

No. \_\_\_\_\_

18-9472

IN THE  
SUPREME COURT OF THE UNITED STATES

ORIGINIAL  
ORIGINIAL

REGINALD Donell Rice — PETITIONER

(Your Name)

FILED

vs.

MAY 16 2019

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

CAREY A. COCKELL "et al." — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

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

PETITION FOR WRIT OF CERTIORARI

REGINALD Donell RICE

(Your Name)

McConahay-UNIT  
3001 S. Emily Drive

(Address)

BEEVILLE, TEXAS 78102

(City, State, Zip Code)

(361) 362-2300

(Phone Number)

QUESTION(S) PRESENTED

A UNITED STATES COURT OF APPEALS has decided an important question of Federal Law that has not been, but should be, settled by this COURT.

And has decided an important federal question in a way that conflicts with relevant decisions of this court.

## 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:

CAREY A. COCKELL

CARRIE WRIGHT

LAUREN OSTEEN

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## TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
Hess v. Cockrell, 281 F.3d 212, 215-16 (5 <sup>th</sup> Cir. 2002)	6
Stevelson v. GlobalSantaFe Corp., 508 F.3d 300, 303 (5 <sup>th</sup> Cir. 2007)	6
St. Petcovich v. Sand Dollar Marine, Inc., 805 F.2d 599, 604-05 (5 <sup>th</sup> Cir. 1986)	6
Seven Elives, Inc. v. Eskenazi, 635 F.2d 396 (5 <sup>th</sup> Cir. 1981)	7

### STATUTES AND RULES

Motion Federal Rule Civil Procedure 60(b)(6)  
42 U.S.C. §1983  
28 U.S.C. §1915

### 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 is unpublished.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 A 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 is unpublished.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 \_\_\_\_\_ 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 APRIL 3, 2019.

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 \_\_\_\_\_.  
A copy of that decision appears at Appendix \_\_\_\_\_.

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

- 4<sup>th</sup> Amendment U.S.C. Violation APPendix A. 5-10
- 5<sup>th</sup> Amendment U.S.C. Violation APPendix A. 5-10
- 7<sup>th</sup> Amendment U.S.C. Violation APPendix A. 5-10
- 8<sup>th</sup> Amendment U.S.C. Violation APPendix A. 5-10
- 14<sup>th</sup> Amendment U.S.C. Violation APPendix A. 5-10

## STATEMENT OF THE CASE

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS  
 DALLAS DIVISION, ON OR ABOUT SEPTEMBER 2008, MAGISTRATE JUDGE ED KINKEADE  
 GRANTED A 21 U.S.C. §1983, 28 U.S.C. §1915 TO PROSECUTE INFORMANT'S IN THIS CASE  
 APPROPRIATED COMPLAINT TO DEFENDANT ROTHTONER, REGINALD DONELL RICE IN A WRONGFUL DEATH  
 AND FOSTER CARE PRACTICE, CARIE WRIGHT, AND LAUREN DUSTEN FOR NEGIGENCE OF  
 HIS DAUGHTER TALESHA WILCOX KINKEADE. DALLAS CHILD PROTECTIVE SERVICES HAD SUD  
 REAGI AND RICE OF HIS PRACTICE WITH THE DALLAS MUNICIPAL CIVIL COURT WITH  
 A COURT CITATION. HOWEVER REAGI AND RICE'S MOTHER MADE SEVERAL ATTEMPTS TO RECALL  
 TALESHA KINKEADE FROM DALLAS C.P.S. BUT WOULD NOT GIVE THE CHILD TO RICE  
 AND THEIR BECAUSE THE CHILD DID NOT LOOK LIKE A CITIZEN DECLINED AND FORCED  
 C.P.S. DENIED DALLAS FAMILY CODES §263,000. FOSTERIAL RIGLHS AND PROCEDURE  
 OF THE COURT, §263,002. MENTIONED OF THE HEARING (A) PRESENT EVIDENCE AND TO  
 BE HEARD AT THE HEARING, INSTEAD THE C.P.S. GIVEN THE CHILD TO FOSTER  
 PARENT; CARE WRIGHT AND MRS. WRIGHT GAVE THE CHILD TO LAUREN DUSTEN  
 WHILE WAITING SOME CIRCUMSTANCES AND WHILE IN THE CUSTODY OF MRS. DUSTEN,  
 THE CHILD DIED. ALTHOUGH FOE THE REASONABLE OFFER, THE FOSTER AND DECLINED THE OFFER.  
 ATTORNEY'S FIRM AND BLOGS FOE PETITIONER RICE, HAD RICE TO DISMISS THE CASE  
 IN THE DALLAS DIVISION AND REFILE IT IN THE EASTERN DISTRICT OF TEXAS  
 DIVISION AND WITHIN 30 DAYS LATER, SHERIFF ALVISON ISSUED THE CASE JUNE 7,  
 2010. PETITIONER, REGINALD RICE FILED MOTION FOR RULE 60(b) JAN. 17, 2010 UNDER  
 EXTRAORDINARY CIRCUMSTANCES AND INFORMANT'S WAS FILED FOR MOTION RULE 60(b)  
 TO BE REVIVED, NOT FOE RE-FILED THIS CASE WHICH WAS A MINISTERIAL  
 THE MAGISTRATE BEHALF. HOWEVER, MAGISTRATE IRMA CARRILLO RAMIREZ DENIED  
 PAY THE FILING FEE AND (3) EXPLAINED THAT MY COMPILATION DOES  
 THE MOTION RULE 60(b) BECAUSE (1) "HIRE-STRIKES", PROVISION AND (2) DID NOT  
 NOT GET THE STANDARD OF MOTION RULE 60(b) "CATHER - 11, CLAUSE 60(b)(1)-(5)  
 STATES COURT OF APPEALS FOR FIFTH CIRCUIT DEPUTY CLERK, DISMISSED MY  
 (6), ALSO DENIED PETITIONER RICE, INFORMANT'S AND APPEAL. THE UNITED  
 PETITIONER FILED AN INFORMATION CALLING THE BLACK FEE, WHICH  
 THE PANEL NEVER GOTTEN A CHANCE TO REVIEW RICE'S APPEAL, DOCUMENTS OR  
 INFORMANT'S TO FILER PAY Docketing Fee, which

