

22-5475

IN THE SUPREME COURT OF THE UNITED STATES

ORIGINAL

Supreme Court, U.S.
FILED

AUG 24 2022

OFFICE OF THE CLERK

DOCKET CASE NO.

MERLIN LKENT WILLIAMS
(NA ALIAS)

PETITIONER

V.

BURL CAZEN

DEFENDANT

AFFIDAVIT ACCOMPANYING
MOTION FOR PERMISSION TO PROCEED IN FORMA
PAUPERIS

AFFIDAVIT IN SUPPORT OF MOTION

I MERLIN LKENT WILLIAMS SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT, BECAUSE OF MY POVERTY, I CANNOT PREPAY THE DOCKET FEES OF MY PETITION OR POST A BOND FOR THEM. I BELIEVE I AM ENTITLED TO REDRESS. I SWEAR OR AFFIRM UNDER PENALTY OF PERJURY UNDER UNITED STATES LAWS THAT MY ANSWERS ON THIS FORM ARE TRUE AND CORRECT. (28 U.S.C. § 1746; 18 U.S.C. § 1621.) *Mu Zha*
AUGUST 22ND, 2022.

MY ISSUES ON PETITION ARE

1. FREEDOM OF SPEECH
2. DUE PROCESS
 - A. DEFECTIVE INDICTMENT
 - B. APPEAL AND ERROR
 - i. MANIFEST OR OBVIOUS
 - ii. PREJUDICE OR MISTAKE
3. FAIR AND IMPARTIAL TRIAL
 - A. ERRED JURY VERDICT
 - B. BURDEN OF PROOF AND PRESUMPTION
 - C. HARMLESS ERROR DOCTRINE RULE
 - D. PLAIN ERROR DOCTRINE RULE
4. CRUEL AND UNUSUAL PUNISHMENT
 - A. PREJUDICIAL CONDUCT
 - B. PROSECUTORIAL MISCONDUCT
5. FALSE IMPRISONMENT
 - A. MISTAKEN IDENTITY
 - i. ORAL TESTIMONY
 - ii. LAY OPINION TESTIMONY
 - B. BEYOND A REASONABLE DOUBT
6. DEPRIVATION OF LIFE AND LIBERTY
 - A. LACK OF EVIDENCE
 - i. EVIDENTIARY INSUFFICIENCY
 - B. EFFECT OF IMPEDIMENT FOR INTEREST OF BEAS

*ADVISORY:

PLEASE BE ADVISED THAT ALL THESE ISSUES WERE PREVIOUSLY PRESENTED AND PREVIOUSLY NEGLECTED DURING THE JUNE 16TH, 2022 PETITION FOR POST CONVICTION RELIEF, AS I MERLIN LKENT WILLIAMS WAS DENIED LEAVE TO PROCEED TO THE TRIAL COURT, IN ORDER FOR THESE ISSUES TO BE ADEQUATELY REVIEWED AND HEARD FOR THE OPPORTUNITY OF RELIEF.

RECEIVED

AUG 30 2022

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE SUPREME COURT OF THE UNITED STATES

MERLIN KENT WILLIAMS

DOCKET CASE NUMBER:

