

No. \_\_\_\_\_

---

SUPREME COURT OF THE UNITED STATES

---

In Re Ernest Adimora-Nweke,  
*Petitioner,*

APPLICATION TO FILE A PETITION FOR WRIT OF CERTIORARI IN EXCESS  
OF SCOTUS RULE 33.2(b) 40 PAGE LIMITS

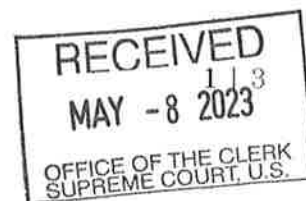
Pursuant to the 4/14/2023 & 4/25/2023 Rule 14.5 letter, Petitioner asks leave to file the attached/included petition for a writ of certiorari with its resulting extended words & pages. *Cf.* Supreme Court Rule 33.2(b).

FACTS & ARGUMENT

Petitioner's writ appeals a 1/11/2023 5th Circuit denial of 28 U.S.C. §1651 petition, that contains *inter alia*, *habeas corpus* mandamus reliefs requested. It's 90-day due deadline was 4/11/2023. This writ also seeks review & similar §1651 relief.

Petitioner's writ involves:

- Compelling universal & fundamental error statutory issues of precedence.
  - See Writ, Pg. 21–25 (“Procedural statutes can be jurisdictional, & [Tex. Fam. Code] §84.004 is unconstitutional.”).
- There are void proceedings, judgements, & orders from 13 different actions & required many citations that consumed word & page count.
  - The 60-page writ, without footnote citations, is 40 pages.
  - Hence Petitioner needs/needed more than 9000 words & 40 pages.
- They result in civil rights claim for both damages & class action injunctions sought, or to be sought, in the related civil SCOTUS appealed action *Ernest Adimora-Nweke v. Tx Dpt. Of Public Safety, et al*, SCOTUS Cause # 22-6773 (Original USDC # 4:20-CV-04149 & Independent Action in Equity USDC # 4:22-CV-00765). A SCOTUS Rule 44 motion in due course.
  - This is the related writ of cert mentioned in SCOTUS Cause # 22-6773's writ of cert's Pg. 1 (“Petition for Writ of Certiorari... & (d) Petitioner's “Related Writ” of *Certiorari* on a 28 U.S.C. §1651



petition, cause 22-20472 from Fed. 5th Circ<sup>1</sup>; & thereafter, grant reliefs sought.”). This related writ of cert also cites to SCOTUS Cause # 22-6773’s writ of cert & writ of cert contents in its appendix.

Additional writ of cert word & page count is necessary due process for Petitioner.

Petitioner addresses void liberty depriving & damages causing proceedings, orders, & judgments, from 13 different actions. Petitioner warrants the resulting additional page & word count on such grounds; & the addressed fundamental & civil rights issues. They result in civil rights actions sought or to be sought – upon remand of cause # 22-6773, if granted the Rule 44 motion to be sent; or to be sought via another independent action to be filed in trial court, if not granted the Rule 44 motion.

Petitioner also surpassed the 9000-word limit out of necessity & citations while addressing the challenged judgments & orders from the 13 different cases/actions. Petitioner’s compelling writ lacks essential support w/o citations & authority-content.

The fundamental issues & content are so compelling to warrant extended word & page count; in the interest of justice. The writ’s compelling government interest issues addressed, & proposed just resolutions, materially outweighs the burden.

CONCLUSION & RELIEF REQUESTED

Petitioner intreats this Court to extend its discretionary scope & accommodate the writ’s extended word & page count. Such is U.S. Const. standard, & good justice.

Respectfully Submitted, 4/27/2023     /s/ Ernest Adimora-Nweke

---

<sup>1</sup> See, *In re Ernest Adimora-Nweke*, “APPELLANT’S FRAP Rules 2, 21(c), 27, & 47.7 Motion for In forma Pauperis, & Extraordinary Writ,” Doc. 00516471675, Cause No: 22-20472, Filed on 9/14/2022, Fed. 5<sup>th</sup> Circ. Appeals Ct.; See also, Appx(s). 546 (State Ct. Cases); See also, 1/18/2023 SCOTUS Rule 14.5 Letter (RE: “Related Writ” of Certiorari on Fed. 5<sup>th</sup> Circ. 1/11/2023 Judgment Mandate on Cause #22-20472; filed w/n due 90-days; See said “Related Writ” Appx. 907-956, 966, 974-981, 990-991, 993-996, 1012-1013, 1029-1048, 1174 (Void Judgements & Orders); 590-664, 1175-1283 (Prior Writ(s)).

**PROOF & CERTIFICATE OF SERVICE**

**Certificate of Service**

I HEREBY CERTIFY that a copy of the foregoing has been served upon counsel for all parties to this proceeding as identified below through the court's electronic filing system, or mail, or email, & ~4/27/2023: Served On:

**ATTORNEYS FOR DEF. MCGRAW & TxDPS**

**KEN PAXTON**

Attorney General of Texas

**SHAWN COWLES**

Deputy Attorney General for Civil Litigation

**SCOT M. GRAYDON (Lead Counsel);** Assistant Attorney General

Texas Bar No. 24002175; Southern ID No. 719112; [scot.graydon@oag.texas.gov](mailto:scot.graydon@oag.texas.gov)

**ATTORNEYS FOR DEF. HARRIS COUNTY & LINA HIDALGO**

**HON. CHRISTIAN D. MENEFEE**

Texas Bar No. 24088049

Harris County Attorney

**BRENT WEBSTER**

First Assistant Attorney General

**THOMAS A. ALBRIGHT**

Chief - General Litigation Division

**STAN CLARK (Lead Counsel)**

Texas Bar No. 24102833

Assist. Harris County Attorney ([stan.clark@cao.hctx.net](mailto:stan.clark@cao.hctx.net))

Other respondents to be mailed/emailed copies at their various addresses or email:

- HC District Attorney's Office
- HC District Attorney Kim Ogg
- Houston Police Department ("HPD")
- Harris County Sheriff
- Hannah O. Yarbrough-Smith
- HC Criminal Court at Law 8 Judge
- HC Criminal Court at Law 15 Judge
- HC District Court 179 Judge
- HC District Court 280 Judge
- HC District Court 351 Judge
- 1<sup>st</sup> Texas Court of Appeals
- 14<sup>th</sup> Texas Court of Appeals
- U.S. Dist. Crt. Southern District of Texas, Judge Lynn Hughes

**Proof of Service: 28 U.S. Code § 1746 Unsworn Declaration**

I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 4/27/2023.

/s/ Ernest Adimora-Nweke

