

4/12/2022	USDC # 4:22-CV-00765: <u>U.S. Dist. Court S.D. Tx Transfer Order</u> , transferring removed independent action in equity cause # 4:22-CV-00765 from assigned J. Rosenthal, to original dismissed action (4:20-CV-04149, S.D. TX) court J. Eskridge.	26
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3/10/2022	USDC # 4:22-CV-00765: HCDC # 202056824 (Original/1st Action) Exhibit filing & 4:20-CV-04149 11/16/2020 pre-removal filings, <u>Plaintiffs 1st Motion to Certify Class, Motion for Declaratory Judgment, Injunction Motion, Class Representative &amp; Counsel Motion, &amp; Motion For Class Compensation.</u>	441
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3/10/2022	USDC # 4:22-CV-00765: HCDC # 202056824 (Original/1st Action) & 4:20-CV-04149 12/4/2020 removal filings, HC Dist. Crt 234 <u>Certified Mail Delivery Return Receipt</u> , 11/19/2020 service on TxDPS's Director Steven C. McGraw.	483

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2/19/2021	USDC # 4:20-CV-04149 (Doc. 31): <u>Plaintiff's Letter to Court on Docket Control &amp; Adjustments</u> , Doc. 27 <u>Order to Stay, &amp; Reply to McGraw's Doc. 30.</u> (Summary of Civil Rights Claims pled or raised in Cause 4:20-CV-04149 post-removal complaint.) <u>NOTICE:</u> Claims/Issue #12 (Appx. 492-496) is moot per Independent Action filed in HC Probate Court 1, Cause 444609, Filed ~2/14/2022.	484
9/6/2022	Cause # 22-20269: <u>APPELLANT'S FRAP Rules 2, 27, &amp; 47.7 Motion for Preference &amp; Expedited Motion Rulings, Appeals, &amp; Writ Proceedings, Filed: 09/06/2022.</u>	498
3/30/2022	USDC # 4:22-CV-00765: <u>Plaintiff's Response to Doc./Dkts. 4</u> (HC & Lina Hidalgo's Motion to Dismiss), <u>5</u> (Motion for Judgment on the Pleadings), & <u>7</u> (Defendants' Joint Motion to Stay Litigation pending ruling on Doc./Dkts. 4 & 5).	531
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11/11/2022	<u>Magna Carta: Legal History; England &amp; Common Law Tradition;</u> University of Oxford - Bodleian Libraries. Retrieved on 11/11/2022. Avail Online at: <a href="https://libguides.bodleian.ox.ac.uk/law-histcom/magc">https://libguides.bodleian.ox.ac.uk/law-histcom/magc</a> .	549

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11/11/2022	<i>In Re John Van Ness Yates; Yates v. Lansing</i> , 1809-1811. Case text. <u>Jurisdictional Conflict between the New York Court of Chancery &amp; the New York Supreme Court of Judicature</u> . Historical Society of The New York Courts. Retrieved 11/11/2022. Avail Online at: <a href="https://nycourts.gov/history/legal-history-new-york/legal-history-eras-02/history-new-york-legal-eras-van-ness-yates.html">https://nycourts.gov/history/legal-history-new-york/legal-history-eras-02/history-new-york-legal-eras-van-ness-yates.html</a> .	553
11/11/2022	<i>Yates v. Lansing</i> , 5 Johns. Rep. 282 (New York Supreme Court of Judicature, 1810) - Case text. <u>The Founders' Constitution</u> . Vol. 4, Art. 3, Sec. 1, Document 30. Avail. Online via University of Chicago Press: <a href="http://press-pubs.uchicago.edu/founders/documents/a3_1s30.html">http://press-pubs.uchicago.edu/founders/documents/a3_1s30.html</a>	555
11/11/2022	<i>Bradley v. Fisher</i> , 80 U.S. 335 (1871) - Case text.	560
12/4/2020	USDC # 4:22-CV-00765: Complaint Exhibits from HCDC # 202056824 (Original/1st Action), 4:20-CV-04149 original removed action, & for the independent action's damage claims. <u>Affidavit of Hannah Yarbrough-Smith regarding [HC Cause # 2214242]</u> . Filed in Petitioner's Fed. 5th Circuit §1651 Extraordinary Writ, Cause 22-20472, on 9/14/2022; & filed on 8/2/2022, in Appellant's FRAP 24(a)(5) motion & appeal brief in Cause #22-20269.	583
8/2/2022	<u>Texas State Bar, Grievance Committee, 5/23/2022 Summary Disposition</u> . Result post investigation - including <i>all</i> of Appx. 546 case allegations.	586
7/13/2022	Cause 4:22-CV-00765; Case 22-20269: <u>Activity in Case 4:22-cv-00765 Adimora-Nweke v. McGraw et al Motion for Leave to Appeal <i>in forma pauperis</i></u>	587-589
12/8/2020	Cause 4:20-CV-04149: <u>PLAINTIFF'S 4th AMENDMENT TO ORIGINAL PETITION</u> , Doc. 6, Cause 4:20-CV-04149; S.D.TX., Filed on 12/8/2020; & Doc. 4-1, Cause 4:22-CV-00765, S.D.TX. Filed on 3/22/2022.	1049-1173
1/1/2023	Additional evidence of Petitioner's noticed & pled §1983, §1985, & §1986 damages.	1284