1. INCOME SOURCE

EMPLOYMENT \$ZERA

SELF EMPLOYMENT \$ZERA

INCOME FROM REAL ESTATE PROPERTY \$ZERA

INTEREST AND DIVIDENDS \$ZERA

GIFTS \$ZERA

ALIMONY \$ZERA

CHILD SUPPORT \$ZERA

RETIREMENT \$ZERA

DISABILITY \$ZERA

UNEMPLOYMENT PAYMENTS \$ZERA

PUBLIC ASSISTANCE \$ZERA

OTHER \$ZERA

TOTAL MONTHLY INCOME \$ZERA

2. EMPLOYMENT HISTORY FOR THE PAST TWO YEARS, MOST RECENT EMPLOYER. N/A

3. SPOUSE'S EMPLOYMENT HISTORY. N/A

4. HOW MUCH CASH DO YOU AND YOUR SPOUSE HAVE? \$ZERA

5. LIST ASSETS, AND THE VALUE, WHICH YOU OWN OR YOUR SPOUSE OWNS. N/A

6. STATE EVERY PERSON, BUSINESS, OR ORGANIZATION OWING YOU OR YOUR SPOUSE MONEY, AND THE AMOUNT OWED. N/A

7. STATE THE PERSON WHO RELY ON YOU OR YOUR SPOUSE FOR SUPPORT. N/A

8. RENT OR HAVE HOME MORTGAGE PAYMENT, ARE REAL ESTATE TAXES INCLUDED? NO
IS PROPERTY INSURANCE INCLUDED? NO

9. DO YOU EXPECT ANY MAJOR CHANGE TO YOUR MONTHLY INCOME OR EXPENSES OR IN YOUR ASSETS OR LIABILITIES DURING THE NEXT 12 MONTHS? NO

10. HAVE YOU SPENT OR WILL YOU BE SPENDING ANY MONEY FOR EXPENSES OR ATTORNEY FEES IN CONNECTION WITH THIS LAWSUIT? NO

11. PROVIDE ANY OTHER INFORMATION THAT WILL HELP EXPLAIN WHY YOU CANNOT PAY THE DOCKET FEES FOR YOUR PETITION. I AM CURRENTLY INCARCERATED

12. STATE THE CITY AND STATE OF YOUR LEGAL RESIDENCE.
GULFBART, MISSISSIPPI BUT CURRENTLY LEAKESVILLE, MISSISSIPPI

THIS THE 23RD DAY OF AUGUST, 2020.

STATE OF MISSISSIPPI
COUNTY OF GREENE



PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID JURISDICTION, THE WITHIN NAMED PERSON, WHO AFTER FIRST BEING BY ME DULY SWORN STATED AN OATH THAT THE STATEMENTS SET FORTH IN THE ANNECED, ARE TRUE AND CORRECT AS STATED, SWORN TO AND SUBSCRIBED BEFORE ME, THIS THE DAY OF AUGUST, 2020.

MERLIN KENT WILLIAMS
PETITIONER, PRASE

NOTARY PUBLIC

EXHIBIT A

My issues on appeal are:

ATTACHMENT

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source:	Average monthly amount during the past 12 months	Amount expected next month
	You	You
Employment	\$ <u>0</u>	\$ <u>0</u>
Self-employment	\$ <u>0</u>	\$ <u>0</u>
Income from real property such as rental income)	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>
Child support	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>0</u>
Disability (such as social security insurance payments)	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>0</u>	\$ <u>0</u>

2. List your employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

EMPLOYER	ADDRESS	DATES OF EMPLOYMENT	GROSS MONTHLY PAY
NANE	N/A	N/A	\$ 0
NANE	N/A	N/A	\$ 0

EXHIBIT A

NANE	N/A	N/A	\$0
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3. List your spouse's employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

EMPLOYER	ADDRESS	DATES OF EMPLOYMENT	GROSS MONTHLY PAY
NANE	N/A	N/A	\$0
NANE	N/A	N/A	\$0
NANE	N/A	N/A	\$0

4. How much cash do you and your spouse have? \$ \$0
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

FINANCIAL INSTITUTION	TYPE OF ACCOUNT	AMOUNT YOU HAVE	AMOUNT YOUR SPOUSE HAS
NANE	N/A	\$0	\$0
NANE	N/A	\$0	\$0
NANE	N/A	\$0	\$0

If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

HOME (VALUE)	OTHER REAL ESTATE (VALUE)	OTHER ASSETS (VALUE)
NANE	NANE	NANE
NANE	NANE	NANE
NANE	NANE	NANE

MOTOR VEHICLE #1 N/A

VALUE: \$0

MAKE & YEAR: N/A
MODEL: N/A
REGISTRATION #: N/A

EXHIBIT A

MOTOR VEHICLE # 2 N/A VALUE: \$0 MAKE & YEAR: N/A
 MODEL: N/A
 REGISTRATION #: N/A

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

PERSON OWING YOU OR YOUR SPOUSE MONEY	AMOUNT OWED TO YOU	AMOUNT OWED TO YOUR SPOUSE
<u>NONE</u>	<u>\$0</u>	<u>\$0</u>
<u>NONE</u>	<u>\$0</u>	<u>\$0</u>
<u>NONE</u>	<u>\$0</u>	<u>\$0</u>

