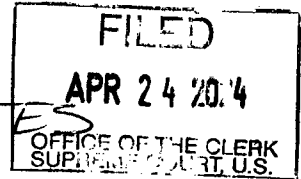


No. _____

23-7394

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



MOSES JACKSON - PETITIONER

VS.

PRESIDENT
JUDGE WINDM, "et-al" - RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO
THE ALABAMA CRIMINAL COURT OF APPEALS

SUPREME COURT OF ALABAMA
(NAME OF THE COURT THAT LAST RULED ON MERITS OF YOUR CASE)
Petition for Writ of CERTIORARI

MOSES JACKSON
(NAME)

LOXLEY WORK RELEASE
P.O. BOX 1030
(ADDRESS)

LOXLEY, ALABAMA 36551
(CITY, STATE, ZIP CODE)

251-964-5044

(PHONE NUMBER)

QUESTION(S) PRESENTED

- 1.) AFTER THIS HONORABLE COURT REVIEW OF PETITIONER "HAND WRITTEN" NOTICE OF APPEAL, TRIAL COURT CLERK "NOTICE OF APPEAL", AND PETITIONER "SHOW CAUSE" MOTION, WAS PETITIONER "ATTEMPTING" TO APPEAL A JUDGES ORDER?
- 2.) DID THE APPEALS COURT OF ALABAMA "OPINION" "JUDGEMENT" OF DECEMBER 26th 2023, "DEPRIVE" PETITIONER OF "NOTICE" AND THE "OPPORTUNITY TO BE HEARD", WHICH SAID "OPINION" "JUDGEMENT" IS IN "CONFLICT" WITH THE "SUPREME LAW" OF THE LAND?
- 3.) WHEN THE APPEALS COURT OF ALABAMA "REVIEWED" PETITIONER RULE 60(b)(4) MOTION, BUT, "STOOD MOUT" IN THE FACE OF A "SUBSTANTIAL JURISDICTIONAL ERROR" THAT RISES TO A "VOID JUDGEMENT", WAS THIS "SAID ACT" A "WILLFUL DEPRIVATION" OF PETITIONER "SUBSTANTIAL" AND U.S.C. RIGHTS, WHICH "U.S.C. RIGHTS" IS THE "SUPREME LAW" OF THE LAND?
- 4.) WILL THIS HONORABLE COURT "STANDBY" AND "ALLOW" THE STATE OF ALABAMA TO "WILLFULLY SUBJECT" PETITIONER TO THE "DEPRIVATION" OF HIS "SUBSTANTIAL" AND "U.S.C. RIGHTS" AND NOT "ISSUE SANCTIONS" ON THE INVOLVED "RESPONDENTS" OF SUCH SAID CAUSE?
- 5.) WHEN THE COURT REPORTER DIANE BATTLES "DESERVAED" HER "KNOWN DUTY" AND "LIES" ON THE "RECORD" TO "COVER" HER "WRONGS", WAS THIS "SAID ACT" A "WILLFUL" "DEPRIVATION" OF PETITIONER "SUBSTANTIAL" AND U.S.C. RIGHTS, WHICH "U.S.C. RIGHTS" IS THE "SUPREME LAW" OF THE LAND?
- 6.) UNDER THE "EXCLUSIVE" "APPELLATE JURISDICTION" OF THIS HONORABLE COURT OVER PETITIONER CASE, DO PETITIONER HAVE A "CLEAR LEGAL RIGHT" TO REQUEST A "DENOVO(SIC) REVIEW" FROM THIS HONORABLE COURT TO "REVIEW" HIS RULE 60(b)(4) MOTION?
- 7.) CAN THIS HONORABLE COURT "STAND MOUT" IN THE FACE OF A "JUDGEMENT" THAT "DEPRIVES" PETITIONER AN "OPPORTUNITY TO BE HEARD"?

QUESTION(S) PRESENTED CONT.

8.) DO THE APRIL 11TH, 2003 JUDGEMENT OF PETITIONER CASE# CC-2001-135 8,1359,1360, §1361 "STAND OR NOT" DUE TO THE COURT REPORTER "FAILING" TO "PRESERVE" PETITIONER "RECORD" OF SAID CASE IN "BAD FAITH"?

9.) WHEN THE COURT REPORTER, "FAILED" TO FOLLOW HER "KNOWN DUTY" AND "MANDATORY LAW" TO "PRESERVE" PETITIONER "RECORD" IS THIS "SAID ACT" A "SUBSTANTIAL JURISDICTIONAL ERROR" OF "GREAT MAGNITUDE"?

10.) CAN THE STATE OF ALABAMA "REINDECT" OR "RECONVICT" PETITIONER, WITH "NO FAULT" OF MY OWN?

11.) CAN THIS HONORABLE COURT "TAKE NOTICE" A "DEPRIVATION" OF PETITIONER "SUBSTANTIAL" "U.S.C. RIGHTS", TO BE A "PARTY", "PRESENT EVIDENCE", AND HAVE A "OPPORTUNITY TO BE HEARD", BUT "DISREGARD" THEIR "U.S.C. DUTY BOUND TO ACT"?

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:

JUDGE HELLMAN	→	ALABAMA CRIMINAL APPEALS COURT
JUDGE MCLOOK	→	ALABAMA CRIMINAL APPEALS COURT
JUDGE COLE	→	ALABAMA CRIMINAL APPEALS COURT
JUDGE MINOR	→	ALABAMA CRIMINAL APPEALS COURT
JUDGE BUD TURNER	→	CALHOUN COUNTY CIRCUIT COURT
COURT REPORTER DIANE BATTLES	→	CALHOUN COUNTY CIRCUIT COURT

RELATED CASES

MOSES JACKSON V. STATE OF ALABAMA, SC-2024-0074, SUPREME COURT of ALABAMA, JUDGEMENT ENTERED MARCH 15th, 2024.

MOSES JACKSON V. STATE OF ALABAMA, CR-2023-0817, ALABAMA CRIMINALS APPEALS COURT, JUDGEMENT ENTERED MARCH 15th, 2024.

MOSES JACKSON V. STATE OF ALABAMA, CC-2001-001358.00, CC-2001-001359.00, CC-2001-001360.00, CC-2001-001361.00 JUDGEMENT ENTERED OCTOBER 25th, 2023, CALHOUN COUNTY CIRCUIT COURT.

MOSES JACKSON V. STATE OF ALABAMA, CC-2001-1358, CC-2001-1359, CC-2001-1360, CC-2001-1361, JUDGEMENT ENTERED APRIL 11th, 2003, CALHOUN COUNTY CIRCUIT COURT.

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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 C 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 CRIMINAL COURT OF APPEALS court appears at Appendix H to the petition and is PAGES# 2 - # 2.

☐ 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 _____.

☐ 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 MARCH 15th, 2024.
A copy of that decision appears at Appendix C.

☐ 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).

THE SUPREME COURT OF ALABAMA "DO NOT" ACCEPT A APPLICATION
for REHEARING AFTER A "DENIED" WRIT OF CERTIORARI.
SEE APPENDIX E. ALABAMA APPELLATE COURT RULES.
ALA. R. APP. P. RULE 39.(3)(L)

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

RULES OF THE UNITED STATES SUPREME COURT, RULE 14.0.(F)

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..... 9., 10., 13., 18., 21., 22., 23.

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18 U.S.C. 242, DEPRIVATION OF RIGHTS UNDER COLOR OF LAW, SEE APPENDIX
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42 U.S.C. 1981, EQUAL RIGHTS UNDER THE LAW, SEE APPENDIX I PAGE#
25 9., 13., 18., 20.

ARTICLE VI MISCELLANEOUS PROVISIONS, CLAUSE 2, SUPREME LAW, SEE APPENDIX
N 10., 13., 21., 24., 25.

