

NO. 20-5680

SUPREME COURT OF THE UNITED STATES

LARRY R. STECK, pro se, prisoner

v.

Bobby Lumpkin, Director

U.S. Ct. No. 20-5680

MOTION FOR LEAVE TO FILE AN
OUT-OF-TIME MOTION TO REVIEW
A PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES SUPREME COURT

MOTION FOR LEAVE TO FILE AN
out-of-time MOTION TO REVIEW
A PETITION FOR WRIT OF CERTIORARI

Solicitor General of the United States

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pro se

Larry R. Steck 01864228

Lynne Unit

1098 S. Hwy 2037

H. Stockton, TX 78735

SUPREME COURT OF THE UNITED STATES

LARRY R. STEELE, pro se, prisoner

v.

Bobby Lumpkin, Director

§
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§

U.S. S.Ct. No. 20-5680

MOTION FOR LEAVE TO FILE AN
OUT-OF-TIME MOTION TO REVIEW
A PETITION FOR A WRIT OF CERTIORARI

Comes now, Larry R. Steele, pro se, prisoner to motion the Court for a leave to file an out-of-time motion to Review a Petition for a Writ of Certiorari and as such STEELE shows in his attached AFFIDAVIT

I

STEELE received a mailroom pass from the Lynnh Unit to pick up legal mail on 12-15-2020, in which it was the order that was made in the Supreme Court of the United States on 11-16-2020

II

STEELE contacted the Supreme Court's Clerk by mail on 12-17-2020 to notify the Clerk that STEELE did not receive this order by the Supreme Court until 12-15-2020. STEELE also requested that the 25 day period to file for a review of STEELE's Petition for writ of Certiorari be started on 12-15-2020, not 11-16-2020 and that the due date to have STEELE's request for a review of his Petition for writ of Certiorari in the Lynnh Unit mailing system on Tuesday 1-5-2021.

PRAYER

STEELE prays that this Honorable Court grant his motion for leave to file an out-of-time motion to Review a Petition for writ of Certiorari as Steele could not have known about upper courts ruling on 11/16/2020 until he received it from the Lymough Units mailroom on 12/15/2020.

DECLARATION

I, Larry R. Steele, ID# 01864228 being presently incarcerated in the Lymough Unit in Texas County Texas, do hereby declare under penalty of Perjury that this Motion for leave to file an out-of-time motion to Review a Petition for writ of certiorari is true and correct.

Signed: 

Date: 1-4-21

Larry R Steele 01864228

Lymough Unit

1098 F. Hwy 2037

Ft. Stockton, TX 79735

pro se

AFFIDAVIT is Attached

AFFIDAVIT

On December 15, 2020 I had a mailroom lay-in issued to me by the Lyrnough Unit's mailroom. When I got to the mailroom, I was given a business size envelope from the U.S. Supreme Court. When I got back to my housing, I read its contents. I noticed right away that the letter was dated 11-16-2020. As I read on, it states that I was denied my petition for a writ of certiorari on 11-16-2020.

The following day 12-16-2020, I was in the Lyrnough Unit's Law Library and searched for my next move to get relief. I found in the U.S. Supreme Court's rules concerning reviews and I found out that I had 25 days after the Court's ruling on 11-16-2020 to request a review and that there are no extensions of time. I was beyond disappointed that I came to the U.S. Supreme Court because my filings were not being filed in a timely manner even though I mailed them according to the court's own rules. I then drafted a letter to Scott S. Morris, clerk of the Supreme Court and mailed it on 12-17-2020 which notified the clerk of my dilemma and I requested that he stall the 25 day requirement to file for a review on 12-15-20, the day I was given notice.

DECLARATION

I Larry Steele, DOC#-ID# 01864228 being presently incarcerated in the Lyrnough Unit in Pecos County, Texas, do hereby declare under penalty of perjury that the foregoing AFFIDAVIT is true and correct.

Signed: [Signature] Date: 1-4-21

Larry R. Steele 01864228
Lyrnough Unit
1048 S. Hwy 2037
Pt. Hockley, TX 79735

WD. 20-5630

SUPREME COURT OF THE UNITED STATES

Larry R. Steele, pro se, prisoner

v.