7. State the persons who rely on you or your spouse for support.

NAME	RELATIONSHIP	AGE
<u>NONE</u>	<u>N/A</u>	<u>N/A</u>
<u>NONE</u>	<u>N/A</u>	<u>N/A</u>
<u>NONE</u>	<u>N/A</u>	<u>N/A</u>

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>0</u>	\$ <u>0</u>
Are real-estate taxes included?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is property insurance included?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Utilities (electricity, heating fuel, water, sewer, and Telephone)	\$ <u>0</u>	\$ <u>0</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>0</u>
Food	\$ <u>0</u>	\$ <u>0</u>
Clothing	\$ <u>0</u>	\$ <u>0</u>
Laundry and dry-cleaning	\$ <u>0</u>	\$ <u>0</u>
Medical and dental expenses	\$ <u>0</u>	\$ <u>0</u>
Transportation (not including motor vehicle payments)	\$ <u>0</u>	\$ <u>0</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>0</u>
Insurance (not deducted from wages or	\$ <u>0</u>	\$ <u>0</u>

EXHIBIT A

included in Mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>0</u>
Life	\$ <u>0</u>	\$ <u>0</u>
Health	\$ <u>0</u>	\$ <u>0</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Other: _____	\$ <u>0</u>	\$ <u>0</u>
Taxes (not deducted from wages or included in Mortgage payments) (specify): _____	\$ <u>0</u>	\$ <u>0</u>
Installment payments	\$ <u>0</u>	\$ <u>0</u>
Motor Vehicle	\$ <u>0</u>	\$ <u>0</u>
Credit card (name): _____	\$ <u>0</u>	\$ <u>0</u>
Department store (name): _____	\$ <u>0</u>	\$ <u>0</u>
Other: _____	\$ <u>0</u>	\$ <u>0</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>0</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>0</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>
Total monthly expenses:	\$ <u>0</u>	\$ <u>0</u>

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?
- [] Yes [x] No If yes, describe on an attached sheet.
10. Have you spent--or will you be spending-- any money for expenses or attorney fees in connection with this lawsuit? [] Yes [x] No
- If yes, how much? \$ _____
11. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.
12. State the city and state of your legal residence.

GULFPORT, MISSISSIPPI

Your daytime phone number: N/A

Your age: 36 Your years of schooling: 12

Last four digits of your social-security number: 8214

Signed under penalty of perjury: [Signature]

Date: JULY 2ND, 2022

EXHIBIT A

-----MUST BE COMPLETED BY PLAINTIFF-----
Authorization for Release of Institutional Account Information and
Payment of the Appeal Filing Fee

I, MERLIN LKENT WILLIAMS, 213616

(Name of Plaintiff)

(Prisoner Number)

authorize the Clerk of Court to obtain, from the agency having custody of my person, information about my institutional account, including balances, deposits and withdrawals. The Clerk of Court may obtain my account information from the past six months and in the future, until the appeal filing fee is paid. I also authorize the agency having custody of my person to withdraw funds from my account and forward payments to the Clerk of Court, in accord with 28 U.S.C. Section 1915.

[Signature]
(Signature of Plaintiff)

JULY 2ND, 2022
(Date)

IT IS PLAINTIFF'S RESPONSIBILITY TO HAVE THE APPROPRIATE PRISON
OFFICIAL COMPLETE AND CERTIFY THE CERTIFICATE BELOW

CERTIFICATE TO BE COMPLETED BY AUTHORIZED OFFICER
(Prisoner Accounts Only)

I certify that the applicant named herein has the sum of \$ 1.55
on account to his credit at the South MS Correctional Inst. institution where he is
confined. I further certify that the applicant likewise has the following securities to his credit
according to the records of said institution:

I further certify that during the last six (6) months the
plaintiff's average monthly balance was \$ 14.93

I further certify that during the last six (6) months the
plaintiff's average monthly deposit was \$ 14.17

601 394 5600

TELEPHONE NUMBER
OF OFFICER FOR VERIFICATION

[Signature]
AUTHORIZED OFFICER OF INSTITUTION

Melanie M. Clark

PRINT NAME OF AUTHORIZED OFFICER

7/7/22
DATE

RETURN COMPLETED FORM TO:

U. S. DISTRICT CLERK
501 E. Court Street, Suite 2.500
Jackson, Mississippi 39201

RECEIVED

JUL 07 2022

SMCI Inmate Legal
Assistance Program

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**MERLIN LKENT WILLIAMS, also
known as Merlin Kent Williams**

PETITIONER

v.