STATEMENT OF THE CASE

ON OCTOBER 19th, 2023, PETITIONER FILED A ALA. R. CIV. P., RULE 60(b)(4) MOTION IN THE CHATHAM COUNTY CIRCUIT COURT, "COLLATERALLY ATTACKING" THE JUDGEMENT OF APRIL 11th, 2003, OF PETITIONER CASE# CC-01-1358, 1359, 1360, & 1361, DUE TO THE COURT REPORTER "FAILING" TO PRESERVE PETITIONER RECORD OF SAID CASE IN "BAD FAITH". ON OCTOBER 25th, 2023, HON. JUDGE BOB TURNER DENIED SAID MOTION "WITHOUT" STATING "ANY REASONS" FOR HIS DENIAL. ON OCTOBER 30th, 2023, PETITIONER FILED A "HANDWRITTEN" NOTICE OF APPEAL ALONG WITH APPLICABLE APPELLATE CASE LAW AUTHORITY, ALERTING/NOTIFYING THE TRIAL COURT CLERK TO START THE APPEAL PROCESS ON THE DENIAL OF PETITIONER SAID MOTION. ON NOVEMBER 1st, 2023, THE TRIAL COURT CLERK FILED MY HANDWRITTEN NOTICE OF APPEAL, APPELLATE COURT CASE LAW AUTHORITY, MY DOCKETING STATEMENT FORM, TRANSCRIPT ORDER FORM, TRIAL COURT CLERK NOTICE OF APPEAL, "A CERTIFIED COPY OF MY RULE 60(b)(4) MOTION", AND "ORDER DENYING SAID MOTION" IN THE CRIMINAL COURT OF APPEALS OF ALABAMA. THE TRIAL COURT CLERK "DID NOT" SEND ME "NOTICE" THAT SHE WAS SENDING A "CERTIFIED COPY" OF MY SAID MOTION AND SAID ORDER OF DENIAL WITH THE NOTICE OF APPEALS SAID DOCUMENTS, NOR DID SHE SEND PETITIONER A "CERTIFIED COPY" OF SAID MOTION AND SAID ORDER OF DENIAL, AS PETITIONER IS PRO-SE, AND HAVE A "SUBSTANTIAL RIGHT" TO "PREPARE A DEFENSE" AND "OPPORTUNITY TO BE HEARD" ONCE THE SAID COURT (APPEALS COURT) PUT PETITIONER ARGUMENTS OF HIS SAID MOTION "IN PLAY". ON NOVEMBER 2ND, 2023 THE ALABAMA APPEALS CLERK SENT PETITIONER NOTICE THAT MY APPEAL WAS DOCKETED. ON THE SELF SAME SAID DATE, NOVEMBER 2ND, 2023 THE ALABAMA CRIMINAL APPEALS COURT ISSUED A SHOW CAUSE ORDER, AFTER "REVIEWING" PETITIONER "RULE 60(b)(4) MOTION", SEE APPENDIX G. SHOW CAUSE ORDER, SEE APPENDIX H, PAGE#

STATEMENT OF THE CASE CONT.

1. Appellate Court Dismiss order, AND SEE APPENDIX B, PAGES #
1 - # 18. Petitioner Motion to show cause, which means the SAID COURT
WAS "CLEARLY AWARE" Petitioner WAS ~~SEEKING~~ SEEKING AN APPELLATE
COURT REVIEW OF A TRIAL COURT DENIAL OF A RULE 6D(b)(4) MOTION,
BUT STILL ORDERED PETITIONER TO SHOW CAUSE, BECAUSE THE SAID COURT
SAID PETITIONER IS "ATTEMPTING" TO APPEAL A NON APPEALABLE ORDER.
ON NOVEMBER 07th, 2023 PETITIONER FILED A MOTION TO SHOW CAUSE,
MAKING IT "VERY CLEAR" TO THE SAID COURT THAT PETITIONER HAS A ~~LEGAL~~
"LEGAL RECOURSE" TO SEEK APPELLATE REVIEW OF A DENIAL OF A RULE 6D
(b)(4) MOTION BY WAY OF APPEAL, ALONG WITH ALABAMA APPLICABLE
APPELLATE CASE LAW AUTHORITY. ON NOVEMBER 13th, 2023, THE SAID COURT
ISSUED A ORDER OF STAY, "WITHOUT", STATING "ANY GROUNDS" FOR SUCH SAID
ORDER TO BE ISSUED. ON DECEMBER 26th, 2023 THE SAID COURT ISSUED ORDER
DISMISSING MY APPEAL, ALONG WITH A CERTIFICATE OF JUDGEMENT. ON DEC
EMBER 29th, 2023, PETITIONER FILED A APPLICATION FOR RETHEARING IN THE
SAID COURT. ON JANUARY 22nd, 2024 THE SAID COURT RECALLED CERTIFICATE
OF JUDGEMENT. ON JANUARY 23rd, 2024, THE SAID COURT OVERRULED
PETITIONER APPLICATION FOR RETHEARING WITH NO OPINION. IN FEBRUARY
OF 2024, PETITIONER FILED A WRIT OF CERTIORARI IN THE ALABAMA
SUPREME COURT. ON MARCH 15th, 2024, THE ALABAMA SUPREME COURT,
AND THE ALABAMA APPEALS COURT ISSUED CERTIFICATE OF JUDGE
MENT(S) DENYING/DISMISSING PETITIONER WRIT CERTIORARI/APPEAL
WITH NO OPINION(S). PETITIONER EXHAUSTED HIS STATE REMEDIES,
GIVING THIS HONORABLE COURT, "EXCLUSIVE" APPELLATE JURISDICTION
OVER PETITIONER CASE. SEE APPENDIX U. RULES OF THE SUPREME
COURT OF THE UNITED STATES, ^{RULE 13.1.} SEE APPENDIX I. ARTICLE III
JUDICIAL POWER. THIS WRIT FOLLOWS.

Why should the writ BE GRANTED

Petitioner will show "conflict" Between the State of Alabama ~~JUDGEMENT(S)~~ AND THE "SUPREME LAW" OF THE LAND, AND Petitioner will show "controversy" BETWEEN THE PETITIONER (A UNITED STATES CITIZEN), AND THE STATE OF ALABAMA, which will BE "COMPELLING REASONS" TO GRANT THIS WRIT ON THE FOLLOWING:

Petitioner, filed a ALA. R. CIV. P., RULE 60(b)(4) motion in the
 CHATHAM Circuit Court, collaterally attacking (challenging), the
 April 11th, 2003 Judgment of CASE # 02-01-1358, 1359, 1360,
 AND 1361. On October 25th, 2023, Hon. JUDGE BUD TUR-
 NER DENIED Petitioner said Motion. SEE APPENDIX B, PAGES
 #15, #16, #17, & #18. TRIA JUDGE DENIALS. [REDACTED]

#15, #16, #17, #18, #19, #20
ON OCTOBER 30TH, 2023, PETITIONER FILED A "HANDWRITTEN" NOTICE OF APPEAL. SEE APPENDIX B, PAGES #10, #11, #12, #13, AND ATTACHED ADDITIONAL DOCUMENTS.
#14. HANDWRITTEN NOTICE OF APPEAL; "PETITIONER MADE IT VERY CLEAR" TO THE TRIAL COURT CLERK IN MY "HANDWRITTEN" NOTICE OF APPEAL ALONG WITH A "CIVIL APPEALS COURT" OF ALABAMA "APPLICABLE CASE LAW AUTHORITY", THAT PETITIONER WAS APPEALING A DENIED RULE 60(b)(4) MOTION.

1514

ON November 20th, 2023 The criminal Appeals clerk sent Petitioner, Notice, that my Appeal has BEEN DOCKETED, AND information ON THE APPELLATE COURT RULES. SEE APPENDIX E. CRIMINAL APPEALS CLERK NOTICE.

CLERK NOTICE.
ON THE SELF SAME DATE THE ALABAMA CRIMINALS APPEALS COURT

Why should The writ BE GRANTED CONT.

ISSUED A SHOW CAUSE ORDER. SEE APPENDIX G. SHOW CAUSE ORDER.
THE COURT IN APPENDIX G, WAS LOOKING TO DISMISS PETITIONER APPEAL BECAUSE THE COURT STATED, "THE APPELLANT IS ATTEMPTING TO APPEAL A NON APPEALABLE ORDER," THEN THE SAID COURT ORDERED PETITIONER, TO SHOW CAUSE ON THE MATTER.

SEE APPENDIX B, PAGES # 1 - # 18. Petitioner, Motion to show cause.

IN APPENDIX B, ON PAGE # 2, PETITIONER, MADE IT "VERY CLEAR," BEFORE THE ALABAMA CRIMINAL APPEALS COURT REVIEW, "THAT AFTER JUDGE TURNER ISSUED ORDER DENYING PETITIONER SAID MOTION, PETITIONER FILED THE NECESSARY DOCUMENTS TO START THE APPEAL PROCESS OF A DENIAL OF A RULE 6D(b)(4) MOTION."

ON THE SAME SAID PAGE OF APPENDIX B, PETITIONER, PLACED A ALABAMA CIVIL APPEALS COURT "APPLICABLE" CASE LAW AUTHORITY LETTING THE CRIMINAL APPEALS COURT KNOW EXACTLY WHAT I WAS APPEALING, "THE APPROPRIATE METHOD FOR REVIEW OF THE "DENIAL" OF A RULE 6D(b) MOTION IS BY WAY OF APPEAL." SEE

APPENDIX B, PAGE # 11. CIVIL APPEALS COURT OF ALABAMA CASE LAW AUTHORITY.

SEE APPENDIX B, PAGE 3. Motion to show cause.

PETITIONER, MADE IT "EXTREMELY CLEAR" TO THE CRIMINAL APPEALS CLERK THAT, "AFTER SAID DENIAL" OF THE SAID JUDGE ORDER OF OCTOBER 25TH, 2023, "THE PETITIONER", FOLLOWED THE LAWFUL REQUIREMENT OF AN RULE 6D(b)(4) APPEAL PROCESS AS OUTLINED IN EXHIBIT B."