Bobby Lumpkin, Director

{
2008
}

U.S. Ct. No. 20-5630

REVIEW OF PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES SUPREME COURT

REVIEW OF PETITION FOR WRIT OF CERTIORARI

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TABLE OF CONTENTS

Cover	Pg. #
Table of Contents	i
Cited Authorities	ii
Complaint	ii
Counsels of Record	1-10
Appendix Table of Contents	ii
Appendix "A" thru "I"	12
Proof of Service	Appendix
	End

CITED AUTHORITIES

Brinks v. U.S. 757 F.2d 737	5
Burlington Northern and Santa Fe Ry. Co. v. Pate Chemical Co 419 F.3d 355	7
Bykowitz v. Pulte Homes 950 F.2d 1046	6
Foster v. City of Lake Jackson 28 F.3d 425	6, 7
Jackson v. Procurier 799 F.2d 307	7
Mendoza v. U.S. 431 F.Supp. 2d 650	7
Perez v. Brown and Williamson Tobacco Corp. 967 F. Supp. 920	8
Ruiz v. Estelle, 679 F.2d 1153 653 F.2d 266	8
U.S.C.A. Const. Amend. 1, 5, 6, and 14	5, 7
28 USC § 1741b	2, 3
Habeas Corpus 28 USC § 2254	1, 6, 9
Federal Rules of Civil Procedure Rule 60(b)	2, 3, 9
Black's Legal Dictionary	8, 9
Webster's Dictionary	9
Vernon's Annotated Texas Constitution Article 1 §13	7, 9

COMPLAINT

STEELE comes to your Honorable Court asking that you Review STEELE's, Petition for Writ of Certiorari, En banc because STEELE believes that there are, "intervening circumstances of a substantial or controlling effect," as the U.S. Postal Service is the ultimate cause for not delivering STEELE's mail to your court in a reasonable amount of time. The U.S. Postal service has not delivered the mail in a reasonable amount of time in the Supreme Court of The United States, The U.S. Court of Appeals, Fifth Circuit, and not even in the U.S.D.C. Southern District of Texas.

STEELE also wants to add, "other substantial grounds not previously presented," as the U.S. Postal Service is also not delivering the mail to STEELE in a reasonable amount of time which is also contributing to STEELE being dismissed in all 3 aforementioned Courts, yours is included.

STEELE comes to you to ask for a Review of his Petition for Writ of Certiorari under Rule 44 of The Supreme Court of The United States. In this Rule, under 44.2. (See appendix A), it states that, "... its grounds shall be limited to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously prescribed ..."

STEELE intends to use all of these in his complaint to show that STEELE deserves to receive a rehearing of his Petition for Writ of Certiorari and eventually get STEELE's Petition granted and even receive a positive ruling in your Honorable Court.

STEELE, original § 2254 was dismissed for failure to object to Magistrate Judge Peter Bray's memorandum and recommend-

tion (see Appendix B) and this was the start of this whole ordeal that led me to your honorable Court.

When Magistrate Judge Peter Bray entered his memorandum and recommendation on 1/15/19, Magistrate Judge Bray gave Steele 14 days to file his objections (see Appendix B). Steele received this notice on 1/22/19 [Steele will need a court order to get this information from the Lynough Unit Mailroom], Steele was then required to send in his "objections" on 1/29/19, in which Steele did (see Appendix C) but for some reason it took approximately 23 days before Steele's objections were filed by the U.S.D.C. Southern of Texas' Clerk which ultimately dismissed STEELE's §§ 2254. Steele was unable to file a timely motion for review so Steele filed a (a) (b) motion [Federal Rules of Civil Procedure Rule 60(b)] (see Appendix D). Steele filed this 60(b) motion on the basis that it is not Steele's fault that the U.S.D.C. Southern of Texas failed to file Steele's objections in a timely manner. The rules of every federal Court state that, "If submitted by an inmate confined in an institution, a document is timely filed if it is deposited in the institution's internal mail system on or before the last day for filing and is accompanied by a notarized statement or declaration in compliance with 28 USC § 1746 setting out the date of deposit and stating that first-class postage has been prepaid..." (see Appendix E)

No where in any of the Federal Rules of Court does it require that a prisoner's mail must be delivered within 3 days. Even in your Court's Rule 29.2, (see Appendix E) it states that, "A document is timely filed if it is received by the Clerk in paper form within the time specified for filing, or if it is sent to the Clerk through the U.S. Postal Service by first-class mail, postage pre-

paid, and bears a postmark ... showing that the document was mailed on or before the last day for filing; or if it is delivered on or before the last day for filing to a third-party carrier for delivery to the Clerk within 3 calendar days."