CAUSE NO. 1:20cv286-LG-RPM

BURL CAIN, Commissioner

RESPONDENT

ORDER

Upon consideration of the [41] Motion to proceed *in forma pauperis* on appeal to the United States Court of Appeals for the Fifth Circuit filed by the petitioner in the above-entitled action, the court notes that the petitioner failed to complete the appropriate application to proceed *in forma pauperis*. Accordingly, it is hereby ORDERED:

1. That within fifteen days of the entry of this order, petitioner shall file a completed application for leave to proceed *in forma pauperis* on appeal or pay the required appeal filing fee of \$505.

2. The Clerk shall mail the attached *in forma pauperis* application to the petitioner at his last known address.

Failure to advise this court of a change of address or failure to comply with any order of this court will be deemed as a purposeful delay and contumacious act by the petitioner and may result in the denial of *in forma pauperis* status or the dismissal of this appeal.

SO ORDERED AND ADJUDGED this the 27th day of June, 2022.

s/ Louis Guirola, Jr.

Louis Guirola, Jr.
United States District Judge

EXHIBIT A

Form 4 of Federal Rules of Appellate Procedure

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

MERLIN KENT WILLIAMS

Plaintiff

v.
BURL CAIN

CIVIL ACTION NO. 1:21-cv-00286 LG RPM
APPEAL NO. 22-64361

Defendant

MOTION TO PROCEED IN FORMA PAUPERIS

I, MERLIN KENT WILLIAMS, declare that I am the plaintiff in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 U.S.C. § 1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint.

Signed: 

Date: JULY 2ND, 2022

INSTRUCTIONS

Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with you name, your case's docket number, and the question number.

AFFIDAVIT IN SUPPORT OF MOTION

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. §1746; 18 U.S.C. §1621)

Signed: 

Date: JULY 2ND, 2022

MERLIN KENT WILLIAMS 1:22 cv 0866 LGRPM ISSUES AN APPEAL DOCUMENT 42
MY ISSUES AN APPEAL ARE: EXHIBIT A

1. FREEDOM OF SPEECH
2. DUE PROCESS
 - A. DEFECTIVE INDICTMENT
 - B. APPEAL AND ERROR
 - i. MANIFEST OR OBVIOUS
 - ii. PREJUDICE OR MISTAKE
3. FAIR AND IMPARTIAL TRIAL
 - A. ERRED JURY VERDICT
 - B. BURDEN OF PROOF AND PRESUMPTION
 - C. HARMLESS ERROR DOCTRINE RULE
 - D. PLAIN ERROR DOCTRINE RULE
4. CRUEL AND UNUSUAL PUNISHMENT
 - A. PREJUDICIAL CONDUCT
 - B. PROSECUTORIAL MISCONDUCT
5. FALSE IMPRISONMENT
 - A. MISTAKEN IDENTITY
 - i. ORAL TESTIMONY
 - ii. LAY OPINION TESTIMONY
 - B. BEYOND A REASONABLE DOUBT
6. DEPRIVATION OF LIFE AND LIBERTY
 - A. LACK OF EVIDENCE
 - i. EVIDENTIARY INSUFFICIENCY
 - B. EFFECT OF IMPEACHMENT FOR INTEREST OR BIAS

* ADVISORY:

PLEASE BE ADVISED THAT ALL THESE ISSUES WERE PREVIOUSLY PRESENTED AND PREVIOUSLY NEGLECTED DURING THE JUNE 16TH, 2009 PETITION FOR POST CONVICTION RELIEF, AS MERLIN KENT WILLIAMS WAS DENIED LEAVE TO PROCEED TO THE TRIAL COURT, IN ORDER FOR THESE ISSUES TO BE ADEQUATELY REVIEW AND HEARD FOR THE OPPORTUNITY OF RELIEF.

