In the Supreme Court of the United States

October Term, 2017

DANIEL CLATE ACKER, Petitioner, -v-LORIE DAVIS, Director, Texas Department of Criminal Justice, Correctional Institutions Division, Respondent.

On Petition for Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit

PETITION FOR WRIT OF CERTIORARI

CERTIFICATE OF SERVICE

I certify that on December 11, 2017, I have served Petitioner's PETITION FOR WRIT OF CERTIORARI, APPENDIX, and MOTION TO PROCEED ON WRIT OF CERTIORARI IN FORMA PAUPERIS on counsel of record for Respondent,

Mr. Eric A. White Attorney General's Office for the State of Texas Solicitor General Division P.O. Box 12548 Austin, TX 78711-2548 eric.white@oag.texas.gov

All parties required to be served have been served. I am a member of the Bar of this Court.

s/s A. Richard Ellis

A. RICHARD ELLIS Texas Bar No. 06560400 75 Magee Drive Mill Valley, CA94941 (415) 389-6771 FAX: (415) 389-0251 Attorney for Petitioner Daniel Clate Acker