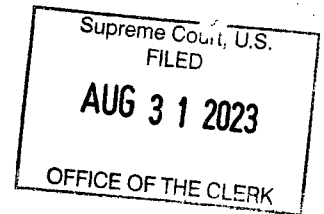


No. 23-5498

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES



ALEX ADAMS #1181239 — PETITIONER
(Your Name)

vs.

BOBBY LUMPKEN — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals FIFTH CIRCUIT
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

ALEX ADAMS #1181239
(Your Name)

McConnell unit 3001 EMERY Dr.
(Address)

Beeville, TX. 78102
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

1. IS NOT "NEW EVIDENCE" DEFINE AS "ANYTHING THE JURY DID NOT HEAR?"
2. AT TRIAL PROSECUTOR'S SAID TEST DONE PROVE I COMMITTED THESE CRIMES;
IN 2017 TEXAS DNA, MIX PROJECT, RELEASE CASE REPORT THAT I HAVE ALREADY FORWARDED IN FIRST WRIT, IT STATES "ALL TEST DONE DO NOT LINK ME TO THESE CRIME"
IS THIS 'NEW EVIDENCE'? "EXAMPLE OF"
3. SHOULD THERE HAVE BEEN ONE TRIAL INSTEAD OF TWO, ONE INDICTMENT INSTEAD OF TWO?
4. SHOULD RUTH ADAMS BEEN ALLOWED TO TESTIFY WHEN I WAS NOT PRESENT?
5. DOES NOT STATE NEED TWO COMPLAINING WITNESS TO GET A INDICTMENT? "SEE TEXAS PENAL CODE"
6. THE JURY DID NOT HEAR ERNEST BLOOMFIELD CONFESSION, IS THAT NOT NEW EVIDENCE? ALSO OTHER ALIB WITNESS...
7. WHO SHOT ME?
8. WHO FINGER PRINT ~~IS~~ ON THE GUN PRESENTED AT TRIAL?
9. WHY WAS GUN + SHELL + STATEMENT'S WITHHELD AND NOT PRESENTED AT TRIAL?
10. DID PROSECUTOR'S + DEFENSE ATTORNEY'S WITHHOLD EVIDENCE?

LIST OF PARTIES

- [] All parties appear in the caption of the case on the cover page.
- [] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

RELATED CASES

NO. 22-5945

ALSO NOTE: I FIRST FILED BACK IN 2017. I ENCLOSED COPY OF CASE REPORT WITH THAT WRIT.

ANTONIO TONTON SLACK, PETITIONER 529 U.S. 473 146 L.Ed. 2d 542
HEBEAS CORPUS 894.1
HEBEAS CORPUS 319.1

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ANTONIO TONTON SLACK, PETITIONER 529 U.S. 473, 196 L.B. 2d.
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STATUTES AND RULES

NEW EVIDENCE IS ANY THING THE JURY DID NOT HEAR.

HEBEAS CORPUS 894.1

HEBEAS CORPUS 319.1

OTHER

TEXAS DNA MIX PROJECT CASE REPORT IS 'NEW
EVIDENCE. THE JURY DID NOT HEAR THIS'
I GOT IT IN 2017 & FORWARDED TO THIS COURT IN
FFRSTWRIT.

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A & D to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished.

The opinion of the United States district court appears at Appendix C to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix O to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished.

The opinion of the D court appears at Appendix D to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was JAN. 25, 2023 & 7-12-23

☐ No petition for rehearing was timely filed in my case.

☒ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: 5-11-23 & 7-12-23 and a copy of the order denying rehearing appears at Appendix 6 & D

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

IT IS A ACTUAL INNOCENCE CLAIM!

☐ For cases from **state courts**:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED
ON 7-12-23 U.S.C.A. ISSUED ORDER IN APPENDIX D
EQUATE TO DESERVE ENCOURAGEMENT TO PROCEED FURTHER

ON 5-11-23 U.S.D.C. HOUSTON DIVISION ISSUED ORDER ENCLOSED IN APPENDIX
I BEEN GOING BACK & FORTH WITH COURT BEFORE JAN. 25, 2023.

