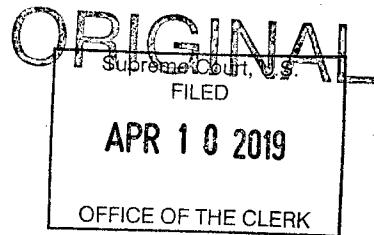


No. 18-9585



IN THE  
SUPREME COURT OF THE UNITED STATES

Ray Williams # 828343 PETITIONER  
(Your Name)

vs.

Judge Lee H Rosenthal — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals Fifth Circuit  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Ray Williams # 828343  
(Your Name)

264 FM 3478  
(Address)

Huntsville, Texas 77320 - 3300  
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

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Can a United States Court of Appeals enter a order  
in conflict with it's pronouncement in a prior  
written judgment...

Did the Court of Appeals err when it ruled contrary to  
a prior written judgment

?

## 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:

The First Court of Appeals, Williams v. State, No. 01-98-00155-CR,  
Slip Op. (Tex. App. -- Houston [1st Dist.] 1998). June 10, 1999.

Texas Court of Criminal Appeals, Ex parte Williams No. WR-41,123-  
03. August 16, 2000.

United States District Court Southern District of Texas (Houston)  
Civil Docket for Case #: 4:00-cv-03131. February 22, 2002.

179th District Court of Harris County Texas, No. 741-386  
Williams v. State 1998.

Joseph P. Corcoran Attorney for Respondents  
P.O. Box 12548, Capitol Station  
Austin, Texas 78711

## TABLE OF CONTENTS

OPINIONS BELOW.....	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED .....	
STATEMENT OF THE CASE.....	
REASONS FOR GRANTING THE WRIT .....	
CONCLUSION.....	

## INDEX TO APPENDICES

APPENDIX A	<i>United States Court of Appeals order denying Mandamus</i>
APPENDIX B	<i>United States Court of Appeals order denying Rehearing En Banc</i>
APPENDIX C	<i>Exhibit - A The prior written Judgment</i>

APPENDIX D

APPENDIX E

APPENDIX F

## TABLE OF AUTHORITIES CITED

### CASES

*Schlagenhaufer v. Holder*, 379 U.S. 104 (1964).

PAGE NUMBER

*Carter v. Scamans*, 411 F.2d 767 (5th Cir. 1969).

### STATUTES AND RULES

First, Sixth, and Fourteenth Amendments of the United States Constitution.

### OTHER

*Article three*

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 \_\_\_\_\_ to the petition and is

[ ] reported at N/A; 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 N/A; 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 N/A; 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 February 15, 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: March 19, 2019, and a copy of the order denying rehearing appears at Appendix B.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including N/A (date) on N/A (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 N/A. A copy of that decision appears at Appendix N/A.

[ ] A timely petition for rehearing was thereafter denied on the following date: N/A, 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 N/A (date) on N/A (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The First Amendment Right to Petition the government  
for Redress of grievances.

The Sixth and Fourteenth Right to Due process under  
the United States Constitution.

Article three, the equal protection clause

## STATEMENT OF THE CASE

In February 2002, federal district Judge Lee H. Rosenthal dismissed petitioners 28:2254 petition for writ of habeas corpus in the face of allegations of presentation of known false evidence and suppression of evidence affecting credibility...

Since that time the United States Court of Appeals for the 5th Cir. has continuously denied petitioner the right or should I say the privilege to appeal that decision.

The rule is that presentation of known false evidence, and nondisclosure of evidence affecting credibility, are grounds for retrial if the deception was material...

This court set a standard that these allegations must be measured up against, the federal district judge did not apply the reasonable probability standard of materiality to the evidence in question.

and the 5th Circuit out of blind loyalty to its judicial counterparts refuses to uphold the rule of law set out in this court's precedents... there's a usurpation of judicial power.

## REASONS FOR GRANTING THE PETITION

There is an usurpation of Judicial power. See *Schlagenhaft v. Holder*, 379 U.S. 104 (1964). Judge Lee H. Rosenthal has decided an important Federal question in a Way that Conflicts w/4th Relevant decisions of this Court, and the United States Court of Appeals for the 5th Cir. will not compel the Federal District Judge to enforce established legal Rights...

Mandamus is an extraordinary remedy it comes into play when there is no other remedy see *Carter v. Seaman*, 411 F.2d 767 (5th Cir. 1969). Petitioner has made numerous attempts at appeal and collateral attack to no avail, the district judge or the 5th Circuit will not act...  
Mandamus is the only remedy.

On January 22, 2019 A three Judge panel of the United States Court of Appeals for the Fifth Circuit dismissed Roy Williams v. Lorrie Davis's Case # 18-20573... In the order issued as the mandate the court pronounced that the case was erroneously opened and not intended to be a notice of appeal from any action by the district court.

On February 15, 2019 the same three Judge panel of the United States Court of Appeals decided In re: Roy Williams Case # 18-20591... In the order issued as the mandate the panel used Williams v. Davis as means to justify denying Mandamus Relief... Citing Williams v. Davis as a related case, after pronouncing it to be un-related in a prior written judgment.

The heart of the holding in Brady is based on the requirement of due process. Its purpose is not to disrupt the way state courts conduct their proceedings, but to insure that a miscarriage of justice does not occur.

#### **CONCLUSION**

The Fifth Circuit has ruled contrary to its pronouncement in a prior written judgment.

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Ray Williams

Date: May 21, 2019