

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

BERNARDO COSTA -PETITIONER

VS.

SHERIE KORNEMAN, WARDEN. - RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI TO

THE MISSOURI SUPREME COURT

APPENDIX TO THE PETITION FOR CERTIORARI - VOLUME I
(APPENDICES A-D)

BERNARDO COSTA, #233400, (H.U. 3-C-232),
WESTERN MISSOURI CORRECTIONAL CENTER,
609 EAST PENCE ROAD,
CAMERON, MISSOURI, 64429.

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In the Supreme Court of Missouri

September Session, 2019

State ex rel. Bernardo Costa,

Petitioner,

No. SC98078 HABEAS CORPUS
Dekalb County Circuit Court No. 17DK-CC00105
Western District Court of Appeals No. WD82287

Sherie Korneman,

Respondent.

Now at this day, on consideration of the petition for a writ of habeas corpus herein to the said respondent, it is ordered by the Court here that the said petition be, and the same is hereby denied. Petitioner's motion for appointment of counsel overruled as moot.

STATE OF MISSOURI-Sct.

I, BETSY AUBUCHON, Clerk of the Supreme Court of the State of Missouri, certify that the foregoing is a full, true and complete transcript of the judgment of said Supreme Court, entered of record at the September Session thereof, 2019, and on the 19th day of November, 2019, in the above-entitled cause.

WITNESS my hand and the Seal of the Supreme Court of Missouri, at my office in the City of Jefferson, this 19th day of November, 2019.



Betsy A. Buchon, Clerk

Denis S. Knaebel, Deputy Clerk



**In the
Missouri Court of Appeals
Western District**

IN RE BERNARDO COSTA,)
Petitioner,)
v.) WD82287
RONDA PASH, Warden,)
Respondent.)

ORDER

The Petitioner's Petition for Writ of Habeas Corpus filed November 13, 2018, and submitted to the Court on December 7, 2018, is taken up and considered. The Court, being fully informed, hereby denies Petitioner's Petition.

Dated this 7th day of December, 2018.



Gary D. Witt
Presiding Judge, Writ Division

Lisa White Hardwick, Judge, concurs.

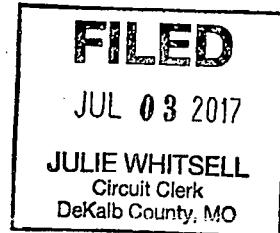
cc: Bernardo Costa
Petitioner Pro Se

Stephen D. Hawk, Esq.
Attorney for Respondent



IN THE CIRCUIT COURT OF DEKALB COUNTY, MISSOURI

BERNARDO COSTA,)
vs.)
PETITIONER,)
RONDA J. PASH,)
RESPONDENT.)
Case No.: 17DK-CC00105



ORDER UPON FILING PETITION SEEKING RELIEF IN HABEAS CORPUS

NOW on this 3rd day of July, 2017, the court, having examined Petitioner's certified offender's correctional center account statement, finds the Petitioner is unable to pay the full amount of the court costs due with respect to this case. It is hereby

ORDERED that Petitioner is assessed a partial payment of \$25.33, and that the remainder of the court costs shall be paid in installments pursuant to section 506.369, RSMo. It is hereby further

ORDERED that Petitioner shall make monthly payments to the department of corrections of twenty percent of the preceding month's income credited to Petitioner's account until the fees (\$100.00) are paid in full. It is hereby further

ORDERED that the department of corrections shall forward payments from Petitioner's account to the department of revenue pursuant to the provisions of section 506.372, RSMo. It is hereby further

ORDERED that upon Petitioner's failure to pay the required initial partial filing fee as ordered within thirty days that this cause be dismissed without further order of the court. It is hereby further

ORDERED that Respondent shall show cause, in writing, on or before October 23, 2017 why a writ of habeas corpus should not be granted under Petitioner's Claim Two insofar as it asserts that the sentencing court was without authority to impose the sentence Petitioner is now serving. It is hereby further

ORDERED that Petitioner shall be afforded thirty days after the filing of respondent's response to file any response permitted by law, in writing. It is hereby further

ORDERED that all other claims asserted in Petitioner's petition for writ of habeas corpus are denied as it appears to the court that the Petitioner is not entitled thereto.


Bart Spear, assigned judge

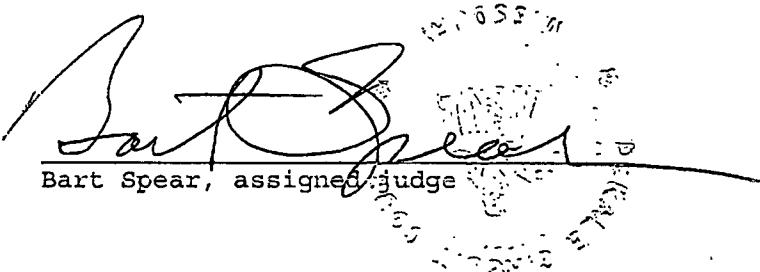


IN THE CIRCUIT COURT OF DEKALB COUNTY, MISSOURI

)
BERNARDO COSTA,)
)
)
PETITIONER,)
) Case No.: 17DK-CC00105
vs.)
)
RONDA J. PASH,)
)
)
RESPONDENT.)

ORDER

NOW on this 27th day of October, 2017, the court, having examined the return of the Sheriff filed herein on July 11, 2017, finds same to be irregular, and it is ordered quashed. A new summons directed to Respondent shall issue. Respondent shall now show cause on or before November 27, 2017 why a writ of habeas corpus should not be granted under the ground not previously dismissed.


Bart Spear, assigned Judge

IN THE CIRCUIT COURT OF DEKALB COUNTY, MISSOURI

ORDER

Now at this day, the court takes up the petition of petitioner for a writ of habeas corpus. Having considered the ground asserted by petitioner, the response of respondent as well as petitioner's reply thereto, the court finds petitioner is not entitled to relief.

It is, therefore, ORDERED that the petition of petitioner for a writ of habeas corpus be, and the same is hereby denied.

It is further ORDERED that the motion of respondent to seal the petition and accompanying exhibits is sustained.

It is hereby further ORDERED that the motion of respondent to seal her Exhibit A is denied in that no such exhibit was deposited with this court.

Date: 1/16/2018

Bart Spear
Associate Circuit Judge

**Additional material
from this filing is
available in the
Clerk's Office.**