CITED "RELATED WRIT" OF CERT. (on 5<sup>th</sup> Circ. Cause 22-20472) APPENDIX  
*See, SUPRA fn. 1; See also SUPRA, Pg. 3 (APPX. CITATION # NOTICE)*

1/3/2022	HC Cause #1648314AZ: <u>Application &amp; TCCP Art. 11.05 &amp; 11.11 Motion for Writ of Habeas Corpus W/ Petition For Writ of Habeas Corpus Under 28 U.S.C. § 2241 (form).</u>	590
1/24/2022	HC Cause #1648314AZ: <u>Emergency Motion For Writ Request Modifications W/ Amended Order of Dismissal</u>	637
9/14/2022	Cause 22-20472: <u>APPELLANT'S FRAP Rules 2, 21(c), 27, &amp; 47.7 Motion for In forma Pauperis, &amp; [28 U.S.C. Sec. 1651] Extraordinary Writ</u>	665
9/14/2022	Cause 22-20472: <u>APPELLANT'S FRAP Rule 21 Extraordinary Writ; Additional Word Count; 24(a)(5) Motion &amp; BREIF (EXHIBITS)</u>	853
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx./Exhibits: These are duplicates of this SCOTUS Appx. 15 - 67 & Appx. 164 - 167, filed in the Fed. 5th Circuit.	853 – 906
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx./Exhibits: "Writ of Habeas Corpus Application Annex," Cause 1648314AZ, HC Dist. Crt. 179, Filed on 6/4/2021.	907
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx./Exhibits: <b>Void Challenged Order - "Temporary Ex-Parte Order &amp; Show Cause Order," Cause 201917921</b> , HC Dist. Crt. 280, Filed 3/11/2019, Entered on 3/13/2019.	908
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx./Exhibits: <b>Void Challenged Order - "Temporary Ex-Parte Order &amp; Show Cause Order," Cause 201917921</b> , HC Dist. Crt. 280, Filed 3/29/2019, Entered on 4/1/2019.	913

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9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: <b>Void Challenged Judgement</b> - " <u>Protective Order</u> ," Cause #201917921, HC Dist. Crt. 280, Filed 5/14/2019, Entered on 5/14/2019.	917
	<ul style="list-style-type: none"> <li>• <i>Inter alia</i>, (1) partial, biased, &amp; co-conspirator judge &amp; prosecutors; (2) No notice or fair hearing opportunity; (3) Date of statutorily lapsed, unnoticed, &amp; sham hearing/trial, was same date as notice of allegation to respondent - via entry of name on record (Appx. 927) to receive then moot (post 20-day or 40-day TFC Sec. 84.001-84.003 deadline) complaint; (4) Denied an irrelevant 84.004 reschedule; (5) No filed TRCP valid Rule 107 return of service; (6) No reasonable effort to effectuate service; &amp; (7) Equal protection &amp; due process fundamental error preserved error on face of judgment "NOT 'announce ready,'" hence transcripts unnecessary &amp; irrelevant.</li> </ul>	
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx./Exhibits: <b>Void Challenged Order</b> - " <u>Compliance Hearing Order to Appear</u> ," Cause 201917921, HC Dist. Crt. 280, Filed 5/14/2019, Entered on 5/14/2019.	924
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: Cause 201917921, HC Dist. Crt. 280, " <u>Docket Entry Sheet</u> ."	926
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: " <u>Notice of Appearance, Pro Se Respondent</u> ," Cause 201917921, HC Dist. Crt. 280, File on 5/14/2019.	927
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: <b>Void Challenged Judgment</b> - " <u>Memorandum Opinion</u> ," Cause 14-19-00426-CV, Texas 14th Court of Appeals, Houston, Tx, Entered on 5/13/2021.	928
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: <b>Void Challenged Judgment</b> - " <u>Final Judgment of [Bond] Forfeiture</u> ," Cause 1648314A, HC Dist. Crt. 179, Entered on 11/18/2019.	937

9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: <b>Void Challenged Judgment</b> - " <u>Judgment of Forfeiture (Judgement NISI)</u> ," Scire Facias Cause 1648314A, HC Dist. Crt. 179, Entered on 10/15/2019.	938
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: <b>Void Challenged Order</b> - " <u>Felony Indictment</u> ," Cause 1648314, HC Dist. Crt. 179, Entered on 2/13/2020.	941
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: <b>Void Challenged Sworn Capias, Probable Cause, &amp; Indictment Complaint</b> - Cause 1648314 & 1745037, HC Dist. Crt. 179, Filed on 10/2/2019.	942
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: <b>Void Challenged Order</b> - " <u>Felony Indictment</u> ," Cause 1745037, HC Dist. Crt. 179, Entered on 2/13/2020.	945
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: <b>Void Challenged, Noticed &amp; Unserved, Order</b> - <u>10/29/2021 "Request for Summons"</u> , Cause 1745037, HC Dist. Crt. 179, Issued on 10/26/2021.	945
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: <b>Void Challenged Order</b> - " <u>Probable Cause Finding &amp; Order</u> ," Cause 1648314, HC Dist. Crt. 179. Entered 10/03/2020.	947
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: <b>Void Challenged Order</b> - " <u>Bail Bond Order</u> ," Cause 1648314, HC Dist. Crt. 179, Entered on 10/03/2020.	948
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: <b>Void Challenged Order</b> - " <u>Magistrate Order for Emergency Protection</u> ," Cause 1648314, HC Dist. Crt. 179, Entered on 10/03/2020.	949
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: Pretrial Order, " <u>State's Motion in Limine</u> ," Causes 2233594 & 2233595, HC Crim. Crt. 15, Filed on 12/06/2019.	954