MOTION TO DISMISS SLACK, PETITIONER 529 U.S. 423, 146 L. ED. 2d. 542

DISTRICT COURT DENIED ON PROCEDURAL GROUNDS, WITHOUT REACHING THE PETITIONER'S
IDENTIFYING CONSTITUTIONAL CLAIMS. A C.O.A. SHOULD HAVE BEEN ISSUED.

HEBEAS CORPUS 894.1

A HABEAS PETITION DISMISSED WITHOUT ADJUDICATION ON THE MERITS FOR FAILURE TO
HAUST STATE REMEDIES IS NOT A "SECOND OR SUCCESSIVE PETITION"

THUS THIS IS UNNECESSARY LITIGATION

HEBEAS CORPUS 319.1

THE RULE REQUIRING COMPLETE EXHAUSTING OF STATE REMEDIES BEFORE SEEKING FEDERAL
HEBEAS RELIEF IS NOT TO TRAP THE UNWARY PRO SE PETITIONER.

THIS IS SUBSTANTIAL SHOWING OF THE DENIAL OF MY CONSTITUTIONAL RIGHTS JURIST
I KNOW I DID NOT COMMIT THESE CRIMES.

YOU HAVE BARRERED ME UTNDICATION

WRONGFUL CONVICTION ALMOST ALWAYS ARE SYSTEMIC FAILURES.
I HAVE IGNORED STRONG INDICATORS OF WRONGFUL CONVICTION

ON 5-11-23 U.S.D.C. IS ORDER IN REGARDS TO MOTION TO SET ASIDE JUDGEMENT.
BEEN TRYING TO GET THIS WRIT FILED.

YOU HAVE SENT IT BACK FIVE TIMES.

I DON'T HAVE RESOURCES TO FILE A PETITION FOR EXTRAORDINARY WRIT ACCORDING
TO RULES. I'M A INMATE I CAN'T SEND COPIES TO DEPARTMENT EITHER.

COURT ISSUE THIS ORDER ON 5-11-23 SO I'M WITH IN 90 DAY, I ALSO
FIND OUT COURT OF ORDER MADE ON JAN. 25, 2023 THAT THIS HAS BEEN BACK AND
FORTH FIVE TIMES. SO IT SHOULD NOT BE BARRER CAUSE I BEEN TRYING TO MEET
COURT'S DEADLINE. YOU KEEP SENDING WRIT BACK. I'M NOT A LAWYER I
DON'T HAVE MONEY FOR A TYPE WRITING, SO I FILE A REGULAR WRIT.
NOT EVEN ~~WANTING~~ WANTING NOTHING ELSE, BUT TO FILE THIS WRIT

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

DEQUATE TO DESERVE ENCOURAGEMENT TO PROCEED FURTHER.

NOTED TONTO SLACK, PETITIONER 529 U.S., 473, 146 LER, 21.542
DISTRICT COURT DENIED ON PROCEDURAL GROUNDS, WITHOUT
EETING THE PRISONER UNDERLYING CONSTITUTIONAL CLAIM,
C.O.A. SHOULD HAVE BEEN GRANTED

HEBEAS CORPUS 894.1

A HABEAS PETITION DISMISSED WITHOUT ADJUDICATION ON
THE MERITS FOR FAILURE TO EXHAUST STATE REMEDIES IS
NOT A "SECOND OR SUCCESSIVE PETITION."

THUS THIS IS UNNECESSARY LITIGATION

HEBEAS CORPUS 319.1

THE RULE REQUIRING COMPLETE EXHAUSTING OF STATE
REMEDIES BEFORE SEEKING FEDERAL HABEAS RELIEF IS
NOT TO TRAP UNWARY PRO SE PETITIONER.

THIS IS "SUBSTANTIAL SHOWING OF THE DENIAL OF MY CON
STITUTIONAL RIGHTS."

JUSTICE WILL KNOW I DID NOT COMMIT THESE CRIMES,
UP TO RIGHT KNOW I'VE BEEN BANNED UNDOING

PAGE 2

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

TEXAS PENAL CODE "STATES THERE MUST BE AT LEAST TWO COMPLAINING WITNESSES OR A LOT OF EVIDENCE TO ^{GET} INDICTMENT.