Why should The writ BE GRANTED cont.

SEE APPENDIX B, Pages # 9 & 13. Petitioner Motion to show cause. ON THE TRIAL clerk NOTICE OF APPEAL UNDER "TYPE OF APPEAL", she CLEARLY STATED "MOTION DENIAL". ON Petitioner, Docketing Statement, UNDER "TYPE OF APPEAL". Petitioner, clearly marked "STATE Conviction". THERE IS NOTHING IN Petitioner, "NOTICE OF APPEAL", OR "MOTION TO SHOW CAUSE" BEFORE THIS HONORABLE COURT REVIEW, THAT ~~OUTLINES~~ ^{ATTEMPTING TO} Petitioner, IS APPEALING A JUDGES ORDER.

SEE APPENDIX H, Pages # 1 & 2. Criminal Appeals Court ORDER DISMISSING Petitioner's APPEAL.

THE COURT STATED, "JACKSON FILED A RESPONSE TO THIS COURT'S SHOW-CAUSE ORDER, AND THIS COURT HAS CONSIDERED HIS RESPONSE." "JACKSON DOES NOT CITE THIS COURT TO ANY STATUTE OR RULE THAT ALLOWS HIM TO APPEAL THE TRIAL COURT'S DENIAL" OF HIS MOTION NOR IS THIS COURT AWARE OF ANY SUCH STATUTE OR RULE."

THE SAID COURT REVIEWED Petitioner, MOTION TO SHOW CAUSE, AND WAS "VERY AWARE" Petitioner, WAS NOT APPEALING A JUDGE ORDER. Petitioner, "DID NOT" HAVE TO "CITE" THE COURT TO NO "RULE" OR "STATUTE". Petitioner, PRESENTED "APPLICABLE" CASE LAW AUTHORITY, SEE APPENDIX B, PAGE # 11, THAT GIVES Petitioner, THE "CLEAR LEGAL RIGHT" TO APPEAL A DENIAL OF A RULE 60(b)(4) MOTION. Petitioner, WAS NOT APPEALING A JUDGE ORDER, Petitioner WAS "APPEALING A DENIED RULE 60(b)(4) MOTION." AND THE SAID COURT WAS "VERY

Why should THE WRIT BE GRANTED CONT.

AWARE of that BY Petitioner "HANDWRITTEN" NOTICE of Appeal AND "TRIAL COURT CLERK" NOTICE of Appeal, THAT WAS UNDER THE CRIMINAL COURT of APPEALS "REVIEW". Petitioner followed "APPLICABLE" "APPELLATE" CASE LAW Authority, SEE APPENDIX B, PAGE # 11. Petitioner followed THE "APPEAL PROCESS" of A TRIAL COURT DENIAL of A RULE 6D(b)(4) motion. Yet, THE ALABAMA CRIMINAL APPEALS COURT AFTER "REVIEWING" Petitioner RULE 6D(b)(4) motion, AND SAW "MERIT" to my ARGUMENT(s) in my SAID motion, AND "CLEARLY" SAW the "VIOLATIONS" of THE COURT REPORTER, BUT "DETAILED" my "ARGUMENT(S)" of SAID motion on the RECORD TO "COVER" for "ONE of their own" SEE APPENDIX I, PAGES # 1 - # 29, AND SEE APPENDIX H, PAGE # 1 - # 2, "WILLFULLY" subjecting Petitioner to THE "DEPRIVATION" of my "SUBSTANTIAL RIGHT" to BE A "PARTY", "PRESENT EVIDENCE", AND HAVE A "OPPORTUNITY TO BE HEARD", AND MY "U.S.C. RIGHTS", AMENDMENT 5, DUE PROCESS CLAUSE, AMENDMENT 14, DUE PROCESS & EQUAL PROTECTION CLAUSE, AND AMENDMENT 8, CIVIL AND UNUSUAL PUNISHMENT CLAUSE, SEE APPENDIX I, PAGE # 25 ^{42 U.S.C. 1981}, SEE APPENDIX J, SEE APPENDIX K, SEE APPENDIX L, AND SEE APPENDIX M.
U.S.C. 5th Amendment, DUE PROCESS CLAUSE U.S.C. 14th Amendment, DUE PROCESS & EQUAL PROTECTION CLAUSE U.S.C. AMENDMENT 8, CIVIL & UNUSUAL PUNISHMENT CLAUSE

Therefore, THE CRIMINAL APPEALS COURT of ALABAMA, "OPINION" AND "JUDGEMENT" entered on DECEMBER 26th, 2023, SEE APPENDIX H, PAGES # 1 - # 2, IS IN "DIRECT CONFLICT" WITH THE "SUPREME LAW" of THE LAND. SEE APPENDIX

WHY SHOULD THE WRIT BE GRANTED CONT.

Court Dismissal of my Appeal. The trial court clerk sent a "certified copy" of my rule 60(b)(4) motion and the order DENYING SAID Motion with my "Handwritten Notice of Appeal" AND "TRIAL CLERK NOTICE OF APPEAL" to the criminal appeals court. MY RULE 60(b)(4) motion and order DENYING SAID Motion, ~~AND THE TRIAL CLERK NOTICE OF APPEAL~~ IS THE INFORMATION PROVIDED BY THE CIRCUIT CLERK; THE SAID COURT STATED ABOUT IN THEIR SHOW CAUSE ORDER. SEE APPENDIX G.
SHOW CAUSE ORDER.

The trial court clerk "DID NOT NOTIFY" Petitioner, that she was sending a "certified copy" of my motion to the said court, nor did the said clerk send me a "certified copy" of my rule 60(b)(4) motion and order DENYING SAID motion. AS PETITIONER IS PRO-SE, AND HAVE A "SUBSTANTIAL RIGHT" TO BE HEARD, AND HAVE A "DEPORTUNITY TO BE HEARD". SEE APPENDIX H, PAGE # 1. order Dismissing Petitioner Appeal.

The said court stated, "Moses Jackson Appeals from the CalHorn Circuit court's order of October 25th, 2023, DENYING HIS Motion to SET ASIDE AND DEEM VOID his CONVICTIONS AND SENTENCES PURSUANT to RULE 60(b)(4), ALA. R. CIV. P." IN HIS Motion", he contended that his CONVICTIONS AND SENTENCES FROM 2003 WERE DUE TO BE VACATED BECAUSE THE COURT REPORTER FAILED TO FOLLOW THE ALABAMA UNITED JUDICIAL System's RECORD Retention Schedule upon her retirement with respect TO THE RECORDS OF HIS TRIAL."

SEE APPENDIX I, PAGE # 1 - # 14, AND PAGE # 15 - # 29.

Why should the writ BE GRANTED cont.

Petitioner, Rule 60(b)(4) Motion.

It is "very clear" Before this Honorable Court review, that the criminal court of Appeals reviewed Petitioner's "certified copy Rule 60(b)(4) motion" AND ORDER DENYING SAID MOTION, AND "imputed" SAID MOTION AND SAID DENIAL in their order to Dismiss Petitioner's Appeal. SEE APPENDIX H, PAGE # 1.

SEE APPENDIX Q. Supreme Court of the United States CASE LAW AUTHORITY, THOMAS V. PAYNE, 142 S. CT. 1.

~~SEE APPENDIX Q. Supreme Court of the United States CASE LAW AUTHORITY, THOMAS V. PAYNE, 142 S. CT. 1.~~

~~SEE APPENDIX Q. Supreme Court of the United States CASE LAW AUTHORITY, THOMAS V. PAYNE, 142 S. CT. 1.~~

SEE APPENDIX J. Supreme Court of the United States HEAD NOTES, L ED DIGEST: JUDGEMENT § 21, 289

When the trial ^{Court} clerk "failed" to serve Petitioner a "certified copy" of my Rule 60(b)(4) motion AND ORDER DENYING SAID MOTION, BUT "SERVED" the criminal court of Appeals "only," AND when the criminal Appeals ~~court~~ court "imputed" my Rule 60(b)(4) motion into their "review" AND "JUDGEMENT," AND DID NOT give Petitioner, the opportunity to ADDRESS, DEPRIVED Petitioner ^{OF HIS RIGHTS} THAT the ISSUE of the court reporter "failing to preserve" my RECORD WAS IN PLAY. This left Petitioner without "meaningful opportunity" to "DISPUTE" the COMMANDS THE SAID COURT ADDRESSED in their SAID ORDER.

SEE APPENDIX B, PAGE # 14. Petitioner Motion to show CAUSE. Petitioner, 3RD ANTICIPATED ISSUE to RAISE ON APPEAL WAS, "THE COURT REPORTER ACTIONS WAS INCONSISTENT ~~WITH~~"

Why should the writ be granted cont.

