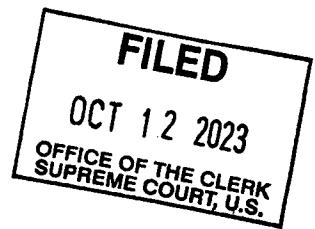


23-5895

ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES



Ryan Rydell Bonner — PETITIONER  
(Your Name)

vs.  
State of Texas — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Court of Criminal Appeals of Texas

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Ryan Rydell Bonner #2359198  
(Your Name)

2350 Atascocita Rd.

(Address)

Humble, Texas 77396

(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

If the purpose of a writ of habeas corpus is to obtain a speedy and effective adjudication of a person's right to liberation from illegal restraint, and requires the trial judge to either (1) enter an order designating contested factual issues within 35 days of the receipt of the writ application regardless if the state files a response or (2) to send the application and all associated materials to the Texas Court of Criminal Appeals if no unresolved facts to be determine than, become a Ministerial duty for the clerk of court to timely forward the application be speedy, effective adjudication and, fairness? If the district clerk can refuse to obey a prior order?

## 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:

Calverton County District Clerk JOHN D. KINARD

## RELATED CASES

Blackledge v. Allison, 431 U.S. 63, 71, 97 S.Ct. 1621, 52 L.Ed. 2d 136 (1977)

Ex parte Kerr, 64 S.W.3d 414, 419 (Tex. Crim. App. 2002)

Ex parte Ramzy, 424 S.W.2d 220, 223 (Tex. 1968)

McCree v. Hampton, 324 S.W.2d 578, 579 (Tex. Crim. App. 1992)

Martin v. Hamlin, 25 S.W.3d 718 (Tex. Crim. App. 2000)

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Gibson v. Dallas County Dist. Clerk, 275 S.W.3d 461	(4)

### STATUTES AND RULES

Tex. Code Crim. Proc. Ann. art. 11.07	(4)
Tex. Code Crim. Proc. Ann. art. 11.07, § 3(b)	(4)
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Tex. Code Crim. Proc. Ann. art. 11.04	(4)

### OTHER

Tex. Const. Art. V § 9 Sec. 9 Clerk of District Court.	(4)
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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 \_\_\_\_\_ 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 \_\_\_\_\_ 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 A to the petition and is

reported at Tr. Cr. No. 19CR1881-83-3 WR-92,576-06; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

The opinion of the Texas Court of Criminal Appeals court appears at Appendix A to the petition and is

reported at Tr. Cr. No. 19CR1881-83-3 WR-92,576-04; 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 \_\_\_\_\_.

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: \_\_\_\_\_, 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. § 1254(1).

For cases from **state courts**:

The date on which the highest state court decided my case was 09-06-2023.  
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

USCS Const. Amend. 14 Sec. 1 Citizens of the United States

USCS Const. Amend 5 Criminal actions - Provisions concerning  
- Due process of law and just compensation  
Clauses.

USCS Const. Amend 6 Rights of the accused

Tex. Const. Art. 1, § 9, j Tex. Const. Art. 1, § 10

Tex. Const. Art. 1, § 12.; Tex. Const. Art 1, § 19

Tex. Const. Art. 1, § 8

Tex. Code Crim. Proc. Ann. art. 11.07, § 3(b), (c)

Tex. Code Crim. Proc. Ann. art. 11.04

## STATEMENT OF THE CASE

Ryan Rydell Bunner file a application for a writ of habeas corpus challenging his final felony conviction with the court of conviction, (122nd District Court Galveston County, Texas) The state response was filed 30 days of the receipt and a judge from 56th District Court Galveston County Texas enter an order 35 days of the receipt of the writ application. On 01/03/2023 writ filed. On 02/02/2023 State Answer. On 02/09/2023 Order enter. On 03/22/2023 writ of mandamus was denied. The Deputy Clerk Banda, Zaira emailed 122nd Judicial District Court, Court Coordinator Becky Hernandez on 04/20/2023 and on 04/21/2023 Becky Hernandez response was "This case should be closed." On 07/24/2023 writ of mandamus was filed and denied on 09/06/2023.

## REASONS FOR GRANTING THE PETITION

The Fourteenth Amendment provides that no state shall deprive any person of life, liberty or property without due process of law, nor shall it deny to any person within its jurisdiction ~~or~~ the equal protection of the laws. Second, the jurisdiction of the Supreme Court of the United States is also invoked upon the constitutional grounds that the statute of Texas in question denies to Ryan Rydell Bonner the equal protection of laws and threatens to deprive him of a speedy, effective adjudication and fairness of habeas corpus remedy without due process of law. Also, individuals, who as officers of the state are clothed with some duty in regard to the enforcement of the laws of the state, and who threaten and about to commence proceedings, either of a civil or criminal nature, to enforce against parties affected an unconstitutional act violating the federal constitution, may be enjoined by a federal court of equity from such action.

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Ryan Rydell Brown

Date: 10-12-2023