



IN THE SUPREME COURT OF ALABAMA

July 16, 2021

1200670

Ex parte Henry Clay Smith III. PETITION FOR WRIT OF MANDAMUS: CRIMINAL (In re: Henry Clay Smith III v. State of Alabama) (Dallas Circuit Court: CC-80-186.64; CC-85-21.64; Criminal Appeals: CR-20-0316; CR-20-0320).

ORDER

This Court, having issued a Show Cause Order on June 30, 2021, regarding its jurisdiction over and the timely filing of the Petition for Writ of Mandamus filed by Henry Clay Smith III on June 15, 2021; and

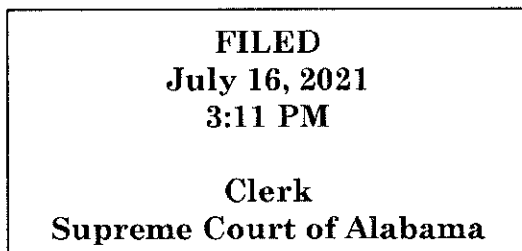
This Court, having received the "Motion to Show Cause Why Writ Should Issue" response filed by Henry Clay Smith III on July 7, 2021,

IT IS ORDERED that the above-styled petition is DISMISSED for lack of jurisdiction and as untimely filed. See Ala. R. App. P. 2(a) & 21(e)(2).

Witness my hand this 16th day of July, 2021.

A handwritten signature in cursive script, reading "Julius Jordan Wilson".

Clerk of Court,
Supreme Court of Alabama



cc:

D. Scott Mitchell

Hon. Donald L. McMillan, Jr.

Dallas County Circuit Clerk's Office



IN THE SUPREME COURT OF ALABAMA

July 16, 2021

Henry Clay Smith
Steven Marshall
Kristi O. Wilkerson

WMR : Petition for Writ of Mandamus: Criminal

Ex parte Henry Clay Smith III. PETITION FOR WRIT OF MANDAMUS: CRIMINAL (In re: Henry Clay Smith III v. State of Alabama).

(Dallas Circuit Court: CC-80-186.64; CC-85-21.64; Criminal Appeals : CR-20-0316; CR-20-0320).

Consolidations, Reference, See Also 1160899, 1130523, 1120620, 1001334 - all disposed.

Indigent, EXPEDITED

Classification Criminal - Other

Petition Filed : 06/15/2021

Docketed 06/24/2021

Last Updated 06/25/2021

Judges Circuit Judge McMillan, Donald Lloyd, Jr.

Case Actions / Postings

- 06/15/2021 Petition for Writ of Mandamus (Smith) Filed. 1c rec'd 6/24/21.
- 06/25/2021 NOTICE OF DOCKETING You are hereby notified that your case has been docketed. Future correspondence and/or filings shall refer to the above Supreme Court case number. The Petition for Writ of Mandamus was filed with the Supreme Court on July 15, 2021.
- 06/30/2021 SHOW CAUSE ORDER
This Court, having received the Petition for Writ of Mandamus filed by Henry Clay Smith III on June 15, 2021; and
Rule 21(e)(2), Ala. R. App. P., limiting such petitions to the review of the denial of a petition for writ of mandamus of the Alabama Court of Criminal Appeals, which must be filed no later than fourteen (14) days from that decision; but
It appearing to this Court that Petitioner did not file his Petition with this Court until June 15, 2021—eighteen (18) after the Court of Criminal Appeals denied the petition for writ of mandamus on May 28, 2021,
IT IS ORDERED that Petitioner SHOW CAUSE unto this Court within fourteen (14) days from the date of this Order, and no later than July 14, 2021, as to why this Petition should not be dismissed as untimely filed. See Ala. R. App. P. 21(e)(2).
Petitioner is directed to provide this Court with all applicable authority in support of his contentions. Failure to respond to this Court within the time frame specified may result in the above-styled petition being dismissed without further notice. See also Ala. R. App. P. 2(a).
- 07/07/2021 Response to Show Cause Order (prose-Smith) filed. 1c rec'd 7/12/2021.
- 07/16/2021 ORDER This Court, having issued a Show Cause Order on June 30, 2021, regarding its jurisdiction over and the timely filing of the Petition for Writ of Mandamus filed by Henry Clay Smith III on June 15, 2021; and This Court, having received the "Motion to Show Cause Why Writ Should Issue" response filed by Henry Clay Smith III on July 7, 2021,
IT IS ORDERED that the above-styled petition is DISMISSED for lack of jurisdiction and as untimely filed. See Ala. R. App. P. 2(a) & 21(e)(2).
- 07/16/2021 Dismissed As Untimely Filed - No Opinion.
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Attorneys & Officials

Attorneys & Officials

Criminal Appeals Clerk	D. Scott Mitchell	Montgomery, AL (334) 229-0751
Circuit Judge	Donald Lloyd McMillan, Jr.	Marion, AL (334) 683-2215
Circuit Clerk	Dallas County Circuit Clerk's Office	Selma, AL (334) 874-2523
Pro Se Pet.	Henry Clay Smith, Jr.	Atmore, AL () -
A.G. for Resp.	Steven Marshall	Montgomery, AL (334) 242-7447
Asst. Atty. General for Resp.	Kristi O Wilkerson	Montgomery, AL (334) 353-8563

END OF DOCKETING INFORMATION

**Additional material
from this filing is
available in the
Clerk's Office.**