With DUE PROCESS."

SO THE SAID COURT "IMPUTED" MY ANTICIPATED ISSUES INTO
THEIR SAID JUDGMENT BUT "DEPRIVED" ME THE OPPORTUNITY
OF "NOTICE" AND THE OPPORTUNITY "TO BE HEARD".

SEE APPENDIX I, ^{PAGE # 25} "RULE 60(b)(4) MOTION" EQUAL RIGHTS UNDER THE LAW. ^{42 USC 1981}

PETITIONER, HAS A "SUBSTANTIAL RIGHT" TO BE A "PARTY", AND
"PRESENT EVIDENCE". WHEN THE TRIAL CLERK "FAILED" TO
"NOTIFY" AND "SERVE" PETITIONER, A "CERTIFIED COPY" OF HIS RULE
60(b)(4) MOTION AND ORDER DENYING SAID MOTION, AND
WHEN THE CRIMINAL APPEALS COURT "IMPUTED" SAID MOTION
AND SAID ORDER INTO THEIR "REVIEW" AND SAID "JUDGMENT"
BUT DID NOT GIVE PETITIONER, A "MEANINGFUL" OPPORTUNITY TO RES-
POND, THESE SAID ACTIONS VIOLATED PETITIONER U.S.C. RIGHTS,
AMENDMENT 5, DUE PROCESS CLAUSE. SEE APPENDIX K,
AND A VIOLATION OF MY U.S.C. RIGHTS, AMENDMENT 14, DUE
PROCESS AND EQUAL PROTECTION OF THE LAW CLAUSE. SEE APPEN-
DIX L. WHICH THESE SAID AMENDMENTS IS THE SUPREME
LAW OF THE LAND. SEE APPENDIX N. ARTICLE VI MISCELLANEOUS
PROVISIONS. AND THE NINE JUSTICES OF THIS HON. COURT AS "BOWED TO THE SUPREME LAW OF THE LAND."
IT IS "VERY CLEAR" BEFORE THIS HONORABLE COURT THAT THE
CRIMINAL APPEALS COURT HAD MY RULE 60(b)(4) MOTION
UNDER THEIR REVIEW, SEE APPENDIX B, PAGE # 11.
PETITIONER MOTION TO SHOW CAUSE.

THE CIVIL APPEALS COURT STATED, "THE COURT MUST TAKE

Why should the writ be granted cont.

JUDICIAL NOTICE of A "VOID JUDGEMENT" or of THE LACK of
SUBJECT-MATTER JURISDICTION EX-MERO MOTU."

SEE APPENDIX R

CORNING LAM, 946 SO. 2d 838

SUPREME COURT OF ALABAMA CASE LAW AUTHORITY.

THE CRIMINAL APPEALS COURT JUDGES WAS "DUTY BOUND"
TO TAKE NOTICE "EX MERO MOTU" of Petitioner, RULE
60(b)(4) motion "CHALLENGING A VOID JUDGEMENT", AND
THE SAID JUDGES WAS "DUTY BOUND" TO DO A
"DE NOVO REVIEW" on Petitioner RULE 60(b)(4) motion,
PLACING PETITIONER ARGUMENT of HIS SAID MOTION
UNDER A "PURE QUESTION OF LAW ANALYSIS", JUST AS
THE CIVIL APPEALS COURT DID.

SEE APPENDIX B, PAGE # 11. Petitioner, Motion to show CASE.

THE MOTHER FILED A WRIT MANDAMUS CHALLENGING THE
JUDGE ORDER (WRIT MANDAMUS IS THE PROPER PETITION TO
FILE IN THE STATE OF ALABAMA WHEN CHALLENGING A JUDGES
ORDER), THE CIVIL APPEALS COURT OF ALABAMA INFORMED
THE MOTHER THAT A WRIT MANDAMUS IS NOT THE WAY
TO GO WHEN A RULE 60(b)(4) MOTION IS DENIED. THEN
THE SAID COURT "EXERCISED" ITS DISCRETION AND TREA-
TED THE MOTHER WRIT MANDAMUS AS AN APPEAL.

THE REASON IS ALSO STATED BY THE CIVIL APPEALS
COURT WHY THEY TREATED THE MOTHER WRIT MAND-
AMUS AS AN APPEAL, AS STATED, "THE MOTHER ARGUED
IN HER BRIEF SUBMITTED TO THIS COURT THAT THE

WHY SHOULD THE WRIT BE GRANTED COURT.

Circuit Court's JANUARY 30th, 2020, JUDGEMENT IS VOID.
WE AGREE, BUT NOT FOR THE REASONS ARGUED BY THE MOTION
ETC. THIS COURT MAY TAKE JUDICIAL NOTICE OF A VOID JUDGEMENT
OR LACK OF SUBJECT-MATTER JURISDICTION EX MERO MOTU."

THE CIVIL APPEALS COURT NOTICED A "VOID JUDGEMENT" OR "LACK
OF SUBJECT MATTER JURISDICTION", OUTSIDE OF THE MOTION ARGU-
MENT AND THE SAID COURT TOOK "JUDICIAL ACTION."

SEE APPENDIX H, PAGE # 1. CRIMINAL APPEALS COURT OF
ALABAMA ISSUED ORDER DISMISSING PETITIONER APPEAL.

THE SAID COURT STATED, "IN HIS MOTION". THEREFORE, IT IS
"VERY CLEAR" THAT THE SAID COURT HAD MY RULE 60(b)(4)
MOTION UNDER THEIR REVIEW. THE SAID COURT "IGNORED"
THE CIVIL APPEALS COURT RULING, RELIED ON AND SUPPORTED BY
ALABAMA SUPREME COURT CASE LAW AUTHORITY, "EX PARTE
WHEATH," SEE APPENDIX B, PAGE # 11. PETITIONER SHOW CASE MOTION.

AND THE SAID COURT "REFUSES" TO "EXERCISE" THEIR DISCRETION AND
"NOTICE" EX MERO MOTU OF A "VOID JUDGEMENT" IN PETITIONER RULE
60(b)(4) MOTION, BECAUSE OF THE "MAGNITUDE" OF THE OUTCOME
OF A "DEVELOP REVIEW" OF PETITIONER, SAID MOTION. THE COURT
WENT SO FAR AS TO "MAKE SURE" THEY DID NOT PUT THE
"FACTS" OF MY ARGUMENT ON THE RECORD CORRECTLY, TO CAUSE
ANOTHER REVIEWING COURT TO "LACK INTEREST" OF REVIEW
WHICH WOULD HAVE SHOWN THE FOLLOWING, WHEREAS THE SAID
JUDGEMENT STATED. SEE APPENDIX H, PAGE # 1. DISMISS ORDER.
1. MOSES JACKSON APPEALS FROM THE CAUTION CIRCUITS COURT'S
ORDER OF OCTOBER 25th, 2023.

PETITIONER FACTS OF 1. IS: SEE APPENDIX B, PAGES # 9,

WHY SHOULD THE WRIT BE GRANTED CONT.

10, # 11, # 12, # 13, & # 14. Petitioner, "CORRECTLY", AND "LEGALLY" FOLLOWED THE APPEAL PROCESS OF A TRIAL COURT DENIAL "OF A RULE 6D(b)(4) MOTION". PETITIONER WAS NOT APPEALING A JUDGES ORDER. SEE APPENDIX H, PAGE # 1. DISMISS ORDER.

2. "DENYING HIS MOTION TO SET ASIDE AND DEEM VOID HIS CONVICTIONS AND SENTENCES PURSUANT TO RULE 6D(b)(4), ALA. R. CIV. P."

SEE APPENDIX I, PAGE # 1. RULE 6D(b)(4) MOTION.

PETITIONER STATED, "MOTION TO "SET ASIDE" AND DEEM "VOID", THE APRIL 11TH, 2003 JUDGEMENT OF ABOVE CASE(S), UNDER ALABAMA RULES OF CIVIL PROCEDURE RULE 6D(b)(4), BECAUSE THE STATE AGENT, COURT REPORTER, DIANE BATHES, "FAILED" TO "PRESERVE" THE RECORD OF ABOVE CASE(S)."

SEE APPENDIX I, PAGES # 1 - # 14. RULE 6D(b)(4) MOTION.

PETITIONER IS "CHALLENGING" THE "SAYD JUDGEMENT". PETITIONER "IS NOT" CHALLENGING THE "CONVICTIONS AND SENTENCES" OF HIS SAYD CASE UNDER A RULE 6D(b)(4) MOTION.

THIS IS PETITIONER FACTS OF 2.

SEE APPENDIX H, PAGE # 1. DISMISS ORDER.