9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: Pretrial Order, " <u>State's Motion in Limine Order</u> ," Causes 2233594 & 2233595, HC Crim. Crt. 15, Entered on 12/06/2019.	956
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: Pre-trial Motion: " <u>Defendant's Supplement to Motion to Dismiss Cause 2233594 &amp; 2233595</u> " & Exhibits, Cause 2233594 & 2233595, HC Crim. Crt. 15, File on 12/05/2019. <ul style="list-style-type: none"> <li>• 11/14/2018 <u>DIC-24 Statutory Warning Form</u> (Exhibit). Filed on 12/05/2019</li> <li>• <u>Tex. Transp. Code Sec. 724.015 Statutory Warning</u> ~ 12/5/2019 (Exhibit). Obtained &amp; filed on 12/05/2019, in Cause 2233594 &amp; 2233595, HC Crim. Crt. 15.</li> </ul>	927
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: Pre-trial Motion: " <u>Order on Defendant's Motion to Dismiss Cause 2233594 &amp; 2233595</u> ", HC Crim. Crt. 15, File on 12/05/2019.	967
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: "Affidavit & Supplement in Support of Writ of Habeas Corpus Seeking Vacation of Appeal Bail/Bond Orders & Motion for Appellate Reporter Records," with Exhibits, HC Crim. Crt. 15, Cause 2233594 & 2233595, Filed on 09/03/2021. <ul style="list-style-type: none"> <li>• <u>Void Challenged Judgment - Judgement of Conviction by Jury</u> for Cause 2233595. Entered on 12/11/2019</li> <li>• <u>Void Challenged Judgment - Judgement of Conviction by Jury</u> for Cause 2233594. Entered on 12/11/2019</li> <li>• <u>Void Challenged Order - Appeal Bond Order</u> for Cause 2233594. Entered on 12/23/2019</li> <li>• <u>Void Challenged Order - Appeal Bond Order</u> for Cause 2233595. Entered on 12/23/2019</li> <li>• Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: "<u>Invoice for [Cause 2233594 &amp; 2233595 Trial Court]</u></li> </ul>	974
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	Reporter Records," HC Crim. Crt. 15, Filed on 09/03/2021.	
	<ul style="list-style-type: none"> <li>• <b>Void Order - Order Appointing [Conflict-of-interest] Counsel</b> in Cause 1648314. Entered on 10/5/2021</li> <li>• Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: "<u>Cause 2233594 &amp; 2233595 [Trial Court] Case Activity</u>," HC Crim. Crt. 15, Obtained on 10/14/2021.</li> </ul>	981
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: " <u>Appellant's Emergency Motion for Reporter Records at No Cost, Motion to Vacate Appeal Bonds Trial Court Orders</u> ," 1st Texas Court of Appeals, Houston, TX, Cause 1-20-00012-CR, Filed on 10/15/2021. <ul style="list-style-type: none"> <li>• <b>Void Challenged Order - Order Denying Writ of Habeas Corpus Seeking Vacation of \$100 [Misdemeanor Appeal] Bail Order</b>, for Causes 2233595 &amp; 2233594. Entered on 10/14/2021.</li> <li>• <b>Void Challenged Order - Order Denying Defendant's Motion For Appellate Reporter Records</b>, for Causes 2233595 &amp; 2233594. Entered on 10/14/2021.</li> </ul>	984
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: <b>Void Challenged 1st Tx. Court of Appeal Order, reinstating appeal &amp; denying "Appellant's Emergency Motion for Reporter Records at No Cost, Motion to Vacate Appeal Bonds Trial Court Orders</b> ," 1st Texas Court of Appeals, Causes 1-20-00012-CR & 1-20-00012-CR, Entered on 11/23/2021.	990
		991