I HAVE A RIGHT TO CONFRONT ALL COMPLAINANTS. RUTH ADAMS WAS ALLOWED TO TESTIFY WHEN I WAS NOT IN COURT ROOM.

ALL EVIDENCE SHOULD HAVE BEEN PRESENTED TO JURY.

MY ACTUAL INNOCENCE CLAIMS ES BATE ^{AS} FINDING²⁵ THAT CONFLICT WITH WHAT PROSECUTOR SAID AT TRIAL.

I DESERVE TO KNOW WHO SHOT ME?

WHO KILLED ERNEST BLOOMFIELD?

EVIDENCE WAS WITHHELD BY PROSECUTOR'S AND DEFENSE ATTORNEYS.

I HAVE A RIGHT TO DUE PROCESS AND COURSE OF LAW.

ANTONIO TOLSON SLACK, PETITIONER ^{529 U.S. 473, 146 L. Ed. 2d 342} ~~GRANDS, TX~~
HERBAS CORPUS 894.1 ; HERBAS CORPUS 319.1

REASONS FOR GRANTING THIS PETITION

THEY HAVE IGNORED STRONG INDICATORS OF WRONGFUL CONVICTION.

IN APPENDIX D I PUT ORDER DATED 7-12-23.

THIS IS SIXTH TIME I'VE PRESENTED MY CASE.

NORBY EVEN ACKNOWLEDGE THE "FACT" THAT AT TRIAL THEY SAID THAT FINGERPRINT & GUN POWDER PROVE I DID IT.

YALL HAVE SINCE 2017 HAD THE CASE REPORT & WILL NOT RETURN IT TO ME.

IT STATES: ALL TEST DONE DO NOT LINK ME TO THOSE CRIMES.

LEW WHITING MADE HIS STATEMENT ON ME TO GET HIS HAZARD DROPPED.

OFFICER DU-ARTE CHANGED HIS STATEMENT THEN...
ERNEST BLOOMFIELD CONFESSED TO THESE CRIMES...
I HAVE SEVERAL ALIBI WITNESSES WHO SAW WHAT HAPPEN, THAT WERE OVERLOOKED.

THIS COURT HAS JURISDICTION IN THE LAST STOP. I REMIND YOU OF CASE LAW.

THE COURT IS DESERVING ENCOURAGEMENT TO PROCEED FURTHER
INSTEAD OF NOT SLACK, PETITIONER 529 U.S. 473, 146 L. ED. 2D 572
DISTRICT COURT DENIED ON PROCEDURAL GROUNDS, WITHOUT REACHING
THE PRISONER UNDERLYING CONSTITUTIONAL CLAIM A C.O.A.
SHOULD HAVE BEEN GIVEN HENRI... 1219.1

REASONS FOR GRANTING THE PETITION

I AM A INNOCENT MAN!

THEY LIED ON ME AT TRIAL! THEY SAID GUN-POWDER PROVED I SHOT THIS MAN etc.

TEXAS D.N.A. MIX. PROJECT SHOWS THEY LIED TO THE JURY.

I GOT A MISTRIAL IN PUNISHMENT PHASE AUSE JURY SAID THEY WANTED TO GO BACK TO GUILTY AND INNOCENCE.

I BEEN TO THIS COURT THIS IS THIRD TIME. NOBODY SHOULD HAVE TO FIGHT LIKE I HAVE WHEN THEY GOT "NEW EVIDENCE"

THE LETTER OF THE LAW HAS NOT BEEN FOLLOWED. IN REBARY TO THE CASE. I JUST GET IGNORE.

I DON'T EVEN GET A WRITTEN ORDER JUST A DENIAL LETTER.

HOW CAN A INNOCENT MAN! THAT PRESENT NEW EVIDENCE, THAT AT TRIAL WOULD HAVE MADE A BIG DIFFERENCE. NOT BE HEARD I HAVE REPEATEDLY BEEN "IGNORED"

I DESERVED TO KNOW WHO SHOT ME.
TO HEAR ALL EVIDENCE
CONFOR ALL WITNESSES
TO HAVE ONE TRIAL
I AM A INNOCENT MAN!
THERE'S NO GUN POWDER ON ME!

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Alex Lewis

Date: 4-11-23