There is a period at the end of this part of the Rule, then, the next part is about prisoners and it states the filing conditions for someone confined in an institution by stating, "If submitted by an inmate confined in an institution, a document is timely filed if it is deposited in the institution's internal mail system on or before the last day for filing and is accompanied by a notarized statement or declaration in compliance with 28 USC § 1746 setting out the date of deposit and stating that first-class postage has been prepaid." Nowhere does it state that after a prisoner places his documents in the institution's mailing system that those documents must be received within 3 days. That is just crazy to think that a prisoner's mail is going to get to the Courts within 3 days. One of those days, the documents are going to be in the hands of the institution. That leaves only 2 days to have a prisoner's documents addressed to you by U.S. Postal Service. This rule of course, 29.2, goes on to state about a confined individual's filing requirements that, "if the postmark is missing or not legible or if the third party commercial carrier does not provide the date the document was received by the carrier, the Clerk will require the person who sent the document to submit a notarized statement or declaration in compliance with 28 USC § 1746 setting out the details of the filing and stating that the filing took place on a particular date within the permitted time." This part of the rule should protect me from "Negligent" acts that the U.S. Postal Service

and even in your Court, (see Appendix F and G) is doing to STEELE.
STEELE can not deliver his documents anywhere but the institutions
mail box. STEELE is incarcerated in Texas and Texas has no electronic
filing system for prisoners. Steele does not get the opportunity to use
any commercial carrier. Steele's only option is the U.S. Postal Service and
the U.S. Postal Service is not delivering any documents in a timely
manner, which caused me to file a 60(b) motion (see Appendix D),
and through a series of filings, I ended up in your Court and now
I need to ask for a "Review for a Petition for Writ of Certiorari"
that is about my filings being filed incorrectly and now I need to
ask that it is also because of the U.S. Postal Service being
"Negligent" in delivering the mail.

The other reason I am asking for a Review is that Steele
also needs to complain about the time it takes the U.S. Postal
Service to deliver the mail to Steele. When your Court
denied Steele's Petition for Writ of Certiorari on 11-16-2020,
Steele did not receive this notice until 12-15-2020 (see Appendix
F and G).

This type of behavior by the U.S. Postal Service goes
back to 1984 when the U.S.D.C. Magistrate Judge
Peter Bray gave Steele 14 days to object to his memorandum
and recommendation (see Appendix B). If I took the
U.S. Postal Service 7 (seven) days to notify Steele of this Docu-
ment [Steele will need a court order to get the Lynough Unit mail-
room to give out this information], which left Steele 7 days to
respond and create an objection to his memorandum and
recommendation and mail it in. Steele did successfully
complete this (see Appendix C) but, the Clerk of the United

Southern of Texas and the U.S. Postal Service took approximately 23 days to deliver and file Steele's "objections".

Steele did ask the Lynough Units mailroom to confirm that Steele's documents went out (see Appendix C) which stated that the mailroom sent it out on 1-30-19. Steele declared that he placed his documents in the mailbox on the evening of 1-29-19 and now with the delivery of your ruling that took approximately 30 days (see Appendix F and G) you can see Steele needs your Court to grant his Petition for Writ of Habeas Corpus and to include the U.S. Postal Service's "Negligence" to deliver Steele's documents to the Courts and also "Negligent" to deliver the mail to Steele also. And this "Negligent act" has caused Steele irreparable harm by violating Steele's Constitutional rights to a fair trial, access to Court, Freedom of Speech USCA Const. amend 1, 5, 6, and 14

Even under Texas law, "There are two elements to proximate cause under Texas law ① Cause in fact and ② Foreseeability", Brooks v. U.S. 757 F.2d 734. So, by the U.S. Postal Service not delivering Steele's documents within some imaginary 3 day period that the Court's clerks have made up, that "Cause in fact" has been getting Steele's documents dismissed in all the Courts Steele has been litigating in, including yours (see Appendix F and G). Now, look at the foreseeability of it. Steele has continually been complaining about documents not being filed correctly by the Clerks of the U.S. DC. Southern of Texas, U.S. Court of Appeals, Fifth Circuit, and even complained in your honorable Court, The Supreme