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9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: " <u>Writ of Habeas Corpus Annex Notice of Supplement</u> " with Exhibits, Cause 1648314AZ, Filed on 1/1/2021. <ul style="list-style-type: none"> <li>• Dkt. 62, Cause 4:20-CV-04149, Rule 59 Motion Exhibits: "<u>Defendant's Supplement to Motion to Dismiss Causes 2233594 &amp; 2233595</u>," Cause 2233594 &amp; 2233595, HC Crim. Crt. 15, Filed on 12/5/2019.</li> <li>• 11/14/2018 <u>DIC-24 Statutory Warning Form</u> (Exhibit). Filed on 12/05/2019</li> <li>• <u>Tex. Transp. Code Sec. 724.015 Statutory Warning</u> ~ 12/5/2019 (Exhibit). Obtained &amp; Filed on 12/05/2019, in Cause 2233594 &amp; 2233595, HC Crim. Crt. 15.</li> <li>• <u>Order on Defendant's Motion to Dismiss Cause 2233594 &amp; 2233595</u>, HC Crim. Crt. 15, Filed 12/05/2019.</li> <li>• <u>Void Order - Order Appointing [Conflict-of-interest] Counsel</u> in Cause 1648314. Entered on 10/5/2021</li> </ul>	998
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: USDC # 4:20-CV-01651 <u>Void Challenged Judgment-Order - Order Denying Reconsideration</u> - S.D. Tx. Houston Div., Entered on 06/26/2020	1008
12/4/2020	USDC # 4:22-CV-00765: Complaint Exhibits from HCDC # 202056824 (Original/1st Action), 4:20-CV-04149 original removed action, for independent action damage claims. <u>Affidavit of Hannah Yarbrough-Smith regarding [HC Cause # 2214242]</u> . Filed in Fed. 5th Circuit §1651 Extraordinary Writ Cause 22-20472 on 9/14/2022, & 8/2/2022 in FRAP 24(a)(5) motion in Cause #22-20269.	1009
8/2/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: <u>Texas State Bar, Grievance Committee, 5/23/2022 Summary Disposition</u> (post investigation - including Appx. 546 allegations).	1011
9/14/2022	Cause 22-20472: <u>Proof of Service of 28 U.S.C. Sec. 1651 Extraordinary Writ</u> , Fed. 5th Circ.	1012
9/14/2022	Cause 22-20472: <u>Notice of Docket of 28 U.S.C. Sec. 1651 Extraordinary Writ</u> , Fed. 5th Circ.	1013
		1014
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9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: <b>Void Challenged Judgment-Order</b> - <u>Memorandum Opinion</u> [ <u>Appeal of Bond Forfeiture Cause 1648314A</u> ], 1st Tx. Court of Appeals, Houston, TX, Entered on 12/03/2020. <ul style="list-style-type: none"> <li>• <i>Inter alia</i>, (1) No appellate jurisdiction to find or opine on facts; (2) flagrant &amp; racially insidious memorandum &amp; opinion; by (3) biased, prejudiced, co-conspirator, &amp; unneutrally detached clerks, judges, &amp; tribunal; who (4) falsely opined on facts &amp; defamed Petitioner; in a (5) tribunal without competent jurisdiction.</li> </ul>	1029
9/14/2022	Cause 22-20472: 28 U.S.C. Sec. 1651 Extraordinary Writ Appx.: <b>Void Challenged Judgment-Order</b> - <u>Memorandum Opinion</u> [ <u>Appeal of Bond Forfeiture Cause 1648314A</u> ], 1st Tx. Court of Appeals, Houston, TX, Entered on 12/17/2020. <ul style="list-style-type: none"> <li>• <i>Inter alia</i>, (1) No appellate jurisdiction to find or opine on facts; (2) flagrant &amp; racially insidious memorandum &amp; opinion; by (3) biased, prejudiced, co-conspirator, &amp; unneutrally detached clerks, judges, &amp; tribunal; who (4) falsely opined on facts &amp; defamed Petitioner; in a (5) tribunal without competent jurisdiction.)</li> </ul>	1039-1048
11/26/2018	Harris County Cause 2214242: <b>Void Challenged Order</b> , " <u>Motion &amp; Order to Dismiss</u> ," Challenged in Fed. 5th Circ. 28 U.S.C. Sec. 1651 Extraordinary Writ, Filed & Entered 11/26/2019, HC Crim. Crt. 8, Harris County, Tx, Cause # 2214242. Void of probable cause & due process.	1174
9/20/2021	Tx. Supreme Court Cause: 21-0800. " <u>Petition for Review</u> " of (a) 14 <sup>th</sup> Crt. of Appeals' void cause 14-19-00426-CV judgments & orders, & (b) HC Crt. 280 void Protective Order & <i>Ex-Parte</i> Civ Protective Orders. <ul style="list-style-type: none"> <li>• Complete &amp; Unaltered from Tx File w/ Appendix &amp; Void Challenged Orders.</li> <li>• Contains some duplicates.</li> </ul>	1175-1283

