

No.
IN THE

Supreme Court of The United States

RONNIE D. WARD; SHARON DENISE ALBRITTON WARD, Petitioners,

v.

CROSS KEYS BANK; CALDWELL BANK & TRUST COMPANY, Respondents.

DECLARATION OF JAMES A. ROUNTREE

I am counsel to Ronnie D. Ward and Sharon Ward, applicants in the captioned matter.

On May 17, 2023, I received for the first time a copy of a letter dated January 9, 2023, addressed to me from Scott S. Harris, Clerk, United States Supreme Court, advising that the appendix to the Petition for a Writ of Certiorari postmarked December 27, 2022, failed to include the Fifth Circuit order denying rehearing. The copy of the January 9 letter that accompanies this declaration was attached to a pleading in a Florida state court case in which Cross Keys Bank is plaintiff, and the applicants are defendants.

When we received a copy of the letter, we examined our files to determine whether that letter had been received and overlooked. Search of the files revealed no copy. My assistant, Shelly Sims, learned during a telephone call with Court personnel that the letter was included with 40 printed copies of the Petition for a Writ of Certiorari. We had received a damaged box with printed copies of the petition, but there was no letter or check included with that.

I recall seeing the damaged box and copies of the petition falling out, but I assumed that the copies had come from the printer, not from the Court.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on May 24, 2023.



James A. Rountree

From: [No-Reply@Supremecourt.gov](mailto>No-Reply@Supremecourt.gov) <[No-Reply@Supremecourt.gov](mailto>No-Reply@Supremecourt.gov)>
Sent: Wednesday, May 10, 2023 10:54 AM
To: Rebecca Brown <RBrown@wwmlaw.com>
Subject: Correspondence from The Supreme Court of the United States
Importance: High

SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001

January 9, 2023

James A. Rountree
Rountree Law Offices
400 Hudson Lane
Monroe, LA 71201

RE: Ward, et ux. v. Cross Keys Bank, et al.
USCA5 No. 21-30649

Dear Mr. Rountree:

Returned are all copies of the petition for a writ of certiorari in the above-entitled case postmarked on December 27, 2022 and received on January 4, 2022, which fails to comply with the Rules of this Court.

The appendix to the petition does not contain the order of the court of appeals denying rehearing as required by Rule 14.1(i). The petition indicates that this order appears at page 16a, but the district court's ruling dated September 22, 2021 appears at 13a-17a.

Your petitions and check in the amount of \$300.00 are herewith returned.

Kindly correct the petition and appendix so that it complies in all respects with the Rules of this Court and return it to this Office promptly so that it may be docketed. Unless the petition is submitted to this Office in corrected form within 60 days of the date of this letter, the petition will not be filed. Rule 14.5. Please note that you are also required to submit the filing to the Court's electronic filing system. Rule 29.7.

Three copies of the corrected petition must be served on opposing counsel. Rule 29.3.

When making the required corrections to a petition, no change to the substance of the petition may be made.

Sincerely,
Scott S. Harris, Clerk
By:

Jacob Levitan
(202) 479-3392