to the United States Constitution.

Claim Two

The sentence imposed on Petitioner was excessive and in violation of the Louisiana Constitution of 1974, Art. 1 § 20, which states that a sentence is unconstitutionally excessive if it is grossly out of proportion to the severity of the offense or nothing more than a needless and purposeless imposition of pain and suffering.

See Louisiana Constitution of 1974, Art. 1 § 20.

STATEMENT OF THE CASE

Petitioner was charged by Bill of Indictment filed July 21, 2021, with one count of Aggravated Rape and one count of Sexual Battery. In a separate Bill of Indictment filed the same day, Petitioner was charged with one Count of Aggravated Rape and one count of Sexual Battery. Prior to trial these matter were consolidated in a superseding indictment filed on February 9, 2023. The indictment was amended on March 17, 2023, to change the offense dates in Counts 3 and 4.

By a unanimous verdict, Petitioner was found guilty as charged as to each count. Motion for New Trial and Post-Verdict judgment of Acquittal were filed and denied prior to imposition of the sentence. On April 6, 2023, Petitioner was sentenced to life imprisonment without the benefit of probation, parole or suspension of sentence on each count of Aggravated Rape. 99 years for one Count of Sexual Battery and 10 years on the other Count of Sexual Battery, all sentences running consecutive to be served without probation, parole or suspension of sentence. Motion for Reconsideration was filed and denied; Motion for Appeal was filed and granted; the Court Appointed the Louisiana Appellate Project to represent Petitioner in the filing of his Direct Appeal.

The Louisiana Appellate Project filed Petitioner's Direct Appeal and raised two claims: (1) that the evidence to convict Petitioner was insufficient; one of the alleged victims, N.M., made no complaints of the sexual abuse until she was failing in school and was told that she would be removed from that school and transferred to another school. The other victim, D.H., waited over ten years to make a complaint after the alleged abuse had stopped. There was no corroborating evidence, nor physical evidence in order to convict Petitioner.

(2) The sentences imposed by the Court are unconstitutionally harsh and excessive, as the Court ordered the sentences to run consecutive. Imposing sentences like the one imposed on Petitioner, are nothing more than a severe punishment for a Petitioner and serve no purpose at all.

REASONS FOR GRANTING THE PETITION

THE LOUISIANA SUPREME COURT HAS DECIDED AN IMPORTANT FEDERAL QUESTION IN A WAY THAT CONFLICTS WITH THE DECISION OF ANOTHER STATE COURT OF LAST RESORT OR OF A UNITED STATES COURT OF APPEALS.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "K. R. Williams", written over a horizontal line.

Date: 15 May 2025