United States Court of Appeals  
for the Fifth Circuit

---

No. 22-20269

---

ERNEST ADIMORA-NWEKE,

*Plaintiff—Appellant,*

*versus*

DIRECTOR STEVEN C. McGRAW; HARRIS COUNTY; LINDA  
HIDALGO,

*Defendants—Appellees.*

---

Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:22-CV-765

---

Before ELROD, GRAVES, and HO, *Circuit Judges.*

PER CURIAM:

On August 17, 2022, the clerk DENIED Appellant's opposed motion to reopen this case and for leave to file a supplement. The panel has considered Appellant's opposed motion for reconsideration.

IT IS ORDERED that the motion is DENIED.

IT IS FURTHER ORDERED that Appellant's opposed motion to stay the mandate in this case pending writ of certiorari to the U.S. Supreme Court is DENIED.

No. 22-20269

IT IS FURTHER ORDERED that Appellant's opposed motion to transfer this case to the U.S. Court of Appeals for the District of Columbia is DENIED.

United States Court of Appeals  
for the Fifth Circuit

---

No. 22-20269

---

ERNEST ADIMORA-NWEKE,

*Plaintiff—Appellant,*

*versus*

DIRECTOR STEVEN C. McGRAW; HARRIS COUNTY; LINDA  
HIDALGO,

*Defendants—Appellees.*

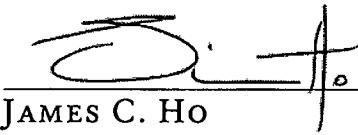
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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:22-CV-765

---

ORDER:

IT IS ORDERED that Appellant's opposed motion for an expedited ruling on his motion for reconsideration, to stay the mandate in this case, and to transfer this case to the U.S. Court of Appeals for the District of Columbia is DENIED.



---

JAMES C. HO  
*United States Circuit Judge*

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

August 17, 2022

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 22-20269 Adimora-Nweke v. McGraw  
USDC No. 4:22-CV-765

The court has taken the following action in this case: Appellant's motion to reopen case it denied.

Sincerely,

LYLE W. CAYCE, Clerk



By: Rebecca L. Leto  
Rebecca L. Leto, Deputy Clerk  
504-310-7703

Mr. Ernest Adimora-Nweke Jr.  
Mr. Stanley Michael Clark  
Mr. Scot Macdonald Graydon

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

August 15, 2022

Mr. Nathan Ochsner  
Southern District of Texas, Houston  
United States District Court  
515 Rusk Street  
Room 5300  
Houston, TX 77002

No. 22-20269 Adimora-Nweke v. McGraw  
USDC No. 4:22-CV-765

Dear Mr. Ochsner,

Enclosed is a copy of the judgment issued as the mandate.

Sincerely,

LYLE W. CAYCE, Clerk

*Christina Gardner*

By: Christina A. Gardner, Deputy Clerk  
504-310-7684

cc w/encl:

Mr. Ernest Adimora-Nweke Jr.  
Mr. Stanley Michael Clark  
Mr. Scot Macdonald Graydon

# United States Court of Appeals for the Fifth Circuit

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United States Court of Appeals  
Fifth Circuit

No. 22-20269

---

**FILED**

August 15, 2022

ERNEST ADIMORA-NWEKE,

Lyle W. Cayce  
Clerk

*Plaintiff—Appellant,*

*versus*

DIRECTOR STEVEN C. McGRAW; HARRIS COUNTY; LINDA  
HIDALGO,

*Defendants—Appellees.*

---

Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:22-CV-765

---

## CLERK'S OFFICE:

Under 5TH CIR. R. 42.3, the appeal is dismissed as of August 15, 2022, for want of prosecution. The appellant failed to timely pay the fee.



A True Copy  
Certified order issued Aug 15, 2022

*Lyle W. Cayce*  
Clerk, U.S. Court of Appeals, Fifth Circuit

No. 22-20269

LYLE W. CAYCE  
Clerk of the United States Court  
of Appeals for the Fifth Circuit

*Christina Gardner*

By: \_\_\_\_\_  
Christina A. Gardner, Deputy Clerk

ENTERED AT THE DIRECTION OF THE COURT

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

August 03, 2022

Mr. Ernest Adimora-Nweke Jr.  
3050 Post Oak Boulevard  
Suite 510  
Houston, TX 77083

No. 22-20269 Adimora-Nweke v. McGraw  
USDC No. 4:22-CV-765

Dear Mr. Adimora-Nweke,

On August 2, 2022, we received your FRAP 24 motion and attachments thereto, and are taking no action.

You must file a proper motion (see FRAP 27) to proceed in forma pauperis and attach the financial affidavit available on the website of this Court - [www.ca5.uscourts.gov](http://www.ca5.uscourts.gov). Argument or references to the district court docket must not be included on the financial affidavit. We will update the deadline seven (7) days, or to and including, August 8, 2022, to pay the filing fee or file a proper motion to proceed in forma pauperis with the required financial affidavit.

Additionally, if you intend to file a mandamus, you must follow the guidelines for filing same through the Utilities menu in CM/ECF, filed separately, NOT in the pending appeal, and the cost is \$500.00.

Further, the brief should not be included in these filings.

It is your responsibility to make yourself familiar with the FRAP and electronic filing requirements. Continued filings that are nonconforming may be submitted to the court to be rejected.

Sincerely,

LYLE W. CAYCE, Clerk



By:

Rebecca L. Leto, Deputy Clerk  
504-310-7703

cc: Mr. Stanley Michael Clark  
Mr. Scot Macdonald Graydon

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

July 01, 2022

Mr. Ernest Adimora-Nweke Jr.  
3050 Post Oak Boulevard  
Suite 510  
Houston, TX 77083

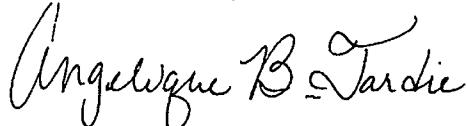
No. 22-20269 Adimora-Nweke v. McGraw  
USDC No. 4:22-CV-765

Dear Mr. Adimora-Nweke,

If you apply/applied to the district court for in forma pauperis status and are/were denied, you have 30 days from the date of this letter to pay the \$505.00 appellate filing fee to the clerk of the district court, or to apply for in forma pauperis status with this Court and include the financial affidavit required by **FED. R. APP. P. 24**. If you do not pay the filing fee, file a motion with this court for leave to proceed in forma pauperis, or receive an extension of time to do so from this court within the time provided, we will dismiss your appeal without further notice, see **5TH CIR. R. 42.3**.