### REASONS FOR GRANTING THE PETITION

REGRILLA AND RICE, ATTORNEYS WAS GRANTED 28115.1. 51915 TO PROCEED IN FORMA  
 TAKEN FROM HIS WIMMATE TRUST FUND A COUNT CONCERNING MATTER. SO THE MAJESTIC'S  
 BUREAU'S WHICH THIS SUIT FOR 11215.1. 51983 WAS WITHDRAWN FILED AND MONIES WAS  
 CARRIED A. LOCHEL, ET AL. SINCE CORRECT AND ERROR, ALSO WHERE THIS SUIT WAS INITIALLY  
 FILED (A) THERE WERE NO PREVIOUS FILINGS OF IN FORMA PAPERS TO BE BARRED FROM  
 PROCEEDING AND BARRED UNDER THE "THREE-STRIKES" PROVISION, ALSO (3) RULE 60(6)(b)  
 "A RESIDENTIAL CLASS USED TO COVER UNFORSEEABLE COUNTERMEASURES, THAT IS, IT IS A MEANS FOR A  
 COMPLIANCE, JUSTICE IN EXCELSIOR/CLERMONT, THIS CASE WAS DEVELOPED AND  
 THE MEMPHIS AND THE EASTERN DIVISION OF SHERRMAN TEXAS WHICH THE SUIT WAS FILED AND  
 FOR PETITIONER, PATTON AND BOAGGS SHOULD HAVE HAD RICE TO RE. FILE THIS SUIT  
 AND OTHER FACTORS RELEVANT TO THE JUSTICE OF THE JUDGEMENT AND UNDER AFFAID. ALTHOUGH  
 AND THERE ARE INTERVENING EQUIITIES THAT WOULD MAKE IT INEQUITABLE TO GRANT RELIEF  
 "A RESIDENTIAL CLASS USED TO COVER UNFORSEEABLE COUNTERMEASURES, THAT IS, IT IS A MEANS FOR A  
 COMPLIANCE, JUSTICE IN EXCELSIOR/CLERMONT, THIS CASE WAS DEVELOPED AND  
 AND THE EASTERN DIVISION OF SHERRMAN TEXAS WHICH THE SUIT WAS FILED AND  
 FOR PETITIONER, PATTON AND BOAGGS SHOULD HAVE HAD RICE TO RE. FILE THIS SUIT  
 JURISDICTION TO RULE ON AND DISMISS THIS CASE. THE MAJESTIC RATE RULE  
 WAS INCOHERENT, CLOUDS OF APPEALS FIFTH CIRCUIT FEDERAL RULE CIVIL  
 PROCEDEDURE (60(B)(6)) AND FIFTH CIRCUIT ABUSE OF POWER  
 DISCRETION BY WITNESS AND PRESENTING PETITIONER'S RICE, NOTICE OF APPEAL  
 IN FORMA PAPERS TO PROCEED AND HIS SUPPORTING DOCUMENTS  
 BEFORE THE COURT FOR A PETITION REVIEW AND DILINQ. THE UNITED STATES  
 COURT OF APPEALS HAS DECIDED AN IMPORTANT APPEAL OF FEDERAL  
 LAW THAT HAS NOT BEEN, BUT SHOULD BE SETTLED BY THIS COURT. THIS COURT HAS  
 DECIDED AN IMPORTANT FEDERAL QUESTION IN A WAY THAT CONFLICTS WITH  
 RELEVANT DECISIONS OF THIS COURT. THE IMPORTANCE OF THIS CASE NOT  
 ONLY TO PETITIONER RICE, BUT TO OTHERS SIMILARLY SITUATED AND THE WAYS

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Reginald Donell Rice

Date: May 13, 2019