MY ISSUES AN APPEAL ARE AS CONTINUED:

I MERLIN KENT WILLIAMS, IS SEEKING APPEAL CONSTITUENT TO THE EXISTING EVIDENCE, NEWLY DISCOVERED EVIDENCE THAT WAS NOT PRESENTED AT TRIAL, AND THE EVIDENCE OF TRIAL COURT ERROR AMONGST FACTS THAT UNDERLINES PROOF OF ACTUAL INNOCENCE THAT DOES ENTITLE RELIEF TO BE HANDLED TO I MERLIN KENT WILLIAMS IN THE HONORABLE COURT OF LAW AGAINST THE FALSE ACCUSATION OF ALLEGED OUT OF TIME FILING FOR A 2054 HABEAS CORPUS, PURSUANT TO THE DUE PROCESS CLAUSE AND RIGHT OF THE U.S. CONSTITUTION.

IN ACCORDANCE AND COMPLIANCE WITH THE RULE 2041(a) REFERENCE CIRCUIT JUDGE (AS QUOTED ANY) "BECAUSE THE ISSUING CIRCUIT COURT JUDGE OF SENTENCING IS NOT EXCLUDED, BUT IS INCLUDED WITH ANY. ALSO SEE 2054(2).

WHY IS IT THAT DUE TO THE FACT OF TRIAL ERROR NOT MADE BY THE MOVANT PLAINTIFF AT HAND, IS MADE KNOWN, IN SPECIFIC TO MISIDENTIFICATION OF IDENTIFICATION, THAT HAS LED TO THE FALSE IMPRISONMENT AND VIOLATION OF DUE PROCESS RIGHTS IN THE PROCESSES AND PROCEDURES OF THE COURT OF LAW, THAT THAT MISTAKEN INDIVIDUAL OF IDENTIFICATION AS AN UNITED STATES CITIZEN, LIMITED TO THE ACTIVITIES FOR RELIEF WITHIN THE COURT OF LAW IN LIEU OF THEIR PROPER AND CORRECT IDENTIFICATION AS AN U.S. CITIZEN TO BE GIVEN BACK TO THEM, AS THIS IS THE MATTER AT HAND FOR NOT JUST I MERLIN KENT WILLIAMS AS AN U.S. CITIZEN, BUT FOR ALL U.S. CITIZENS THAT I FALSELY ACCUSED OF MISTAKEN IDENTITY?

REMEDIES EXCEPT THE REHEARING AFTER DIRECT APPEAL AND CERTIORARI AS I HAVE CURRENTLY DECIDED.
IN PERSPECTIVE I MERLIN KENT WILLIAMS SHOULD BE ALLOWED TO PERSUE RELIEF DIRECTLY FROM THE
ARTICLE OF ERROR SPECIFICALLY IN THE IDENTITY THAT HAS BEEN MISTAKEN PURSUANT TO THE 5TH
AMENDMENT OF THE U.S. CONSTITUTION AND DUE PROCESS CLAUSE AND RIGHTS AS AN U.S. CITIZEN THAT IS
MISTAKEN AND FALSELY ACCUSED.

IN PARTICULARLY, THAT IS WITH THE TRIAL COURT CIRCUIT JUDGE AND THAT I
MERLIN KENT WILLIAMS DID COMPLETE DURING THE PROCESS AND PROCEDURE OF PENDING DIRECT APPEAL, AND
HAD BEEN DILIGENTLY DEALING WITH MY CORRECT IDENTITY, IN ORDER TO GET THE RESPECTED CIRCUIT JUDGE
TO JUSTLY DELIVER MY IDENTITY BACK TO I MERLIN KENT WILLIAMS, AS SAUGHT IN THE COURT OF LAW,
BUT I ONLY RECEIVED RESPONSES OF DELAY AND DENIAL OF THIS FACT. EVEN AGAINST THE CREDIBLE WEIGHT
OF EVIDENCE THAT DOES PROVE THIS FACT AS WELL. AS THOSE PROCESSES AND PROCEDURES SHOULD BE PERMITTED
OR ADMITTED AS SUFFICIENT REHEARING STATUSES AMONGST THE OTHER PERSPECTIVES OF RELIEF EFFORTS.