Sincerely,

LYLE W. CAYCE, Clerk



By:  
Angelique B. Tardie, Deputy Clerk  
504-310-7715

cc:

Mr. Stanley Michael Clark  
Mr. Scot Macdonald Graydon

Provided below is the court's official caption. Please review the parties listed and advise the court immediately of any discrepancies. If you are required to file an appearance form, a complete list of the parties should be listed on the form exactly as they are listed on the caption.

---

Case No. 22-20269

---

Ernest Adimora-Nweke,

Plaintiff - Appellant

v.

Director Steven C. McGraw; Harris County; Linda Hidalgo,

Defendants - Appellees

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

June 09, 2022

Mr. Ernest Adimora-Nweke Jr.  
3050 Post Oak Boulevard  
Suite 510  
Houston, TX 77083

No. 22-20269 Adimora-Nweke v. McGraw  
USDC No. 4:22-CV-765

Dear Mr. Adimora-Nweke,

We have docketed the appeal as shown above, and ask you to use the case number above in future inquiries.

Filings in this court are governed strictly by the Federal Rules of **Appellate** Procedure. We cannot accept motions submitted under the Federal Rules of **Civil** Procedure. We can address only those documents the court directs you to file, or proper motions filed in support of the appeal. See **FED. R. APP. P.** and **5TH CIR. R.** 27 for guidance. We will not acknowledge or act upon documents not authorized by these rules.

You must pay to the **district court clerk** the \$505.00 court of appeals filing and docketing fee and notify us of the payment within 15 days from the date of this letter. Failure to pay the fee within 15 days will result in the dismissal of your appeal, see **5TH CIR. R.** 42.3.

All counsel who desire to appear in this case must electronically file a "Form for Appearance of Counsel" naming all parties represented within 14 days from this date, see **FED. R. APP. P.** 12(b) and **5TH CIR. R.** 12. This form is available on our website [www.ca5.uscourts.gov](http://www.ca5.uscourts.gov). Failure to electronically file this form will result in removing your name from our docket. Pro se parties are not required to file appearance forms.

**ATTENTION ATTORNEYS:** Attorneys are required to be a member of the Fifth Circuit Bar and to register for Electronic Case Filing. The "Application and Oath for Admission" form can be printed or downloaded from the Fifth Circuit's website, [www.ca5.uscourts.gov](http://www.ca5.uscourts.gov). Information on Electronic Case Filing is available at [www.ca5.uscourts.gov/cmeclf/](http://www.ca5.uscourts.gov/cmeclf/).

**ATTENTION ATTORNEYS:** Direct access to the electronic record on appeal (EROA) for pending appeals will be enabled by the U S District Court on a per case basis. Counsel can expect to receive notice once access to the EROA is available. Counsel must be approved for electronic filing and must be listed in the case as attorney of record before access will be authorized. Instructions for accessing and downloading the EROA can be found on our website at <http://www.ca5.uscourts.gov/docs/default-source/forms/instructions-for-electronic-record-download-feature-of-cm>. Additionally, a link to the instructions will be included in the notice you receive from the district court.

Sealed documents, except for the presentence investigation report in criminal appeals, will not be included in the EROA. Access to sealed documents will continue to be provided by the district court only upon the filing and granting of a motion to view same in this court.

We recommend that you visit the Fifth Circuit's website, [www.ca5.uscourts.gov](http://www.ca5.uscourts.gov) and review material that will assist you during the appeal process. We especially call to your attention the Practitioner's Guide and the 5th Circuit Appeal Flow Chart, located in the Forms, Fees, and Guides tab.

**ATTENTION:** If you are filing Pro Se (without a lawyer) you can request to receive correspondence from the court and other parties by email and can also request to file pleadings through the court's electronic filing systems. Details explaining how you can request this are available on the Fifth Circuit website at <http://www.ca5.uscourts.gov/docs/default-source/forms/pro-se-filer-instructions>. This is not available for any pro se serving in confinement.

**Special guidance regarding filing certain documents:**

General Order No. 2021-1, dated January 15, 2021, requires parties to file in paper highly sensitive documents (HSD) that would ordinarily be filed under seal in CM/ECF. This includes documents likely to be of interest to the intelligence service of a foreign government and whose use or disclosure by a hostile foreign government would likely cause significant harm to the United States or its interests. Before uploading any matter as a sealed filing, ensure it has not been designated as HSD by a district court and does not qualify as HSD under General Order No. 2021-1.

A party seeking to designate a document as highly sensitive in the first instance or to change its designation as HSD must do so by motion. Parties are required to contact the Clerk's office for guidance before filing such motions.