3. "IN HIS MOTION, HE CONTENDED THAT HIS CONVICTIONS AND SENTENCES FROM 2003 WERE DUE TO BE VACATED BECAUSE THE COURT REPORTER FAILED TO FOLLOW THE ALABAMA UNIFIED JUDICIAL SYSTEM'S RECORD RETENTION SCHEDULE"

PETITIONER FACTS OF 3.: SEE APPENDIX I, PAGE # 9. RULE 6D(b)(4) MOTION.

PETITIONER STATED, "THIS WAS NOT THE CASE WITH THE

WHY SHOULD THE WRIT BE GRANTED CONT,

SAID AGENT. SHE SIMPLY "I IGNORED" her SAID DUTY, AND "DID NOT" follow the "RULE(S)" AND "LAW(S)" IN EXHIBIT (D), PAGES #1, #2, AND NUMBER #3 THAT POSSIBLY SURROUNDS THE "ALLEGED" ALABAMA JUDICIAL RETENTION SCHEDULE"

SEE APPENDIX H, PAGE # 1, DISMISS ORDER.

4. "UPON her retirement with respect to the RECORDS of his trial."

PETITIONER FACTS OF 4.: SEE APPENDIX I, PAGE # 2. RULE 6D(b)(4) MOTION, AND SEE APPENDIX I, PAGE # 20.

STATES, "THE ORIGINAL STENOGRAPHIC NOTES OF SUCH COURT REPORTER IN EACH CASE OR PROCEEDING OFFICIALLY REPORTED SHALL BE PRESERVED BY HIM AND TREATED AS A PART OF THE RECORDS OF THE RESPECTIVE COURTS, AND UPON HER RETIREMENT FROM OFFICE, SHALL BE TURNED OVER TO THE CLERKS OF SUCH COURTS."

AFTER THIS HONORABLE COURT REVIEW OF THE "FACTS" HEREIN, AND REVIEW OF MY RULE 6D(b)(4) MOTION, IT IS "VERY CLEAR" THAT THE CRIMINAL COURT OF APPEALS "DERAILED" MY ARGUMENT IN MY RULE 6D(b)(4) MOTION, AND THE SAID COURT "DERAILED" MY APPEAL PROCESS, AND THE REASON IS SIMPLE. IT WAS TO KEEP MY RULE 6D(b)(4) OFF THE RECORD, AND FROM UNDER A "DE NOVO REVIEW" WHICH SUCH REVIEW WOULD BE IN "HEAVILY FAVOR" OF THE PETITIONER. THE SAID COURT REVIEWED A "CERTIFIED COPY" OF MY RULE 6D(b)(4) ^{MOTION}, AND "STOOD MUTE" IN THE FACE OF

Why should The writ BE GRANTED Court.

A "Substantial Jurisdictional ^{ERROR} ~~REASON~~ ^{RESISTING TO}" A "VOID JUDGEMENT"
AND THIS SAID ACTION BY THE SAID COURT "WILLFULLY SUBJECTS"
PETITIONER TO THE DEPRIVATION OF MY U.S.C. RIGHTS.

SEE APPENDIX S. DEPRIVATION OF RIGHTS UNDER THE COLOR OF LAW.
^{18 USC, 242}

THE SAID COURT DEPRIVED ME TO BE A "PARTY" TO "PRESENT ADVERSE"
AND THE SAID COURT "DEPRIVED" ME THE "OPPORTUNITY TO
BE HEARD", WHICH IS A "DEPRIVATION OF MY SUBSTANTIAL RIGHTS" AND U.S.C. RIGHTS.

SEE APPENDIX I, PAGE # 25. RULE 60(b)(4) MOTION. ^{42 USC, 1981}

SEE APPENDIX J. ~~SUPREME COURT OF THE UNITED STATES~~
HEAD NOTES. ^{LED DIGEST: JUDGEMENT § 21, 289}

THIS WAS A DIRECT VIOLATION OF MY U.S.C. CONSTITUTIONAL
RIGHTS, AMENDMENT 5, DUE PROCESS CLAUSE, AND AMENDMENT
14, DUE PROCESS CLAUSE.

SEE APPENDIX K, AND SEE APPENDIX L. 5th AND 14th
AMENDMENTS OF THE U.S.C.

THESE SAID AMENDMENTS IS THE "SUPREME LAW" OF THE
LAND, AND THE CRIMINAL APPEALS JUDGES OF THE STATE
OF ALABAMA IS BOUND TO, AND THE SAID COURT FAILED TO PROTECT
MY SAID RIGHTS. NOW IS THIS HONORABLE COURT DUTY TO DO SO.
THIS HAS CAUSED "CONTROVERSY" BETWEEN THE PETITIONER
AND THE STATE OF ALABAMA, AND THE SAID COURT
SAID ACTIONS WAS "HIGHLY PREJUDICIAL" TO PETITIONER,
BRINGING "INJURY" TO PETITIONER, CAUSING PETITIONER TO
SUFFER "UNJUST HARDSHIP". THIS IS A "MISFEASANCE OF JUSTICE"
THAT CALLS FOR THIS COURT TO "EXERCISE" IT CONSTITUTIONAL
DUTIES AND ISSUE SANCTIONS ON THE ALABAMA

Why should the writ BE GRANTED now?

APPEARS COURT JUDGES OUTLINED IN THE "PARTIES SECTION" OF THIS WRIT IN ACCORDANCE WITH 18 U.S.C. 242.

SEE APPENDIX S. DEPRIVATION OF RIGHTS UNDER COLOR OF LAW, 18 U.S.C. 242.

PETITIONER "FACTS AND LAWS" OUTLINED WITHIN "CLEARLY" SHOW THIS HONORABLE COURT THAT PETITIONER, "WILL NOT RECEIVE A FAIR HEARING" IN THE STATE OF ALABAMA. PETITIONER "FACTS AND LAWS" OUTLINED WITHIN PETITIONER RULE 60(b)(4) MOTION, SEE APPENDIX I, PAGES # 1 - # 29. PETITIONER RULE 60(b)(4) MOTION, "CLEARLY" SHOW THIS HONORABLE COURT A "SUBSTANTIAL JURISDICTIONAL ERROR" THAT RISES TO A "VOID JUDGEMENT" IN PETITIONER SAID CASE. SEE APPENDIX S. SUPREME COURT OF THE UNITED STATES HEAD NOTES.

PETITIONER, "EXHAUSTED" HIS STATE REMEDIES, AND IS UNDER THIS HONORABLE COURT "EXCLUSIVE" APPELLATE JURISDICTION. PETITIONER'S "CASE" AND "RULE 60(b)(4) MOTION" IS "PRERE" FOR THIS HONORABLE COURT REVIEW.

SEE APPENDIX T. ARTICLE III JUDICIAL POWER. RULES OF THE SUPREME COURT OF THE UNITED STATES, RULE 13.6.1.
SEE APPENDIX U. 90 DAY JURISDICTIONAL TIME PERIOD.
SEE APPENDIX V. FEDERAL RULES OF CIVIL PROCEDURE, RULE 60.
SEE APPENDIX W. FEDERAL COURT REVIEW DEMAND A RULE 60(b)(4) MOTION, REQUIREMENTS.

THEREFORE, PETITIONER REQUEST FOR THIS HONORABLE COURT TO "CONSIDER" PETITIONER RULE 60(b)(4) MOTION TO A "FEDERAL RULES OF CIVIL PROCEDURE", RULE 60(b)(4), AND DO A "DEMAND (SEE) REVIEW" OF PETITIONER RULE 60(b)(4) MOTION. SEE APPENDIX X. FED. R. CIV. P., RULE 60. RELIEF FROM JUDGEMENT.

HERE ARE "ADDITIONAL FACTS" FOR THIS HONORABLE COURT TO "CONSIDER" UNDER "REVIEW" OF PETITIONER RULE 60(b)(4) MOTION.

1. WHEN THE COURT REPORTER "FAILED" TO "PRESERVE" PETITIONER RECORDS IN "BAD FAITH", IT CAUSED THE RECORD TO BE "UNAVAILABLE FOR GOOD", SEE APPENDIX I, PAGE # 18. PETITIONER RULE 60(b)(4) MOTION. AND IT CAUSED THE "EVIDENCE" OF THE "RECORD" TO BE "UNAVAILABLE FOR GOOD", CAUSING THE PETITIONER RECORDS IN THE STATE OF ALABAMA TO BECOME "SILENT", WITH "NO FAULT" OF PETITIONER. SEE APPENDIX Y. STATE OF ALABAMA SILENT RECORD RULING. 155 SO. 3d 1031; 2013 ALA. CRIM. APP. LEXIS 114

THIS IS "HIGHLY PREJUDICE" TO DEFENDANT, BECAUSE IF PETITIONER WAS TO RAISE A "JURISDICTIONAL ISSUE" "IF POSSIBLE" WITHOUT THE "SAID EVIDENCE" OF "SAID RECORD" IN THE COURTS OF ALABAMA, I CANNOT "SUPPORT" OR "COOPERATE" MY "ARGUMENT" WITH THE "UNAVAILABLE EVIDENCE" OF MY "UNAVAILABLE RECORD".

