

IN THE UNITED STATES SUPREME COURT

HARVEY L. SHOATE
v. Petitioner,

JASON LEWIS, WARDEN
SOUTHEAST CORRECTIONAL
CENTER, Respondent.

) District Court No. 4:17-CV-968-GAF
) Eighth Circuit Appeals No. 18-2108
) United States Supreme Court
) Shoate v. Lewis, No. 18-6230
)
)

CERTIFICATION OF GROUNDS

I, Petitioner, Harvey L. Shoate, certify that in this Motion for Rehearing that the ground raised is restricted to the grounds specified in this paragraph and that it is presented in good faith and not for delay. Mr. Shoate states this question presents an issue of general interest and importance:

* When ruling on a postconviction claim under Rule 24.035, may the motion court "sua sponte" find the plea court committed plain error, although movant never raised the error in his amended motion, and grant relief to the movant that movant did not request?

Respectfully submitted

x Harvey Lee Shoate Jr.
Harvey L. Shoate #509428
Southeast Correctional Center
300 East Pedro Simmons Dr.
Charleston, Mo. 63834

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Certification of Grounds was sent postage pre-paid by mail to: Office of the Attorney General, P.O. Box 899, Jefferson City, Mo. 65102 on January 22, 2019:

x Harvey Lee Shoate Jr.