DUE TO THE FACT THAT THE ACCUSATIONS OF THE DISTRICT COURT IS INCORRECT
AND CLEARLY NEGLECTED WITH INCONSIDERATION AS TO THE DILIGENT EFFORT FOR RELIEF FIRST
CONCLUDED ON THE 9TH OF JANUARY, 2019 AFTER THE ACTUAL CORRECT PROCEDURE WAS AN APPEAL FOR 5TH WRIT OF
HABEAS CORPUS TO THE CIRCUIT COURT AND NOT A PREMATURE PCR, EVEN THOUGH THE STATE VIEWED THAT
EFFORT AS A PCR ONLY TO MAKE IT SEEM INCORRECT IN TIMING TO CORROBORATE THEIR AGENDA OF
SUSTAINING AN ALLEGED CONVICTION.

NOTE: THAT IT IS NOT MANDATORY TO FILE A MOTION FOR REHEARING AFTER
AN ALLEGED DIRECT APPEAL WAS AFFIRMED.
MY ISSUES ON APPEAL QUESTIONS:

THE POINTING OF A FINGER AGAINST SOMEONE IS ONLY AN ACCUSATION
OF PRESUMPTION. THAT METHOD IN THE COURT IS NOT CLEAR AND CONVINCING EVIDENCE TO CONVICT A
PERSON A VERDICT OF GUILT AS SUFFICIENT.

HOW MUST CLEAR AND CONVINCING EVIDENCE BE IDENTIFIED? IS IT TANGIBLE
PHYSICAL, SCIENTIFIC, DNA, ETC. AS FORMS OF EVIDENCE OR HARDWARE, IN ORDER, TO BE SUBSTANTIAL AND
CIRCUMSTANTIAL IN THE COURT OF LAW, IN ORDER TO RENDER AN INDIVIDUAL GUILTY?

DOES HERESAY TESTIMONY AND ALLEGE EVIDENCE CARRY THE SAME MEASURE AND
STATUS, AS TO BE CREDIBLE WEIGHT OF EVIDENCE, AS A VERIDIC CONTENTION OF CREDENTIAL IN ORDER TO
MANIFEST A SPECIFIC VERDICT OF GUILT FROM A COURT OF LAW?

EXHIBIT A

IN THE UNITED STATES
DISTRICT COURT SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

CIVIL ACTION No. 1:24-cv-280
APPEAL No. 23-64361

EXHIBIT A

MERLIN LKENT WILLIAMS
(NA ALIAS)

PETITIONER - APPELLANT

V.

BURL CAIN

RESPONDENT - APPELLEE

MEMORANDUM

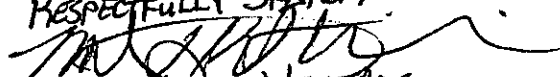
I MERLIN LKENT WILLIAMS, DO WANT TO ADVISE THE HONORABLE U.S. DISTRICT COURT THAT THE TIMELINESS OF THE RECEIPT OF THE PRANOUNCE DOCUMENT 42 IS RECEIVED IN ORDER OF THE MDAC'S INMATE LEGAL ASSISTANCE SCHEDULED SERVICES FOR INMATE LITIGANTS OPPORTUNITY TO TIMELY PRODUCE SUCH DOCUMENTS IN THE COURT OF LAW, WAS SURELY COMPLICATED IN PROVISION DUE TO THE CALENDARIAL HOLIDAY OF INDEPENDENCE DAY OF THE FOURTH OF JULY, 2022.