WHY SHOULD THE WRIT BE GRANTED CONT.

DUE to the court reporter, ^{SAID} ACTIONS in "BAD FAITH" with "no fault" of my own. This has placed the petitioner in a "DISADVANTAGE" with my opponent, to wit: THE STATE OF ALABAMA, AND IT HAS "DEPRIVED" PETITIONER AN "OPPORTUNITY TO BE HEARD", BECAUSE THE COURTS OF ALABAMA WILL APPLY THE "SILENT RECORD RULE".
SEE APPENDIX J. Supreme Court of The United States HEADNOTES.

THE STATE AGENT of ALABAMA, COURT REPORTER, DIANE BATTLES, AN OFFICER of THE COURTS of ALABAMA, HAD "NO JURISDICTION" TO "NO LONGER RETAIN THE NOTES" of THE TRANSCRIPT of MY "GUILTY PLEA COLLOQUY" AND "SENTENCING". THE SAID COURT REPORTER "FAILED" TO PLACE MY RECORD of CASE # CC-DI-1358, 1359, 1360, 1361 on microfilm, "CHECKING THE ORIGINAL RECORD" for "ACCURACY" AND "SECURITY of microfilm", SEE APPENDIX I, PAGE # 22.

RULE 6D(b)(4) motion. THE SAID COURT REPORTER FAILED TO FOLLOW HER "KNOWN DUTY". THIS SAID FAILURE(S) OUTLINED ABOVE "DEPRIVED" PETITIONER, TO BE A "PARTY", AND "DEPRIVED" PETITIONER, THE OPPORTUNITY TO "PRESENT EVIDENCE" from HIS "SAID RECORD" of "SAID CASE" THAT "NO LONGER EXIST", DEPRIVING PETITIONER AN "OPPORTUNITY TO BE HEARD" IN THE COURTS of ALABAMA. SEE APPENDIX I, ^{42 U.S.C. 1981} PAGE # 25. PETITIONER RULE 6D(b)(4) motion, AND SEE APPENDIX J. Supreme Court of The United States HEADNOTES. LED DIGEST: JUDGEMENTS 21, 289

THESE SAID ACTIONS of THE SAID COURT REPORTER IS A "DIRECT" violation of MY U.S.C. RIGHTS, AMENDMENT 5, "DUE PROCESS CLAUSE", AND AMENDMENT 14, "DUE PROCESS

WHY SHOULD THE WRIT BE GRANTED CONT.

CHASE, SEE APPENDIX K, AND APPENDIX L, § 14th AMENDMENTS OF THE UNITED STATES CONSTITUTION, WHICH THESE SAID AMENDMENTS IS THE SUPREME LAW OF THE LAND, THAT THE "NINE" JUSTICES OF THIS HONORABLE COURT IS "BOUND" TO, SEE APPENDIX N, "SUPREME LAW" OF THE LAND. MISCELLANEOUS PROVISIONS.

THIS HONORABLE COURT "MUST" EXERCISE ITS "CONSTITUTIONAL DUTIES" AND "PROTECT" PETITIONER, FACTS WHICH THE STATE OF ALABAMA "FAILED" TO DO, AND THIS HONORABLE COURT UNDER THE "PURE QUESTION OF LAW ANALYSIS" (DE NOVO (SIC) REVIEW), BY THE FACTS OUTLINED IN PETITIONER RULE 6D(b)(4) MOTIONS, AND THE FACTS OUTLINED HERE IN, SEE PAGES # 19 - # 25 OF THIS WRIT.

THIS HONORABLE COURT MUST DEEM THE APRIL 11th, 2003 JUDGEMENT OF CASE # CC-01-1358, 1359, 1360, § 1361 "VOID".

THIS HONORABLE COURT CANNOT HOLD PETITIONER "ACCOUNTABLE", NOR HAS SAID CASE "ACCOUNTABLE" TO A "SILENT RECORD" WITH "NO FAULT OF HIS OWN", BUT "CREATED" BY THE SAID COURT REPORTER "FAILING TO PRESERVE" PETITIONER SAID RECORD IN "BAD FAITH".

2. THE SAID COURT REPORTER ACTIONS WAS IN "BAD FAITH".

SEE APPENDIX I, PAGE # 8, PETITIONER RULE 6D(b)(4) MOTION.
SEE APPENDIX 2, FEDERAL BAD FAITH. 629 FED APPX 793.

THE SAID COURT REPORTER HAD A "KNOWN DUTY", TO PRESERVE PETITIONER, RECORD AND UPON HER RETIREMENT, TURN MY RECORD OVER TO THE CLERK OF THE CALHOUN COUNTY CIRCUIT COURT, TO CONTINUE AS "CUSTODIAN" OVER MY RECORD. THE SAID COURT REPORTER WAS "SUBJECT" TO A LAW THAT ENJOINS "ACCEPTABLE BEHAVIOR", CAPABLE OF "UNDERSTANDING" THE DIFFERENCE

WHY SHOULD THE WRIT BE GRANTED CONT.
CE BETWEEN "RIGHT" AND "WRONG." THE SAID COURT REPORTER B-
NOWN DUTY "ALONE" ALERTS HER THAT SHE CANNOT JUST "NO
LONGER RETAIN" MY SAID RECORD WITHOUT SOME TYPE OF "PRESERVE."
SHE "MUST PRESERVE" MY RECORD. SO THE "EXCUSE" THE SAID COURT
REPORTER GAVE TO THE COURT, SEE APPENDIX I, PAGE # 18.
PETITIONER RULE 60(b)(4) MOTION, WAS A "BREACH" OF KNOWN
DUTY, A "VIOLATION" OF A "LEGAL" OR "MORAL OBLIGATION," THE FAILURE
TO "ACT" AS THE LAW "OBLIGATES" ONE TO ACT, AND HER SAID EX-
CUSE WAS A "LIE", TO COVER HER "KNOWN WRONG", AND A "UNEXUSAB
LE CARELESSNESS", WHICH WAS "HIGHLY PREJUDICIAL" TO PETITIONER,
CAUSING PETITIONER TO SUFFER "UNDOE HARDSHIP" IN THE STATE
OF ALABAMA UNDER FOUR CLASS A CONVICTIONS, AND FOUR LIFE
SENTENCES, WITHOUT "THE OPPORTUNITY TO BE HEARD" IN THE COURTS
OF ALABAMA, WHICH IS A VIOLATION OF MY U.S.C. RIGHTS, AM-
ENDMENT 5, DUE PROCESS CLAUSE, AMENDMENT 14, DUE PRO-
CESS CLAUSE, AND AMENDMENT 8, CRUEL AND UNUSUAL PUNISHM-
ENT CLAUSE, SEE APPENDIX K, APPENDIX L, AND APPEN-
DIX M, WHICH THESE SAID AMENDMENTS IS THE "SUPREME LAW"
OF THE LAND THAT THE "NINE" JUSTICES OF THIS HONORABLE COURT
IS "BOUND" TO.

THIS HONORABLE COURT MUST "DEEM" THE SAID COURT REPORTER
SAID ACTIONS AS "BAD FAITH". SEE APPENDIX Z. UNITED
STATES COURT OF APPEALS CASE LAW AUTHORITY. 627 F2D APPX 793.

3. THE PETITIONER, CANNOT BE "REINDICTED" OR "RE-CONVICTED."

SEE APPENDIX AA. CRIMINAL LAW § 59-GUILTY PLEA.

THE UNITED STATE CONGRESS

Why should this writ BE GRANTED?

Am. established in Appendix A that, that a "Plan of Civilty" is a
"conviction". This said "law" established by the U.S. Congress above is
the Supreme Law of the Land that the "Nine Justices" of this Honorable
Court is "Duty Bound" to act to protect Petitioner from "Double Jeopardy".
SEE APPENDIX B, 5th Amendment. The Petitioner Pleads Guilty on April 11th, 2003
in that same Street Court room. SEE APPENDIX D, Page # 2. Case Action
Summary of Case # CE-01-1358, 1359, 1360, & 1361. The Petitioner,
Pleads Guilty on the same date as charged in the indictments.
SEE APPENDIX BB, Pages # 1 - # 4. Petitioner Indictments.
SEE APPENDIX CC, Pages # 1 - # 2. Case Action Summary Indictments.
Petitioner did not Plead Guilty to "No lesser included offenses".
Of the charges outlined in the indictments. Therefore, Petitioner can-
not be "reindicted" or "reconvicted" by the State of Arkansas.
After under the same cases # CE-01-1358, 1359, 1360, & 1361 of
"No fault of my own". My Record of said case wins not
"Lost", "Stolen", "Misplaced" or "Damaged". By fire, water, corrosion,
OR ETC. SEE APPENDIX I, Page # 8. Rule 6(b)(2) motion.