Court of The United States, that my documents are not being
filed correctly and now I bring to your attention that
the U.S Postal Service is mostly to blame for Steele's
mail not being delivered in a timely fashion and the Clerks
at all these courts, aforementioned, are not filing Steele's
documents correctly. I'd say it was 'foreseeable' that
my documents would eventually be late and, "under
Texas law, to prove negligence, plaintiff was required to
demonstrate that defendant owed specific duty to him,
that defendant's breach caused his injury and that he
suffered damages as a result of defendant's breach."
Bukowitz v. Puller Homes 950 P.2d 1046. The Clerks at the
aforementioned courts and the U.S Postal Service are the ones
who owe me a specific duty and by then not doing their
duty, caused Steele's documents to be dismissed as
untimely (See Appendix D) and as a result Steele's original
Habes Corpus 23 USA 92204 was dismissed and now Steele
is being forced to be guilty of a crime Steele did not commit
a crime he did not commit, a crime that is a made up story,
a lie, told by a child. I'm sure that's damages as a
result from all the courts Clerks and the U.S. Postal Service.
And these damages are unrepairable, way beyond repair.

Steele would like to continue to complain about the courts
Clerks [every court state has filed in] and the U.S. Postal Service.
Steele would like to address this court about access to
courts. "Access to courts, in its most obvious and formal
manifestation, protects one's physical access to courts,"
Foster v. City of Lake Jackson 23 F3d 425. "And right of

access to courts is implicated where ability to file suite was delayed or blocked altogether." Forster v. City of Lake Jackson 28 F3d 425. This kind of thing is happening to Steele. Steele is being blocked by the aforementioned Court's Clerks and Steele is being delayed by the U.S. Postal Service, Steele's access to courts goes even further, as it has been ruled that, "Right of access to the courts extends to civil as well as Constitutional Claims," USCA 15, and 14 v. Jackson v. Proctor 799 F2d 307. So, Steele is presenting the issue as a civil and Constitutional claim. Even, "under Texas law, 'open Courts Doctrine' will invalidate, as unconstitutional, a statute that unreasonably or arbitrarily denies a person the right to obtain redress for injuries," Vernon's Ann. Texas Constitution Article 1 §13 v. Mendoza v. U.S. 491 F. Supp. 2d 650, So, it is unconstitutional for Steele to be "dismissed" out of every civil Steele has been litigating in, either because Steele wasn't informed of the courts decisions in a timely manner and/or the aforementioned court's clerks did not receive and file the documents in a timely manner even though Steele complied with the filing requirements set forth by each and every court Steele filed in. And even in Texas it was ruled that, "A plaintiff who claims that a law violates the Texas Constitution's open courts provision, can prevail by showing that the restriction is unreasonable or arbitrary when balanced against the purpose and basis of the statute" Vernon's Ann. Texas Const. Art. 1 §13, Burlington Northern and Santa Fe Ry. Co. v. Public Chemical Co. 419 F3d 355. So, by the clerks of the aforementioned courts, only allowing 3 days

For mail delivery for a prisoner is a restriction that is unreasonable, prisoners have absolutely no control over the U.S. mail. And since along with this, and the fact that Steele has a "cause" that needs to be ruled on (6th Motion) then it was also ruled in Texas that, "To establish right to redress under open courts provision of the Texas Constitution, Plaintiff must show (1) that he or she has cognizable minimum-low cause of action and (2) that restriction of claims is unreasonable or arbitrary when balanced against state's purpose." Vernon's Man Tex Const. Act 1813; Perez v Brown and Williamson Tobacco Corp 967

F Supp. 920. And also by the U.S. Postal Service and the Court's Clerk's imaginary 3 day delivery policy, Steele has been denied his day in court over and over again. And in 1980 it was ruled that, "Regulation and Practices that unjustifiably obstruct the availability of professional representation or other aspects of the right of access to the courts are unconstitutional." Estelle, 679 F.2d 1115; 688 F.2d 216.

