

20-8350
No. 01-19-00076-CR

Supreme Court, U.S.
FILED

APR 26 2021

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Curtis Holliman — PETITIONER
(Your Name)

vs.

State of Texas — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Texas Court of Criminal Appeals
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Curtis Holliman # 02245752
(Your Name)

Eastham Unit 4.33, 2665 Prison Rd. # 1
(Address)

Lovelady, Tx 75851
(City, State, Zip Code)

(Phone Number)

ORIGINAL

QUESTION(S) PRESENTED

- 1) Did the court of Appeals misapply the holding in Ray v. State in holding the error was harmless?
- 2) Did prosecutors misled the jury & fail to turn over exculpatory evidence such as a youtube recording I posted onto my user account that showed my mental state of health just days before this misshaps?
- 3) Has the state of Texas Acknowledged that attorney Kirby Taylor & myself were indeed in a sexual/romantic relationship for 10 years?

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION.....	2
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	3
STATEMENT OF THE CASE	4
REASONS FOR GRANTING THE WRIT	5
CONCLUSION.....	6.

INDEX TO APPENDICES

APPENDIX A

APPENDIX B

APPENDIX C

APPENDIX D

APPENDIX E

APPENDIX F

TABLE OF AUTHORITIES CITED

Smith v. Cain 132 S. Ct. 627 (2012)

CASES

PAGE NUMBER

Holliman v. State, 01-19-00076-CR, 2020 WL 5948851
 Strickler v. Greene, 527 U.S. 263, 119 S.Ct. 1936 (1999)
 Ray v. State 178 S.W. 3d 833
 Brady v. Maryland, 373 U.S. 83, 83 S.Ct. 1194 (1963)
 Breeht v. Abrahamson. 507 U.S. 619, 623, 113 S.Ct. 1710, 1714 (1993)
 Ex parte Fierro, 934 S.W. 2d 370
 Siglio v. United States, 405 U.S. 150 92 S.Ct. 763 (1972)
 Arizona v. Youngblood, 488 U.S. 51, 109 S. Ct. 333 (1988)
 Mathlock v. State, 392 S.W. 3d 662, 670 n.29, 671
 Potier v. State, 68 S.W. 3d 657, 665

STATUTES AND RULES

Tex. R. App. P. 66.3(c.)

OTHER

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:

Prosecutors: Ms. Jennifer Christy Meriwether
Ms. Kristina Roberts
Ms. Jessica Caird
Assistant District Attorneys
Harris County, Texas
1201 Franklin, 16th Floor
Houston, Texas 77002

RELATED CASES

Holliman, 2020 WL 5948851, at *7
Ray v. State, 178 S.W.3d 833, 836 (Tex. Crim. App. 2005)

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 _____ 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 _____; 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 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 Court of appeals 1st District of Texas court appears at Appendix B 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 _____.

☐ 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 10-08-2020.
A copy of that decision appears at Appendix C.

☒ A timely petition for rehearing was thereafter denied on the following date: 02-24-2021, and a copy of the order denying rehearing appears at Appendix D.

☐ 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

The right of a state prisoner to seek federal habeas is guaranteed in 28 U.S. 225H.

The standard for relief under the "AEDPA" is set forth in U.S.C. 2254(d)(1).

STATEMENT OF THE CASE

I, Curtis Holliman was indicted for the murder for death of Dexter Taylor. (C.R. at 7). I pleaded not guilty by reason of insanity. A jury heard the case & rejected the insanity defense & found me guilty of murder. After punishment evidence was heard, the jury sentenced me to 40 years imprisonment in Texas Department of Criminal Justice. The jury rejected the special issue of sudden passion.

REASONS FOR GRANTING THE PETITION

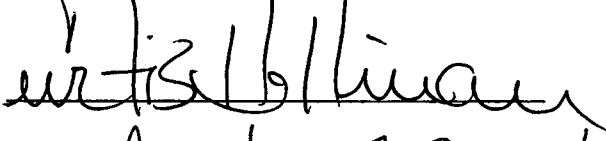
The court of criminal Appeals of Texas has decided an important question of state or federal law in a way that conflicts with the applicable decisions of the Court of Criminal Appeals or the Supreme Court of the United States. Tex. R. App. P. 66.3(c).

Further more evidence in support of the theory of my defense omitted by the state of Texas. In support of my defense / insanity defense that is, we sought to have a video admitted which showed my state of mind before the offense. The court of appeals held that the evidence would only have incrementally furthered the defense & therefore I was not harmed. Did the state & court of appeals misapply the holding in Ray v. State in holding the error was harmless?

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Curtis B. Lina", written over a horizontal line.

Date: April 27, 2021