THE "EXCUSE" the Court Reporter gave is "unfounded" by law and
"Do not support" the United States Constitution. The Court Reporter
failed to "preserve" my Record in "Bad faith". Petitioner cannot be subje-
ct to a "reconviction" or "reindictment" of no fault of my own. This
would be a "Direct violation" of Petitioner United States Constitution
Rights", see Amendment, Double Jeopardy clause, and Due Process
clause. SEE APPENDIX K. 5th Amendment, which this said
Amendment is the "Supreme Law" of the Land that the "Nine
Justices" of this Honorable Court are "Bound" to.
This Honorable Court must "EXIST" its "Constitutional Duty" to protect
Petitioner "U.S. Rights", this Honorable Court is "Duty Bound" to act.

SEE APPENDIX D, Page # 2. Case Action Summary.
Petitioner was sentenced on April 11th, 2003.

Why should the writ be granted Cont. # 7

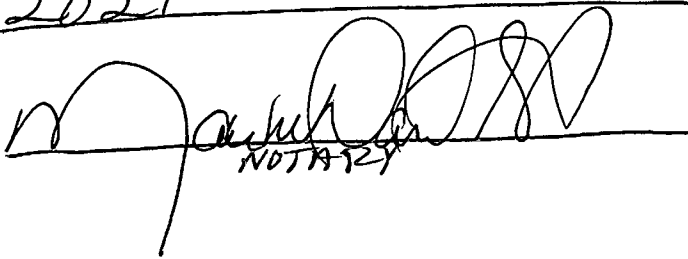
SEE APPENDIX D PAGES # 4, # 5, # 6, # 7, CASE ACTION SUMMARY.
IT IS "VERY CLEAR" THAT THE TRIAL COURT CLERK "NEVER SENT" PETITIONER,
A "CERTIFIED COPY" OF MY RULE 60(b)(4) MOTION AND ORDER DENYING SAID
MOTION, WHEN SHE SENT A "CERTIFIED COPY" OF SAID MOTION AND
SAID ORDER WITH SAID NOTICE OF APPEAL OF CASE # CR-2023-
0817. SEE APPENDIX P, PAGES # 2 - # 3. CASE ACTION SUMMARY
REPORT OF CR-2023-0817. THIS ACTION BY THE TRIAL CLERK "DEPRIVED"
PETITIONER AN "OPPORTUNITY TO BE HEARD". SEE APPENDIX J. SUPREME
COURT OF THE UNITED STATES HEADNOTES. THIS IS A VIOLATION OF PET-
ITIONER, U.S.C. RIGHTS, 5TH AMENDMENT, DUE PROCESS RIGHTS, THAT
THIS HONORABLE COURT IS "BOUND TO". SEE APPENDIX K. 5TH
AMENDMENT, AND SEE APPENDIX N. ARTICLE VI MISCELLANEOUS
PROVISIONS.

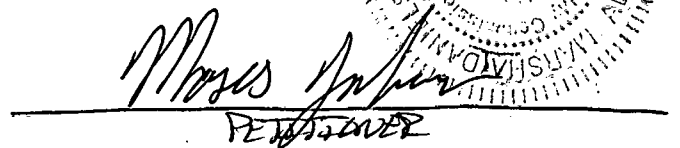
THE SAID COURT REPORTER HAD "NO JURISDICTION" TO NO LONGER
RETAIN PETITIONER RECORDS, OUTSIDE HER "KNOWN" DUTY AND "STATE"
3 "FEDERAL" LAW. THE "FACTS" HEREIN THIS WRIT SUPPORT THIS SAID
FACT. THE SAID COURT REPORTER ACTIONS IS A "JURISDICTIONAL"
ERROR" OF "GROSS MAGNITUDE" THAT CALLS FOR THIS HONORABLE
COURT TO ADDRESS UNDER "COMPELLING REASONS". SEE RULE (D) OF THE
RULES OF THE SUPREME COURT OF THE UNITED STATES.
THE SAID COURT REPORTER "LED", AND "MISREPRESENTED" INFORM-
ATION TO THE STATE COURT(S) OF ALABAMA TO COVER HER
WRONG, "KNOWING" THIS WAS "ERROR" OF GROSS MAGNITUDE
THAT COULD LEAD TO A "FINE", IMPRISONMENT, AND A LOSS
OF EMPLOYMENT. SEE APPENDIX S. DEPRIVATION OF RIGHTS
UNDER COLOR OF LAW. INSTEAD OF HER TAKING "ACCOUNTAB-
ILITY", SHE DECIDED TO COVER HER WRONG IN "ARTIFICE", MINI-
PULATING THE COURT AND "WILLFULLY SUBJECT" PETITIONER TO "HARD-
SHIP". THE SAID COURT REPORTER ACTIONS RISES TO "BAD FAITH"

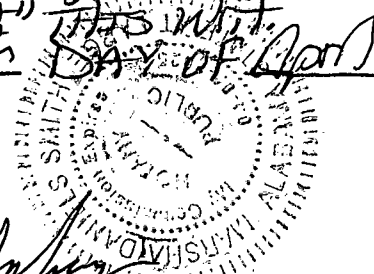
WHY SHOULD THE WRIT BE GRANTED CONT.

AND A "FEDERAL OFFENSE" OF "FRAUD". AND THIS HONORABLE COURT IS "DUTY BOUND" TO THE "UNITED STATES CONSTITUTION AND ITS LAWS" SEE APPENDIX N, ^{INTERPRETING PROVISIONS} AND SEE APPENDIX S, THIS HONORABLE COURT "MUST" ISSUE "SAULTIONS" ON THE COURT REPORTER FOR HER "WILLFUL" AND "UNLAWFUL" ACTIONS IN "BAD FAITH".

SEE APPENDIX N. SUPREME LAW OF THE LAND. THE STATE OF ALABAMA OFFICIALS (PARTIES) OF THIS CASE "VIOLATIONS" OF THE "UNITED STATES CONSTITUTION" "AGAINST" THE PETITIONER IS OBTAINED ALL THROUGHOUT THIS WRIT. THE UNITED STATES CONSTITUTION IS THE "SUPREME LAW" OF THE LAND THAT THE "NINE" JUSTICES OF THIS HONORABLE COURT IS "DUTY BOUND" TO. WHENEVER THIS HONORABLE COURT "REVIEW" A WRIT OF CERTIORARI, AND THE PETITIONER "POINTS OUT" TO THIS HONORABLE COURT, OR THIS HONORABLE COURT "TAKE NOTICE" ON ITS OWN A "SUBSTANTIAL JURISDICTIONAL ERROR" OF "GREAT MAGNITUDE", SEE APPENDIX 3, AND SEE APPENDIX I, PAGES # 1 - # 29. AND WHENEVER THE PETITIONER "POINTS OUT" TO THIS HONORABLE COURT, OR THIS HONORABLE COURT "TAKE NOTICE" ON ITS OWN, PETITIONER DEPRIVED OF HIS "SUBSTANTIAL RIGHTS" OF A "OPPORTUNITY TO BE HEARD", AND "THE COURTS OF ALABAMA" AND "COURT REPORTER" "WILLFULLY" SUBJECT PETITIONER TO THE "DEPRIVATION" OF HIS "SUBSTANTIAL" AND "U.S.C. RIGHTS", SEE PAGES # 8 - # 9 OF THIS WRIT, AND SEE PAGES 24 - # 25 OF THIS WRIT, THIS HONORABLE COURT IS "DUTY BOUND" TO THE "UNITED STATES CONSTITUTION", THE "SUPREME LAW" OF THE LAND, "TO ACT" "EXPEDITIOUSLY" TO PROTECT PETITIONER "RIGHTS" OF THE U.S.C. THE INTEREST OF THE PUBLIC SHOULD BE TO "RESPECT" AND "SUPPORT" THE CONSTITUTION OF THE UNITED STATES, THE "SUPREME LAW" OF THE LAND. AND WHEN THE U.S.C. IS VIOLATED TO THE LEVEL OF "SUBSTANTIAL JURISDICTIONAL ERROR", AND A "DANGEROUS" "ACTION" WITH "WILLFUL MOTIVES" OF "SUBSTANTIAL" AND "U.S.C. RIGHTS", THEN THE "VIOLATORS" SHOULD BE "HELD ACCOUNTABLE" BY THE "INTEREST OF THE PUBLIC", AND "HELD ACCOUNTABLE" BY THIS "HONORABLE COURT" TO THE "PENALTIES" OF THE "UNITED STATES CONSTITUTION" AND ITS "LAWS", SEE APPENDIX S. AND NOT GET A "FREE PASS" OR "SMALL ON THE HAND" BECAUSE OF THEIR "POSITIONING", LEAVING THE PETITIONER TO "SUFFER" UNDER "HANDSHIP" AND "CRUEL AND UNUSUAL PUNISHMENT". AND THE PETITIONER SHOULD BE "GRANTED RELIEF" BY THIS HONORABLE COURT. THIS IS "SPECIAL", "IMPORTANT", AND "COMPELLING" REASONS HEREIN FOR THIS HONORABLE COURT TO "GRANT" THIS WRIT. SWORN AND SUBSCRIBED TO BEFORE ME ON THIS 24th DAY of April 2025.