OTHERWISE, THE COURT'S RECEIPT OF DOCUMENT 42 MAY HAVE BEEN PRODUCE EARLIER IF THE CALENDARIAL HOLIDAY WOULD NOT HAVE INTERFERRED WITH THE ONCE A WEEK OPPORTUNITY FOR INMATE LEGAL MAILING SERVICE WITH NOTARY COULD HAVE BEEN PROVIDED ON IT'S SCHEDULED DAYS OF MONDAY AND TUESDAY, AS LEGAL SERVICES WERE POSTPONED AND RESUMED LATER IN THE WEEK IF FEASIBLE OR UPON THE NEXT SCHEDULED ONCE A WEEK OPPORTUNITY INMATE LEGAL ASSISTANCE SERVICE WOULD HAVE TO BE PROVIDED.

THANK YOU FOR YOUR EMPATHY IN UNDERSTANDING. AS I MERLIN LKENT WILLIAMS IN DUE DILIGENCE DO PROVIDE DOCUMENT 42 UNTA THE HONORABLE U.S. DISTRICT COURT OF LAW FOR PROMPT FILING AS SURE TIMELY.

THIS THE 6TH DAY OF JULY, 2022.

RESPECTFULLY SPOKEN,


MERLIN LKENT WILLIAMS
APPELLANT, PERSONA PRO SE
UNITED STATES CITIZEN

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
2012 15TH STREET, SUITE 403
GULFPORT, MISSISSIPPI 39501

OFFICIAL BUSINESS

Special Mail — Open

in the presence of the inmate

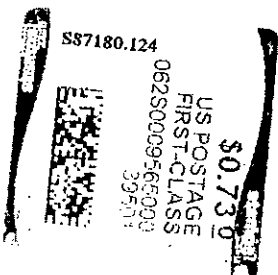
Merlin L. Williams #213616

Merlin Lkent Williams, #213616
South MS Correctional Facility
P.O. Box 1419
Leakesville, MS 39451

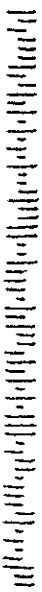
8-210L

Document 42

Date Received 6/29/83
Accepted Refused
Inmate Signature
Date/Time 6/30/83
Inspected by AK



3945131419 B013



Orders on Motions

1:20-cv-00286-LG-RPM Williams v. Cain **CASE CLOSED on 08/18/2021**

CLOSED, APPEAL, HABEAS, RPM

EXHIBIT A

U.S. District Court

Southern District of Mississippi

Notice of Electronic Filing

The following transaction was entered on 7/12/2022 at 1:27 PM CDT and filed on 7/12/2022

Case Name: Williams v. Cain

Case Number: 1:20-cv-00286-LG-RPM

Filer:

WARNING: CASE CLOSED on 08/18/2021

Document Number: 46

Docket Text:

ORDER granting [44] Motion for Leave to Appeal in forma pauperis. Signed by District Judge Louis Guirola, Jr., on 7/12/2022. (BR)

1:20-cv-00286-LG-RPM Notice has been electronically mailed to:

Bridgette N. Grant-State Gov bridgette.grant@ago.ms.gov, jerrolyn.owens@ago.ms.gov

1:20-cv-00286-LG-RPM Notice has been delivered by other means to:

Merlin Lkent Williams
#213616
South MS Correctional Facility
P. O. Box 1419
Leakesville, MS 39451

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1081288797 [Date=7/12/2022] [FileNumber=6264195-0]
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EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**MERLIN LKENT WILLIAMS, also
known as Merlin Kent Williams**

PETITIONER

v.

CAUSE NO. 1:20cv286-LG-RPM

BURL CAIN, Commissioner

RESPONDENT

**ORDER GRANTING MOTION TO
PROCEED ON APPEAL IN FORMA PAUPERIS**

BEFORE THE COURT is the [44] Motion to Proceed on Appeal In Forma Pauperis filed by the petitioner, Merlin Lkent Williams. The Court finds that the Motion is well taken and should be granted.

IT IS THEREFORE ORDERED AND ADJUDGED that the petitioner's [44] Motion to Proceed on Appeal In forma Pauperis is **GRANTED**, and he may proceed in this appeal without prepayment of the filing fee or costs or giving security therefor.

SO ORDERED AND ADJUDGED this the 12th day of July, 2022.

s/ *Louis Guirola, Jr.*

Louis Guirola, Jr.
United States District Judge