Then, if this be true, then the imaginary 3 day delivery rule for prisoners, are a denial of Steele's access to Courts. Your Court states in Rule 44.2 that, "in order for a review of the denial of a petition for writ of habeas corpus, that it shall be limited to intervening circumstances of a substantial or controlling effect..." I looked in Black's Law Dictionary for meaning of this. An Intervening Cause (Appendix H) is an event that comes between the initial event... Steele's documents not being delivered to the Court Clerk's within 3 days is the main problem. This is the event that is between the initial event in every Court State has 3 day, and it is the sole cause

(see Appendix H) that I am not being able to get access to courts. Steele has only been dismissed for failure of his documents to arrive at the courts within 3 days and the Sole Cause (see Appendix H) for Steele to receive documents from the courts later than 3 days and more or not at all (see Appendix F, G, and I) This type of behavior makes all the courts think that I have filed documents in, an accessory (see Appendix H) to the U.S. Postal Services denial of access to courts. And your Courts rule 44.2 states that, it must be of a substantial or controlling effect.

I looked these words up in the "Black's Legal Dictionary" and I found that substantial has several meanings, I will use the first four; Substantial: ① of, relating to, or involuntary substance; material. ② real and not imaginary, having actual, not fictitious, existence. ③ Important, essential, and material of real worth and importance. ④ Strong, solid, and firm. All these definitions describe the intervening circumstance that Steele has been forced into by the aforementioned Courts Clerks and the U.S. Postal Service. Steele also looked up "controlling" (Appendix H) in the Webster's Dictionary and it says that it is "① to exercise restraining or directing influence over; regulate and ② Dominate rule." These two definitions are exactly what the Courts Clerks and the U.S. Postal Service have chosen to do to keep Steele from presenting and getting a ruling on Steele's original grounds set forth in Steele's Habeas Corpus 28 USC § 2254 and his W(b) motion.

Also in your Courts Rule 44.2 (Appendix A) it also states, "... it's grounds shall be limited to ... other substantial grounds not previously presented ...". The reason Steele did not bring up the U.S. Postal Service's negligent acts is because Steele did not

bring them up in the U.S. Court of Appeals, Fifth Circuit, nor in the USDC Southern of Texas and until recently, Steele did not even know it was the U.S. Postal Service that was delaying his filings and Steele's notifications. Also, Steele did not want this Court to think that Steele believes there is some sort of conspiracy to keep Steele and other litigants from the Courts.

What is and has happened to Steele is real. Steele can not believe that it is just Steele that this is happening to, Steele may very well be the only one who has persevered to this point but most prisoners are not lawyers nor do they have God on their side.

Steele is a lawyer but Steele (me) is coming at the Command of God, the God of Abraham, Moses, Adam, and Eve.

may God Bless you all and God Bless America!

DECLARATION

I, Larry R Steele, FD(CS-SP# 01864228 being presently incarcerated on the Lynough Unit in Pecos County, Texas, do hereby declare under penalty of perjury that the foregoing "Review of Petition for Writ of Habeas Corpus" is true and correct.

Executed this day 1-4-21

Signed:



pro se

Larry R. Steele 01864228

Lynough Unit

1098 1 Hwy 2037

Pt. Stockton, TX 79725

COUNSEL OF RECORD

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on 58


Larry R. Stucke 01364223

APPENDIX TABLE OF CONTENTS

Letter		Page
"A"	Supreme Court of The United States Rule 44.2. —	1,9
"B"	Order of Adoption signed by U.S.D.C. Southern of Texas District Judge Lynn N. Hughes —	2,4
"C"	Two Request to Official Stating the date Steele's objections were made of the Unit —	2,4,5
"D"	Motion to Court for Relief from an "order of adop- tion and Final Judgment under Federal Rules of Civil Procedure Rule 60 (b) —	2,4
"E"	Supreme Court of The United States Rule 29.2. —	2,3
"F"	Two Request to Official Stating the date Steele received Supreme Court's order staying Unit —	4,5,9
"G"	Supreme Court of The United States order that was made on 11-16-2020 and the envelope that it was mailed in —	4,5
"H"	Several definitions of words used —	3,7
"I"	A recent letter to the U.S. Court of Appeals Clerk about missing documents that were mailed from the U.S. Court of Appeals, Fifth Circuit that have never been delivered —	9

APPENDIX "A"

APPENDIX "A"