NOTARY


PETITIONER



April 2, 2025
MY COMMISSION EXPIRES

Marsha Daniels Smith
Notary Public, Alabama State at Large
My Commission Expires:
4-2-2025

CONCLUSION

SEE MAHLER V. EBY, 264 U.S. 32, 44 S. Ct. 283, 68 L. Ed. 549 (1924).
"PLAIN AND SERIOUS ERROR IS NOTICED ALTHOUGH NOT ASSIGNED"

SEE SILBER V. UNITED STATES, 370 U.S. 717, 82 S. Ct. 1287, 8 L. Ed. 2d 798 (1962).

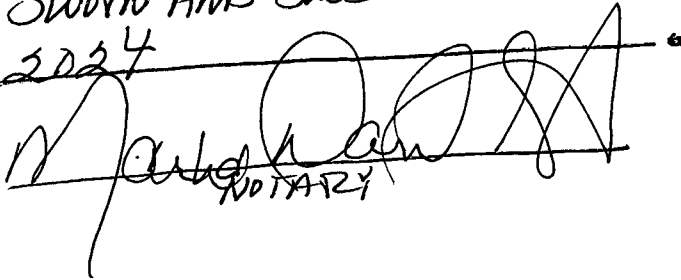
"IN EXCEPTIONAL CIRCUMSTANCES", ESPECIALLY IN "CRIMINAL CASES", "APPELLATE COURTS", IN PUBLIC INTEREST, MAY NOTICE ERROR ON THEIR OWN MOTION TO WHICH NO EXCEPTION HAS BEEN TAKEN, IF ERRORS IS "OBVIOUS", OR IF THEY OTHERWISE "SERIOUSLY", EFFECT "FAIRNESS", "INTEGRITY", OR "PUBLIC REPUTATION" OF JUDICIAL PROCEEDINGS. PETITIONER, "CRIMINAL CASE", IS A "EXCEPTIONAL CIRCUMSTANCE" THAT IS UNDER THIS HONORABLE COURT "EXCLUSIVE APPELLATE JURISDICTION REVIEW". THE COURT REPORTER DIANE BATTLES "FAILING TO PRESERVE" PETITIONER RECORDS IN BAD FAITH, "WILLFULLY" SUBJECTING PETITIONER TO THE "DEPRIVATION" OF MY "SUBSTANTIAL AND U.S.C. RIGHTS", THE "FIVE JUDGES" OF THE ALABAMA APPEALS (CRIMINAL) COURT HAD "NO JURISDICTION" TO DISMISS PETITIONER APPEAL, "DEPRIVING" PETITIONER APPEAL PROCESS, TO COVER FOR ONE OF THEIR OWN (COURT REPORTER DIANE BATTLES "OBVIOUS" VIOLATIONS OF RULES & LAW ON THE FACE OF THE RECORD), "WILLFULLY" SUBJECTING PETITIONER TO THE "DEPRIVATION" OF MY "SUBSTANTIAL AND U.S.C. RIGHTS", HAS "SERIOUSLY EFFECTED" THE "FAIRNESS", "INTEGRITY", AND "PUBLIC REPUTATION" OF THE JUDICIAL PROCEEDINGS IN PETITIONER CASE # CR-2023-0817, AND CASE # CC-2001-1358, 1359, 1360, & 1361, BECAUSE PETITIONER IS "DEPRIVED" A "OPPORTUNITY TO BE HEARD" IN SAID CASE, AND HAS BEEN "HANDLED DOWN" "BIAS" AND "HIGHLY PREJUDICE" BY THE RESPONDENTS OUTLINED ABOVE.

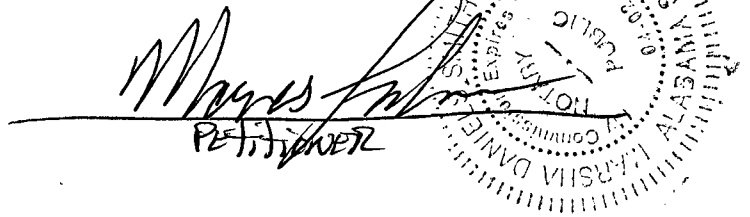
NOW MY CASE IS BEFORE THIS HONORABLE COURT "REVIEW" WITH "OBVIOUS" "SUBSTANTIAL AND SERIOUS" JURISDICTIONAL ERRORS, THAT "VIOLATES" PETITIONER SAID U.S.C. RIGHTS OUTLINED THROUGHOUT THIS WRIT. THE JUSTICES OF THIS HONORABLE COURT IS "BOUND" TO THE U.S.C. THIS HONORABLE COURT CANNOT TURN A "BLIND EYE" TO THIS MATTER, EVEN IF THIS "WRIT FORM" MOVES A "LITTLE AWAY" FROM THIS HONORABLE "COURT RULES". THE U.S.C. IS THE "SUPREME LAW" OF THE LAND, AND WHEN "VIOLATED", THIS HONORABLE COURT IS "DUTY BOUND" TO THE "U.S.C." TO "STEP IN" AND "STRAIGHTEN OUT" THE "VIOLATORS". THIS IS OF "NATIONAL IMPORTANCE" BECAUSE I AM A "U.S. CITIZEN" THAT IS BEFORE THE "HIGHEST COURT" IN THE LAND WHO IS "BOUND" TO THE "U.S.C." AND IN THE "EYES" AND "INTEREST" OF THE PUBLIC SHOULD NOT "WILLFULLY" DEPRIVE THE PETITIONER OF MY "U.S.C. SAID RIGHTS".

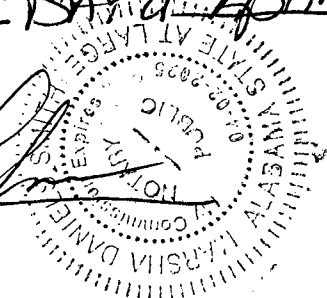
CONCLUSION CONT.

PETITIONER HAS PRESENTED "FACTS" AND "LAW" BEFORE THIS HONORABLE COURT "REVIEW" IN THIS WRIT, THAT "clearly show" ON THE "FACE OF THE RECORD" THAT THE "five" JUDGES OF THE ALABAMA CRIMINAL COURT OF APPEALS WAS BEING "BIAS" AND "Highly PREJUDICE" TOWARDS PETITIONER IN HIS APPEAL PROCESS, AND THAT THE SAID COURT "willfully" SUBJECTED PETITIONER TO THE DEPRIVATION OF MY "SUBSTANTIAL" AND "U.S.C." RIGHTS, AND THAT THE JUDGEMENT ENTERED BY THE SAID COURT ON "DECEMBER 21st, 2023" SHOULD BE "DEEMED" "VOID" BY THIS HONORABLE COURT FOLLOWED BY "ISSUED SANCTIONS" ON THE SAID COURT FURTHER "willful", AND "unlawful" ACTIONS.

PETITIONER HAS PRESENTED "FACTS" AND "LAW" BEFORE THIS HONORABLE COURT "REVIEW" IN THIS WRIT, THAT "clearly show" ON THE "FACE OF THE RECORD" THAT THE COURT REPORTER DIANE BATTLES "DISREGARDED" AND "ABANDONED" A "Known Duty" AND "FAILED" TO "PRESERVE" PETITIONER "RECORD" IN "BAD FAITH", "willfully" SUBJECTING PETITIONER TO THE "DEPRIVATION" OF HIS "SUBSTANTIAL" AND "U.S.C." RIGHTS, AND THE JUDGEMENT ENTERED ON "April 11th, 2023" IN CASES # CC-2001-1358, CC-2001-1359, CC-2001-1360, & CC-2001-1361, SHOULD BE "DEEMED" "VOID" BY THIS HONORABLE COURT FOLLOWED BY "ISSUED SANCTIONS" ON THE SAID COURT REPORTER FOR HER "willful" AND "unlawful" ACTIONS. IT IS "clear" PETITIONER WILL NOT RECEIVE A "fair appeal" IN THE STATE OF ALABAMA, THIS HONORABLE COURT MUST PROTECT PETITIONER "RIGHTS". SWORN AND SUBSCRIBED TO BEFORE ME ON THIS 24th DAY OF April 2024


NOTARY


PETITIONER



April 2, 2025
MY COMMISSION EXPIRES

Marsha Daniels Smith
Notary Public, Alabama State at Large
My Commission Expires
4-2-2025