

22-5702
IN THE UNITED STATES SUPREME COURT

HENRY CLAY SMITH
PETITIONER,

V.
STATE OF ALABAMA
RESPONDENTS

FILED
SEP 24 2022
ORIGINAL

{ CL-20-0316

{ APPEAL FROM DALLAS COUNTY -
CIRCUIT COURT-CC-1985-21.64 -

{ CC-1980-186.64

{ AL.SC# 1200670

{ STAMP DOCKET RETURN

12/17/94

PETITION FOR WRIT OF CERTIORARI

COMES NOW THE PETITIONER, "HENRY CLAY SMITH,"
AND PETITIONS THIS HONORABLE COURT, FOR A WRIT-
OF CERTIORARI, TO ISSUE TO THE ALABAMA COURT OF-
CRIMINAL APPEALS, AND DALLAS COUNTY CIRCUIT COURT;
"PURSUANT TO RULE 201, "RULES OF EVIDENCE," THE-
LAWS OF CASE DOCTRINE," AND THE DEFECTS IN THE
INTEGRITY OF THE PROCEEDINGS."

THIS THE 25TH DAY OF JULY
2022.

Henry Clay Smith
HENRY CLAY SMITH
128122-H-41A
FOUNTAIN 3800
ATMORE, AL. 36503

(I)

IN THE UNITED STATES SUPREME COURT
QUESTIONS PRESENTED FOR REVIEW

(1) "WHETHER THE RECORD SHOWS, THESE (2) -
CIRCUIT COURT CASES HAS BEEN INVALIDATED?

(2) "WHETHER THE RECORD SHOWS, CIRCUIT COURT -
JUDGE GRANTED DISPOSITION," IN BOTH CIRCUIT -
COURT CASES, "ON 12/21/2020?"

(3) "WHETHER THE RECORD SHOWS, CIRCUIT COURT -
JUDGE CHANGED / ALTERED DOCUMENTS, ON THE RECORD,
ON APPEAL," ON 3/16/2021?"

(4) "WHETHER THE RECORD SHOWS, AN EXECUTIVE -
ORDER," DATED 5/28/2021," BY ALABAMA COURT -
OF CRIMINAL APPEALS?" "CR-20-0316" "SEE"

(5) "WHETHER THE RECORD SHOWS, AN EXECUTIVE -
ORDER," DATED 10/10/2013, BY ALABAMA COURT OF -
CRIMINAL APPEALS?" (1) "CR-12-1857" "SEE"??

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"HECK V. HUMPHREY, 512 U.S. 477, 486-87 (1994),"

"PITTMAN V. STATE, 621 SO.2D 351 (ALA. CRIM. APP. 1992),"

"TINSLEY V. STATE, 485 SO.2D 1249, 1251 (ALA. CRIM. APP. 1986),"

"MCKINNEY V. STATE, 549 SO.2D 166 (ALA. CRIM. 1998),"

"RULE 201, "RULES OF EVIDENCE," (LAWS OF-CASE DOCTRINE)";

"15.2 (D), A.R.C.P."

STATEMENT OF JURISDICTION

(1) "WHETHER THE RECORD SHOWS, THESE (2) -
EXECUTIVE ORDERS, BY THE ALABAMA COURT OF -
CRIMINAL APPEALS, DATED 5/28/2021, DATED,
"10/10/2013", WAS IS, IGNORED BY CIRCUIT -
COURT JUDGE? "CR-20-0316" SEE, ALSO, -
"CR-12-1857"? "SEE"? "SEE".

(2) "WHETHER THE RECORD SHOWS, THESE (2) -
CIRCUIT COURT CASES, HAS BEEN INVALIDATED, BY -
THE ALABAMA COURT OF CRIMINAL APPEALS, AND, -
TOTALLY IGNORED, ?? "SEE" BOTH MANDATES -
BY CRIMINAL COURT OF APPEALS, FOR THIS COURT -
"INSPECTION" ?? "SEE", CC-80-186.61, CC-85-21.61

(3) "WHETHER THIS HONORABLE COURT, ACKNOWLEDGE -
THE RECORD, FACTS, AND MANDATES, ISSUED BY,
ALABAMA COURT OF CRIMINAL APPEALS, TO REVERSE -
AND RENDER, WITH INSTRUCTIONS, TO VACATE, THESE
CIRCUIT COURT CASES??