**Sealing Documents on Appeal:** Our court has a strong presumption of public access to our court's records, and the court scrutinizes any request by a party to seal pleadings, record excerpts, or other documents on our court docket. Counsel moving to seal matters must explain in particularity the necessity for sealing in our court. Counsel do not satisfy this burden by simply stating that the originating court sealed the matter, as the circumstances that justified sealing in the originating court may have changed or may not apply in an appellate proceeding. It is the obligation of

counsel to justify a request to file under seal, just as it is their obligation to notify the court whenever sealing is no longer necessary. An unopposed motion to seal does not obviate a counsel's obligation to justify the motion to seal.

Sincerely,

LYLE W. CAYCE, Clerk



By:  
Angelique B. Tardie, Deputy Clerk  
504-310-7715

cc:

Mr. Stanley Michael Clark  
Mr. Scot Macdonald Graydon  
Mr. Nathan Ochsner

Provided below is the court's official caption. Please review the parties listed and advise the court immediately of any discrepancies. If you are required to file an appearance form, a complete list of the parties should be listed on the form exactly as they are listed on the caption.

---

Case No. 22-20269

---

Ernest Adimora-Nweke,

Plaintiff - Appellant

v.

Director Steven C. McGraw; Harris County; Linda Hidalgo,

Defendants - Appellees

United States District Court  
Southern District of Texas

**ENTERED**

June 23, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

ERNEST ADIMORA-	§ CIVIL ACTION NO.
NWEKE,	§ 4:22-cv-00765
Plaintiff,	§
	§ JUDGE CHARLES ESKRIDGE
	§
vs.	§
	§
	§
STEVEN C. MCGRAW,	§
<i>et al,</i>	§
Defendants.	§

**ORDER DENYING LEAVE TO PROCEED  
*IN FORMA PAUPERIS***

Pending is an application by Plaintiff Ernest Adimora-Nweke to proceed *in forma pauperis* on appeal. Dkt 27. Such applications are governed by 28 USC § 1915 and Federal Rule of Appellate Procedure 24. Section 1915(a)(3) states, “An appeal may not be taken *in forma pauperis* if the trial court certifies in writing that it is not taken in good faith.” *Good faith* is demonstrated “when a party seeks appellate review of any issue ‘not frivolous.’” *Howard v King*, 707 F2d 215, 220 (5th Cir 1983) (citation omitted).

This action was previously dismissed with prejudice on the basis that it “presents no cognizable claim.” See Dkt 21 at 3. That order referenced Adimora-Nweke’s “extensive history of persistent abuse of the judicial system and bad faith litigation practice in the Southern District of Texas.” Id at 3–4. Perhaps an appeal by Adimora-Nweke on his prior action before this Court wouldn’t have been frivolous. See Dkt 21 at 1, citing Civil Action No 4:20-cv-4149. But an appeal on the merits of this action most certainly is. The

response by Defendant Steven McGraw makes this point quite clearly. See Dkt 29.

It is hereby CERTIFIED that an appeal wouldn't be taken in good faith.

The motion by Plaintiff Ernest Adimora-Nweke for leave to proceed *in forma pauperis* on appeal is DENIED. Dkt 27.

SO ORDERED.

Signed on June 23, 2022, at Houston, Texas.

  
Hon. Charles Eskridge  
United States District Judge

**ENTERED**

May 25, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

ERNEST ADIMORA- NWEKE, Plaintiff,	§ CIVIL ACTION NO. § 4:22-cv-00765 § § §
vs.	§ JUDGE CHARLES ESKRIDGE § § §
STEVEN C. MCGRAW, <i>et al</i> , Defendants.	§ § §

**ORDER**

The motion by Defendants Harris County and Lina Hidalgo (in her official capacity as Harris County Judge) to dismiss the complaint by Plaintiff Ernest Adimora-Nweke is granted. Dkt 4. The various other motions and objections by Defendants are denied as moot. Dkts 5, 7, 15 & 20. This action is dismissed with prejudice.

This action has been here before. Adimora-Nweke previously filed suit against more than two dozen putative defendants, asserting wide-ranging causes of action related to his arrest on suspicion of driving while intoxicated in November 2018. See *Ernest Adimora-Nweke v Yarbrough-Smith, et al*, Civil Action No 4:20-cv-4149. The details of that action needn't be specified here. What's important is that on December 2, 2022, this Court on recommendation of Magistrate Judge Sam S. Sheldon dismissed with prejudice all claims against the only properly served Defendant—Steven C. McGray (in his official capacity as Director of the Texas Department of Public Safety)—and denied as moot various pending motions by Adimora-Nweke. Id at Dkt 54.

Adimora-Nweke was there cautioned that failure to observe the dictates of Rule 11 of the Federal Rules of Civil Procedure would, where warranted, be met with sanctions or referral for disciplinary proceedings as appropriate or necessary. *Ibid.* He was also that day ordered to show cause as to why the action shouldn't be dismissed for failure to serve the other named Defendants. *Id.* at Dkt 55. He responded, but wholly absent from his response was any reckoning of the mandatory requirement upon him to timely serve defendants in civil litigation. *Id.* at Dkt 58. He also moved for reconsideration of this Court's order adopting the memorandum and recommendation, which was denied. *Id.* at Dkts 56 & 60. Good cause not having been shown, the action was dismissed without prejudice for failure to serve the remaining Defendants. An order of dismissal entered disposing of the entire case on December 27, 2022. *Id.* at Dkt 61.