Supreme Court Rule 44

Part VIII Disposition of Cases

Rule 44. Rehearing

Rule 44. 2. Any petition for the rehearing of an order denying a petition for a writ of Certiorari or extraordinary writ shall be filed within 25 days after the date of the order of denial and shall comply with all the form and filing requirements of paragraph 1 of this rule, including the payment of the filing fee if required, but its grounds shall be limited to intervening circumstances or a substantial or controlling effect or to other substantial grounds not previously presented. The time for filing a petition for the rehearing of an order denying a petition for a writ of certiorari or extraordinary writ will not be extended. The petition shall be presented together with certification of counsel (or of a party unrepresented by counsel) that it is restricted to the grounds specified in this paragraph and that it is presented in good faith and not for delay. Some copy of the certificate shall bear the signature of counsel (or of a party unrepresented by counsel). The certificate shall be bound with each copy of the petition. The clerk will not file a petition without a certificate. The petition is not subject to oral argument.

APPENDIX "B"

APPENDIX "B"

United States District Court

Southern District of Texas

USDC

Southern

ENTERED

Feb. 05, 2019

David J. Bradley, Clerk

Larry A. Steele
Petitioner

C.V. Action H-15-3274

V.
Lorie Davis
Respondent

Order of Adoption

On January 15, 2019, magistrate Judge Peter Bray filed a memorandum and recommendation (DE 47.) No objections were filed. After considering the record and the law, the Court adopts the memorandum and recommendation as its memorandum and opinion. The Court will issue a separate final judgment.

Signed February 5, 2019 at Houston, Texas

Lynn M. Hughes
U.S. District Judge

APPENDIX "C"

APPENDIX "C"

SUBJECT: State Briefly the problem with you desire assistance

I sent a legal Brief on 1-29-19 by placing it in the Unit's mailbox, It was in the evening of 1-29-19 And I placed 20 Stamps on it.

Will you tell me what day it left the Unit?

The address is: U.S.D.C. Southern District of Texas

Clerk, David S. Bradley

P.O. Box 61010

Houston, TX. 77208

It weighed just over a pound I think

Name: LARRY R STEELE No: 0184228 Unit: Lymington

Living quarters: E-10718

Work assignment: Med. Squad 2nd

DISPOSITION: (Inmate will not write in this space)

was received in mailroom on 1/30/19 and it
went out on 1/30/19

Signed by
Mrs. Fiero 5/9/19

* 1-60 (REV. 11-90)

APPENDIX "D"

APPENDIX "D"

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Larry R. Steele (movant)
petitioner

v

William Stephens, Director of
Texas Department of Criminal Justice
Respondent

Civil Action # 4:15-CV-3274

MOTION TO COURT FOR RELIEF FROM AN
"ORDER OF ADOPTION" AND A "FINAL JUDGEMENT"
UNDER FEDERAL RULES OF CIVIL PROCEDURE RULE 62(b)

Comes now movant, Larry R. Steele and prays the Honorable Court to grant relief from an "order of adoption" and a "Final Judgement"; and as such movant shows this Honorable Court that:

I

Movant received U.S.D.C. Magistrate Judge Peter Bray's, "Memorandum and Recommendation" on 1-23-19 that was signed on 1-15-19.

II

Movant placed his, "Petitioner's written objection to memorandum and recommendation" in the Lyngby Unit's internal mailing system on 1-29-19 as codified in page 9 of MOVANT'S BRIEF just as your Honorable Court states in LRS. for Exhibit "A".

CERTIFICATE OF SERVICE

I, Larry R. Steele, TDCJ-ID # 01864228 Certify that a copy of movant's, "motion to Court for Relief From an order of Adoption and Final Judgment Under Federal Rules of Civil Procedure Rule 60(b)" has been mailed by U.S. postal, prepaid, First Class to Loretta Davis, P.O. Box 99, Huntsville, TX 77340 and to the Criminal Appeals Division at P.O. Box 12540, Austin, TX. 78711

INMATE DECLARATION

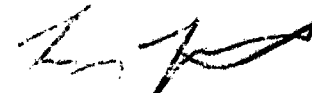
I, Larry R. Steele, TDCJ-ID # 01864228 being presently incarcerated in Pecos County, Texas on the Lynough Unit, do hereby declare under penalty of perjury that the foregoing

3

"Motion to Court for Relief From an order of adoption and a Final Judgment" under Federal Rules of Civil Procedure Rule 60(b)

is true and correct

Signed on April 19, 2019

by: 

