

No.

24-7319

## ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED  
MAY 20 2025

**OFFICE OF THE CLERK  
SUPREME COURT, U.S.**

**OFFICE OF THE CLERK  
SUPREME COURT, U.S.**

JAMES HASTEN FRANKLIN — PETITIONER  
(Your Name)

vs.

STATE OF OKLAHOMA — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

**PETITION FOR WRIT OF CERTIORARI**

JAMES HASTEN FRANKLIN  
(Your Name)

129 CORNER Rd.  
(Address)

HOMINY, OKLA. 74035  
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

OKLAHOMA STATUE ANN tit. 21 § 51.1 ERRONEOUSLY USED in this  
CASE BECAUSE PRISON CRL RECORD SHOWS THAT THE 1974 CHARGES FOR CRIME  
HAD BEEN COMPLETED ON 3-6-01 RELEASED FROM PRISON ON  
DISCHARGE. WHICH TIME ELAPSE WITH NO NEW CRIME UNTIL 2017  
THE STATUE CLEARLY DEFINES ITS USAGE WHEN BEING USED TO  
ENHANCE.

THE STATE ERRONEOUSLY USED THE STATUE IN THIS INSTENT'S CAUSE  
A DUE PROCESS VIOLATION, A CONSTITUTIONAL VIOLATION OF 4, 5, &  
14, AND DENYING PETITIONER A EQUAL PROTECTION OF THE LAW.  
IT'S VERY CLEAR TO RECONIZED, WHAT WENT WRONG BECAUSE EX-POS-  
FACTOR LAW HAS BEEN ERRONEOUSLY APPLIED IN THIS CASE, LIKE  
FRUIT FROM A POISONOUS TREE. A TRUE MISCARRIAGE OF JUSTICE THAT  
NEEDS TO BE CORRECTED IN ACCORDANCE WITH STATUE.

### **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**

*NONE*

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OTHER

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 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[ ] is unpublished.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 United States district court appears at Appendix B 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[ ] is unpublished.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 E 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 MARCH 20, 1925.

[ ] 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 E. A copy of that decision appears at Appendix E.

[ ] 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**

DENIAL OF 4<sup>TH</sup>, 5<sup>TH</sup>, 14<sup>TH</sup> OF THE CONSTITUTIONAL  
RIGHTS ON THE MERITS.

STATEMENT OF THE CASE

Violations of Constitutional Right to  
A Fair Trial.

REASONS FOR GRANTING THE PETITION

TO CORRECT A POINT OF ILLEGAL  
ENHANCEMENT STATUE THAT WAS  
APPLIED.

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

James Hester Franklin

Date: May 20<sup>th</sup> / 25