

Affidavit of Claim

NO. 23- 5221 U.S. S. Ct.

Greetings:

(1) ON OCT. 10, 2023 - The Above Numbered Case - Petition for writ of Certiorari was denied

(2) ERRORS exist in the Record. I Samuel L. Reaves (REAVES) did not have possession of a fire arm. A Gun-Revolver was stuck between my EYES by an individual and I snatched it away self defence. Per Rule 44.2 I have 25 days to ASK Rehearings, And use Grounds not previously presented. "I do that now"! I see now the dismissal date on Lexis nexis - I did not get Physical or Paper from Prison mail room until 10/23/2023. Today is 10/28/2023. Per Rule 16 Disposition of a Petition for a writ of Certiorari @ 3. A Denial - the Clerk will Prepare sign enter a Order. All I Got is A letter says Denial. Thats not AN Appealable order! How ever, I'd like to show the Physical vs. Inter-net - "TRUTH" - Rule 44.1 Petition shall state its Grounds briefly & distinctly. Shall be served as Required by Rule 29. (Proof of Service) See COPY of enclosed inmate Grievance # 2024024663. I'm Returning that original envelope in hopes MS. Emily Walker will Remember. I Got no reason to lie. my own mouth / And in value in this case will submit Affidavits by 10. 25 days was gone when I Got letter of Denial. I ASK for Phone Conference or Amend later w/ Affidavits.

Per Rule 44.2 Compliance or Rule 38 FEE'S I do not know: IN FORMA PAUPERIS was Granted? However in accordance to Rule 39. Proceedings in forma pauperis I will submit the motion to leave to do so with Affidavit. Per Rule 44.6 my Petition must comply with Rule 33 or 34 this Petition shall comply with Rule 33.2. 8 1/2 X 11 Plain White Paper. I explain / show about TYPE writer in my 1st U.S. S. Ct. # 02-6992 case! we been on lock down state wide - my legal material is greatly doctored. so I
→ Start my Petition for Rehearing now: Rule 44.05 U.S. S. Ct. Rule book Per Rule 48 effective Date of rules Dec. 5, 2022 till January 1, 2023 This was sent home Post mark 6/20/2023 - 44. Rehearing Per 34.1(a)

(a) - 23-5321 -

(b) Supreme Court of the United States

(c) Samuel LYON Roanes # 02363039 - Petitioner

V. Bobby Lumpkin, Et al. Director T.D.C. - C.I.D.

- United States Supreme Court -

44 → No. 23-5321 - Petition for Rehearing U.S. S. Ct. R. 44

(d) on Petition for Rehearing on Petition for writ Certiorari to the United States Court of Appeals for the 11th Circuit

(e) Rehearing - (Petition for writ of Certiorari)

(f) Rule 9.1 - Samuel L. Roanes # 02363039

JAMES ALRED UNIT 2101 FM 369 NORTH

IOWA PARK, TEXAS 76367

Back to R. 44. Rehearing: 44.1. Grounds. All I GOT is letters stating "Denied". Per R. 16.3 I am entitled to a order. Per R. 45. Process: mandates @2. Judgments-I do not have a Judgment. Per R. 20.4. (a) 28 USC §2254(b) 2254(b) The Ct. must 1st look to see whether the Federal constitutional dimensions of the Petitioner's claims have been fairly Presented to the St. Ct.'s - *Smith v. Lockhart*, 843 F.2d 295, 296 (8th Cir. 1988) I have exhausted all I have available to me! see 28 USC 285 2254(a) A State Prisoner is entitled to Relief on Federal habeas Corpus only upon Proving that his detention violates ... Fundamental Civil Liberties ... Safe Guarded Against State Action by the Fed. Const. *Wessling v. Bonnett*, 410 F.2d 205, 209 (8th Cir. 1969) *Quinto Townsend v. Saw*, 372 U.S. 293, 312 (1963) IN 1996 Changes was made to the United States Code, 28 USC §§ 2241 - 2255. Sec. 104 of the A.C.D.P. added a new Sub Section (d). (d) (1) Resulted in a decision that was contrary to or involved an unreasonable Application of, clearly establish Federal law, as determined by the Supreme Ct. of the U.S.; or (2) Resulted in a decision that was based on an unreasonable determination of the facts in light of the evidence Presented in the State Ct. Proceeding. IN this case 1st no. F 49661 Fel. Poss. etc a Harm. I had no possession. never seen me with Gun. I Raise 4th Amend. see *Weeks v. United States* 232 U.S. 383, 393-395. Sheriff's office had no warrant. illegal Search Seizure.

14th Amend. Due Process, 6th Amend. effective Assistance of Counsel - 5th Amend. Involuntary Pleas shall not be a Witness Against Your Self in a Criminal Proceeding -

✓
no psych eval.

U.S. Supreme Ct. Rule on Habeas 44.1 Grounds:

- 1) IN effective Assistance of Counsel 6th Amendment -
- 2) Illegal / Unreasonable Search/Seizure 4th Amendment
- 3) Equal Protection Clause 14th Amendment Due Process
- 4) NO excessive bail, fines Punishment 8th Amendment
- 5) Protection Against Self-incrimination 5th Amendment

U.S.S.C. R. 44.2 I do not have an order / memorandum opinion - However within my 25 days I submit new not previously submitted evidence: Statements of Althea

→ Victim, Carolyn Myers, who told me to do this Peltier Quote Document - Page - line of the truth to events of that night and Johnson Co. Texas Detective Eric! Here it is!

Incident Report #15002274 Prepared 06/01/2015 by the Johnson Co. Dictate's on Ps. 10 Althea Victim was locked in Carate - She was in Colorado. She was not in the State of Texas. I was also found incompetent, sent Psych. evals and Social Security Doctor Report in original Reliance for issue of work Certification. Here

I will stop. mail all this to my Aunt. She can tell you more. I Promise you the info. on Lexis-nexis is wrong. I never admit to time bar. I raise issue under the A.E.D.P.A. 28 § 2244 (d)(1)(D) Held on Parole Hold 51 months. did 2 flat and Paroled. 75 mo. on 45 mo. Judgement.

see
Trace #
enclose

NO. 23-5321

IN THE

Supreme Court of the United States

my Clerk. SUE: Samuel Reaves #2363039 Petitioner
V.

my opponent - Respondent: Bobby Lunkin, Dir. TDCJ, et al
and Petition for Habeas

on Petition for writ of Habeas of
United States Court of Appeals - 5th Circuit

— Petition for Habeas R. 44 —

Samuel Reaves
Counsel at Record

Pro Se

2101 Wm 369 A.

IDAHO PARK, ID. 76367

U.S. S. Ct R. 5.4

I, Samuel Reaves, do solemnly swear that
as an Counselor of this Court, I will conduct my-
self UPRIGHTLY and According to law, and that I will
Support the constitution of the United States of America
I'm a Prisoner unable to meet here to law. Trust fund is
timely.

Samuel Reaves Pro Se

Certificate of Compliance

R. 33.1(h) - 33.1(d) to a Prisoner's Ability I am in the
compliance of Rule of Ct. of the U.S. Supreme Court

Samuel Reaves