Larry R. Steele, inmate
TDCJ # 01864228

Lynough Unit

P.O. S. May 2037

17 Stockton, TX 79735

Inform Bureau of file

4

APPENDIX "E"

APPENDIX "E"

Supreme Court Rule 29

Part VII, Practice and Procedure

Rule 29. Filing and Service of Documents; Special Notifications; Corporate Listings

Rule 29. 2. A document is timely filed if it is received by the Clerk in paper form within the time specified for filing; or if it is sent to the Clerk through the United States Postal Service by first-class mail (including express or priority mail), postage prepaid, and bears a postmark, other than a commercial postage meter label, showing that the document was mailed on or before the last day for filing; or if it is delivered on or before the last day for filing to a third-party commercial carrier for delivery to the Clerk within 3 calendar days. If submitted by an inmate confined in an institution, a document is timely filed if it is deposited in the institution's internal mail system on or before the last day for filing and is accompanied by a notarized statement or declaration in compliance with 28 USC § 1746 setting out the date of deposit and stating that first-class postage has been prepaid. If the postmark is missing or not legible, or if the third-party commercial carrier does not provide the date the document was received by the carrier, the Clerk will require the person who sent the document to submit a notarized statement or declaration in compliance with 28 USC § 1746 setting out the details of the filing and stating that the filing took place on a particular date within the permitted time.

APPENDIX "F"

APPENDIX "F"

Texas Department of Criminal Justice - Institutional Division
INMATE REQUEST TO OFFICIAL

TO: mailroom

Date: 12-15-20

Address: Lynough Unit

Subject: State briefly...

Will you please confirm that I have not received any mail from the Supreme Court of the United States from 11-16-20 ~ 12-11-20.

I just received one today, 12-15-20, that is postmarked 11/16/20. So, it took 30 days for me to get it. I know it's not your office but I need proof that I didn't get it.

Name: Larry R Steele

No. 01964228

Unit: Lynough

Living quarters: K-209 B

Work assignment

Med. Servat 2nd

Disposition: Inmate will not write in this space.

State, that is all that has come in

Ms. Sullivan 12/15/20

160 (Rev. 11-95)

APPENDIX "G"

APPENDIX "G"

Supreme Court of The United States
Office of the Clerk
Washington, DC 20543-0001

Scott S. Holmes
Clerk of the Court
(202) 479-3011

November 16, 2020

Mr. Larry R. Steele
Prisoner ID # 01864228
Cypress Unit
1098 C. Hwy. 2037
H. Stockton, TX. 79735

RE: Larry R. Steele
L. Bobby Lumpkin, Director, Texas Department of
Criminal Justice, Correctional Institutions Division
No. 20-5680

Dear Mr. Steele,

The Court today entered the following order in the
above entitled case: The petition for a writ of certiorari is
denied.

Sincerely,

Scott S. Holmes, Clerk

Office of the Clerk
Supreme Court of the United States
Washington, DC 20543-0001

Official Business
Penalty for Private Use \$300

NEW POST
11/16/2020
USPS 1000

First-class mail
\$000,50 &
US Official Mail
\$300 Penalty
for private use
ZIP 20543

041M11120601

November 16, 2020

Mr. Larry R. Steele
Prisoner ID # 01861228
Winthrop Unit
1095 Filling 2037
Ft. Stockton, TX 79735

APPENDIX "H"

APPENDIX "H"

- Substantial 1. of relation, 4, or involving substance: material
2. real and not imaginary, having actual, not fictitious, existence
 3. Important, essential, and material: of real worth and importance
 4. strong, solid and firm

Controlling. [Webster Dict.] Control. Controlled, controlling: 1. to exercise restraining or directing influence over. Regulate.

2. dominant rule

Control: The direct or indirect power to govern the management and policies of a person or entity, whether through ownership of voting securities, by contract, or otherwise; the power or authority to manage, direct, or oversee

Effected (N) 1. Something produced by an agent or cause; a result, outcome or consequence.

2. The result that an instrument between parties will produce on their relative rights, or that a statute will produce on existing law, as discovered from the language used, the forms employed, or other materials for construing it.