(1)

CONSTITUTIONAL AND STATUTORY PROVISIONS

(1) "PETITIONER FILED A RULE 32 PETITION IN DALLAS-COUNTY CIRCUIT COURT, ALLEGING AN ILLEGAL SENTENCE, ON NOVEMBER 18TH, 2020".....;

(2) "SUBJECT-MATTER JURISDICTION IS FUNDAMENTAL, CANNOT BE WAIVED, AND MAY BE RAISED AT ANY TIME"; "IT IS THE ONLY EXCEPTION TO PROCEDURE-BAR AND STATUTE OF LIMITATIONS, ALSO, ILLEGAL SENTENCES, ARE NOT SUBJECT TO PROCEDURE BAR-OR LIMITATIONS".....;

(3) "PROVISIONS ARE INVOKED UNDER, 28 U.S.C. § 1257-(A), 42 U.S.C. 1985, 28 U.S.C. § 1254(1), "RULE 20", "RULES OF EVIDENCE", "TAKE JUDICIAL NOTICE, OF THE LAWS OF CASE DOCTRINE", AND THE INTEGRITY OF THE PROCEEDINGS".....

STATEMENT OF THE CASE AND FACTS

(1) THE RECORD SHOWS, TWO (2) MANDATES,
BY THE ALABAMA COURT OF CRIMINAL APPEALS,
WERE SENT TO THE CIRCUIT COURT JUDGE,
TO BE TOTALLY IGNORED, IN BOTH CIRCUIT COURT-
CASES; "SEE, "CR-12-1857-10/10/2013", AND,
"SEE - CR-20-0316" - 5/28/2021;

(2) THE RECORD SHOWS, THESE TWO (2) CIRCUIT-
COURT CASES HAS BEEN INVALIDATED, BY AN-
EXECUTIVE ORDER, FROM ALABAMA COURT OF CRIMINAL-
APPEALS, BUT, IGNORED BY CIRCUIT COURT JUDGE;

(3) THIS HONORABLE COURT SHOULD ACKNOWLEDGE THE-
THE RECORD, FACTS, AND MANDATES, ISSUED BY ALABAMA-
COURT OF CRIMINAL APPEALS, "TO REVERSE AND RENDER,
WITH INSTRUCTIONS, "TO VACATE, THESE CIRCUIT COURT-
CASES, "CC-80-186.61 AND, "CC-85-21.61".....

REASON FOR GRANTING THE PETITION

- (1) "PETITIONER'S TWO (2) CIRCUIT COURT CASES,
HAS BEEN INVALIDATED, BY THE ALABAMA COURT,
OF CRIMINAL APPEALS, CR-12-1857-10/10/2013,
AND, SEE - CR-20-0316-5/28/2021; BUT TO-
NO AVAIL..."
- (2) "THE CIRCUIT COURT JUDGE'S ACTIONS ARE NOT-
JUDICIAL, THIS IS A DEFECT IN THE PROCEEDINGS..."
- (3) "THE RECORD SHOWS, CIRCUIT COURT JUDGE GRANTED
DISPOSITION, IN BOTH 'CIRCUIT COURT CASES' SEE -
ATTACHED DOCUMENTS, DATED 12/21/2020..."
- (4) "THE RECORD SHOWS, CIRCUIT COURT JUDGE -
ALTERED / CHANGED DOCUMENTS, SEE, DOCUMENTS -
3/16/2021..."
- (5) "THIS WRIT SHOULD BE GRANTED, WITH -
INSTRUCTIONS, TO VACATE, REVERSE AND RENDER."

CONCLUSION

"WHEREFORE PREMISES CONSIDERED, THE -
FACTS ARE LAID OUT, THE RECORD SPEAKS-
FOR ITSELF;" "BOTH MANDATES, WERE TOTALLY
IGNORED BY CIRCUIT COURT JUDGE";

"THERE'S NO RECORD OF ANY ON RETURN, ON -
REMAND IN ANY COURT..." "THE DEFECT IN THE -
PROCEEDING, VIOLATES PETITIONERS, SUBSTANTIAL,
FUNDAMENTAL, CIVIL AND CONSTITUTIONAL RIGHTS."

"THE CIRCUIT COURT JUDGES ACTIONS ARE NOT -
JUDICIAL;" "THIS WRIT SHOULD BE GRANTED," -
WITH INSTRUCTIONS" TO VACATE AND REORDER -
BOTH CIRCUIT COURT CASES;" "THIS IS A DEFECT -
IN THE PROCEEDINGS"...

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OF JULY 2022.