Adimora-Nweke next moved for reconsideration of the order denying reconsideration. *Id.* at Dkt 64. That motion presented no new legal or factual argument and was on such basis denied on January 21, 2022. And he was there admonished that any further relief must be sought from the Fifth Circuit Court of Appeals on appellate review, if still available to him. *Id.* at Dkt 65.

Flouting such admonition, Adimora-Nweke chose not to appeal as permitted and instead filed in Texas state court a putative "bill of review" of this Court's prior dismissal and denial of reconsideration. Dkt 1-2. Defendants removed Adimora-Nweke's new action here, asserting that allegations regarding violation of his federal constitutional rights raise federal questions under 42 USC § 1983. See Dkt 1 at 2.

Harris County and Hidalgo observe that Adimora-Nweke's action seeks either reconsideration or some species of appeal of his prior action disposed of at Civil Action No 4:20-cv-4149. See Dkt 4 at 11. And they correctly argue that such attempt is procedurally improper. If Adimora-Nweke wanted legal review of the merits of his claims as adjudged by this Court in that prior action,

appellate relief was available to him. But this action presents no cognizable claim and will be dismissed on that basis.

Beyond this, it's clear that Adimora-Nweke in this action sought in essence to have a state court review and determine the efficacy and enforceability of a judgment and order imposed by a federal court. To the contrary, state courts cannot sit as quasi-appellate courts in review of federal court judgments. For example, see *National Railroad Passenger Corporation v Pennsylvania Public Utility Commission*, 342 F3d 242, 259 (3rd Cir 2003) (state courts can't nullify federal court decisions); cf *Deposit Bank of Frankfort v Board of Councilmen of City of Frankfort*, 191 US 499, 517 (1903) (finding it to be "well settled that a right claimed under the Federal Constitution, finally adjudicated in the Federal courts, can never be taken away or impaired by state decisions"). The Texas Supreme Court sees it the same way. For example, see *Valdez v Hollenbeck*, 465 SW3d 217, 226 (Tex 2015) (only court rendering original judgment may exercise jurisdiction over bill of review); *San Antonio Independent School District v McKinney*, 936 SW2d 279, 284 (Tex 1996) (*res judicata* precludes state court litigation where federal court had jurisdiction over claims); *Morton v City of Boerne*, 345 SW3d 485, 488 (2011) (collateral attack in state court on federal court judgment improper).

It also bears mention that Adimora-Nweke has an extensive history of persistent abuse of the judicial system and bad faith litigation practice in the Southern District of Texas. For example, see *Aguocha-Owakweh, et al v Harris County Hospital District, et al*, Civil Action No 4:16-cv-903; *Oscar Suarez v Susan Brown, et al*, Civil Action No 4:19-cv-1656. As such, his *pro hac vice* status has previously been revoked, and he has several times been denied admission to practice before the Southern District of Texas, including as a *pro se* litigant. See *Aguocha-Owakweh, et al v Harris County Hospital District, et al*, Civil Action No 4:16-cv-903 at Dkts 299 & 300; see also *In re Attorney Admissions Report*, Civil Action No 4:16-mc-02192;

*Aphaeus Ohakweh, et al v Harris Health System, et al, Civil Action No 4:20-cv-1651 at Dkt 12.*

Plaintiff Ernest Adimora-Nweke is ADMONISHED that if he continues to abuse the process of this Court or otherwise engage in bad faith litigation practices, a preclusion order barring further unauthorized practice, including as a *pro se* litigant, will be entered.

All claims asserted by Plaintiff Ernest Adimora-Nweke against Defendants Harris County, Steven C. McGraw (in his official capacity as Director of the Texas Department of Public Safety), and Lina Hidalgo (in her official capacity as Harris County Judge) are DISMISSED WITH PREJUDICE. Dkt 4.

All other pending motions and objections in this action are DENIED AS MOOT. Dkts 5, 7, 15 & 20.

Any further motions hereafter filed on this docket will be summarily denied as moot.

A final judgment will enter by separate order.

SO ORDERED.

Signed on May 25, 2022, at Houston, Texas.

  
Hon. Charles Eskridge  
United States District Judge

United States District Court  
Southern District of Texas

**ENTERED**

May 25, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

ERNEST ADIMORA- NWEKE, Plaintiff,	§ CIVIL ACTION NO. § 4:22-cv-00765 § § § vs. § JUDGE CHARLES ESKRIDGE § § § STEVEN C. MCGRAW, <i>et al</i> , Defendants.
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**FINAL JUDGMENT**

This civil action is DISMISSED WITH PREJUDICE for the reasons stated in the Opinion and Order entered this same date. Dkt 21.

This is a FINAL JUDGMENT.

SO ORDERED.

Signed on May 25, 2022, at Houston, Texas.



Hon. Charles Eskridge  
United States District Judge

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