Effected (V) To bring about; to make happen

INTERVENING CAUSE: An event that comes between the initial event in a sequence and the end result, thereby altering the natural course of events that might have connected a wrongful act to an injury. ex: an independent agency's act that destroys or severely weakens the causal connection between the defendant's negligent act and the wrongful injury, this independent of being the immediate cause, so that there typically can be no recovery from the defendant. If the intervening cause is strong enough to relieve the wrongdoer of any liability, it becomes a superseding cause.

SUPERSEDING CAUSE: An intervening act of force that the law considers sufficient to override the cause for which the original tortfeasor was responsible, thereby exonerating that tortfeasor from liability. Also termed sole cause.

SOLE CAUSE: The only cause that, from a legal viewpoint, produces an event or injury. If it comes between a defendant's action and the event or injury at issue, it is treated as a superseding cause.

PRICE & FORDY: ① Something of secondary or subordinate importance. ② Someone who aids or contributes in the commission or concealment of a crime.

APPENDIX "I"

APPENDIX "I"

Lyle W. Cayce, Clerk

U.S. Court of Appeals, Fifth Circuit
600 Poydras St. PL. Suite 115
New Orleans, LA 70130

IN RE: Steele L. Davis USDC No 475-(U)-3274

about: A letter you wrote to state on 12-5-2020

I had written you a letter in search for documents that your office claimed that you mailed to me at my expense.

In the letter you wrote, it states that because I provided no copies of the grievance form and the documents were mailed to me by regular mail, that there were tracking available.

And this is the reason I am writing you yet again. I am sending you, in the Appendices, Appendix A which is a sworn and deduced copy of that said grievance you spoke of. There was no need to continue in the grievance process because, as you can see in Appendix A, the documents have never arrived here.

Originally, I had come to your court in a denial of a (b)(6) motion in which my challenge to the court is entirely because the US postal Service, not of my fault or my own. And this is not the only time I have not received mail from the courts (see Appendix B up pg. 5) and my filings have been missing in other courts including yours (see Appendix C - 1)

Please, I beg of you, investigate on the whereabouts of these documents so that I prepare to have them

returned to me. I know I cannot be the only U.S.
Citizen this is happening to through the "Neglect"
of the U.S. Postal Service.

Thank You

Larry R. Reed, 21869 228
Lynough Unit
Juno City, Mo 64501
St. Louis, Mo 63105
p. 30

C. Lee, 21869, 228

DECLARATION

I, Larry R. Steele, TDCJ - ID # 01964728, being presently incarcerated on the Lynaugh Unit in Tarrant County, Texas do hereby declare under penalty of perjury that the foregoing APPENDIX "A - F" are true and correct handwritten copies of the documents they represent.

Signed: 

Date: 1-4-21

Larry R Steele 01964728
Lynaugh Unit
1013 S. Hwy 2037
P.O. Box 1100, TX 79735
pro se

Scott S. Harris, Clerk
Supreme Court of the United States
1 First St. N.E.
Washington, DC 20543

IN RE: STEELE v LUMPKIN No. 28-5680

Dear Clerk,

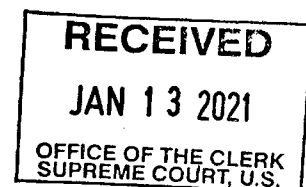
Enclosed, please find my Certificate of Counsel, my motion for Leave to file Informa Pauperis and its AFFIDAVIT. Along with it is a motion for Leave to file an out-of-time motion to Review a Petition for Writ of Certiorari and its accompanying Review of a Petition for Writ of Certiorari with Proof of Service.

Please file these with the Court and present them En Banc to the Court. Thank you,

Date: 1.4.21

Sincerely, 

Loring R. Stode 01864728
Lynchburg Unit
698 S. Hwy. 2037
Mt. Stockton, TX. 79735
pro se



No. 20-5680

SUPREME COURT OF THE UNITED STATES

Larry R Stede, pro se prisoner

v

Bobby Lumpkin, Director

U.S. S.Ct. No. 20-5680

CERTIFICATE OF COUNSEL

Pro se prisoner comes to your honorable court to seek a review of the denial of his Petition for a writ of Certiorari. This Motion to Review Petition for a Writ of Certiorari is restricted to the grounds specified in your Courts rule 44.2. and it is presented in good faith and not for delay

pro-se prisoner Larry R. Stede 01364228

Lynough Unit

1098 S. Hwy 2037

M. Stockton, TX. 79735

Date: 1-4-21

Sincerely, 

Larry R. Stede 01364228