

No. **23-7541**

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

APR 19 2024

OFFICE OF THE CLERK

Tommy Duane Barnes — PETITIONER
(Your Name)

Roberto Felix Jr.; vs.
The County of Harris, Texas — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Fifth Circuit Court of Appeals

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

PETITION FOR WRIT OF CERTIORARI

Tommy Duane Barnes
(Your Name)

3001 South Emily Drive
(Address)

Beeville, Texas 78102
(City, State, Zip Code)

NA
(Phone Number)

RECEIVED

APR 29 2024

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SUPREME COURT, U.S.

QUESTION(S) PRESENTED

- 1) Was Ashtian actually MURDERER as part of a plan ?
- 2) Was the petitioner(TOMMY BARNES) Constitutional Rights violated by The United States District Court by way of Judge Alfred H. Bennett denying a telephone hearing multiple times after granting Pro Se. representation to said petitioner. Did this act make it appear as if Barnes' constitutional rights were being adhered to? This denial let the courts have control over the entire narrative.
- 3) Is there an act of TYRANNY involved in this litigation that meets the criminal statutes of: 1) Conspiracy To Commit Murder, 2) MURDER, 3) Accessory After The Fact?
- 4) Has The State of Texas attorney general, Ken Paxton, involved himself in an act of TYRANNY?
- 5) Are there more to be litigated on in this case?
- 6) Was the entire jurisdiction of Texas offering immunity to the conspirators by way of elected officials and the powers vested in them ?
- 7) Is Pattie Mildred Edwards/Stafford corrupt? (Case manager in The United States District Court)
- 8) Is Lisa Edwards, present case manager, related to Pattie Mildred Edwards/Stafford?
- 9) Did Pattie Mildred Edwards/Stafford campaign for Judge Alfred H. Bennett to acquire his elected seat?
- 10) Is Adam Fomby a part of a conspiracy for financial gain?
- 11) Should an investigation be opened outside the Texas jurisdiction and the influences of T. Michael Oconnor(Texas US MARSHALL) and friend of Ken Paxton?
- 12) Did Pattie Mildred Edwards/Stafford campaign for T. Michael Oconnor, Andy Louderbach, and Mayor Sylvester Turner?
- 13) Is Andy Louderbach(Sheriff of Jackson County) and Clinton Woolridge(Chief of Police Edna Texas) part of the conspiracy to MURDER Ashtian Barnes by securing immunity in the jurisdiction of The County of Jackson, Texas for those participating?
- 14) Was Ashtians MURDER a catalyst to activate the powers of the elected officials?
- 15) Why wasn't petitioner, Tommy Barnes, ever allowed to go on record since being granted pro.se..?
- 16) Does the infusion of fraternal power and electoral power allow someone with criminal intent to go before the justice and never be recognized as the criminal?
- 17) How legitimate is Adam Fomby and Fomby Lawfirm being that allowing Tommy Barnes to be heard will set the plot dated back to Ashtians birth year?
- 18) Does the success that was forecasted for The County of Harris, Texas have anything to do with motive?
- 19) How legitimate is Texas Civil Rights Project that Fomby hired and Tommy Barnes was informed about in 1991?

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

None to cite due to Pettitioner opposing entire litigation thus far.

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	
STATEMENT OF THE CASE	
REASONS FOR GRANTING THE WRIT	
CONCLUSION.....	

INDEX TO APPENDICES

APPENDIX A

APPENDIX B

APPENDIX C

APPENDIX D

APPENDIX E

APPENDIX F

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Barnes v Felix. 2023 U.S. App. LEXIS 22689

Memphis Light, Gas & Water Div v Craft. 436 U.S. 1

Jones v Flowers. 547 U.S. 220

STATUTES AND RULES

Tex. Penal Code § 22.05 (a) (b1)
"Deadly Conduct"

Tex. Penal Code § 71.02 (a1)
"Engaging in Organized Criminal Activity"

Tex. Penal Code § 19.02 (b1) (b2) (b3)
"Murder"

OTHER

- Tommy Barnes Pre-Trial motion in United States District Court
- Tommy Barnes brief in 5th Circuit including exhibits 1 through 18

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 ~~10~~ **A** 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 ~~15~~ **B & 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 _____ 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 _____ 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.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was January 23, 2024.

☒ 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 _____.
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 INVOLVE

The Constitution of The United States grants due process as that was all afforder to Petittitioner Barnes once the deception was revealed by way of his mothers confession before she passed. At the masonic level there is an infusion with know gangs in The United States which raise the statues of organized crime being that ashtians life was taken for financial gain. Petittitioner Barnes was stagged by Eyvonne Tolbert and Ashtian was stagged by his weekend video shoot(Pour Up A Four) I assure this court that you will find ties to RAP-ALOT RECORDS owned by James Prince who has ties to "arryl St. Julien. MURDER as well as ORGANIZE" CRIME will be revealed by the granting of this motion. I ask this court as a father, "may I allow my son to have justice so that he can rest in peace?" This was planted in 1991 as well as the gang mentality in a little country town called edna Texas where petittitioner was born. This MURDER was cultivated by way of elected officials and the seats they occupied. The same group which consists of Pattie Mildred Edwards/Stafford and more Praire View A and M University Alumni from Edna as well as people from there. This constitutes organized crime. The arguing of this litigation is participating in the actual crime which gives the conspiritors a shield. This was planned from the inside out depending on the financial forecast of The County Of Harris due to the same exact road Ashtian was MURDERED on(Sam Houston Tollway).

STATEMENT OF THE CASE

I, Tommy Barnes, oppose the entire litigation of this case. I have been kept off the record thus allowing a conspiracy to proceed. The conspiracy is parallel to the development of the exact same road that Ashtian was murdered on. The conspiracy is fraternally insured by way of Praire View A and M University Alumni and collegiate fraternities. These fraternities were cultivated as well as the gang members since 1991 to make the stage for the scheme that cost Ashtian his life and me my freedom. There are masonic liasions as well as elected officials involved. The exact same ones that contribute to the navigation of this case. I oppose the date the District opined on their order due to the fact that I sent my pre trial order in at the last moment for just that cause. Trial was on the docket to start the Fourth of October that same year. August 23 was opine date. Connecting Jackson County and Pattie Mildred Edwards/Stafford and the above said together you will see the conspiracy. Petitioner meet Adam Fomby at a podium outside the elevator. That floor had a conference room where the contract was signed. That is the same practice known as Jugging and Stuff playing unknown con game. Harryl St. Julien is a con player. Petitioner family has alot to do with politics in Texas and was a part of the Texas Department Of Corrections Board in late 80's. This plan was constructed in prison by Henry Jr. Tolbert and Irvin Lean. See pretrial order. Roberto Felix knew Ashtian was coming that way way before the call came in over toll violations. The car was rented from a paint and body shop which raises attention. Ashtians grandmothers grew up with the Greens' who are very politically invovved in Texas. Ave Green head of Internal Revenue Service is petitioners cousin. Petitioner was told of the exact same format this case is going in 1991 by Harryl St. Julien which leaves petitioner no doubt that this was planned. See brief in Fifth circuit including exhibits 1-18. To argue any of the litigation would be injustice.

REASONS FOR GRANTING THE PETITION

1. To protect The Constitution Of The United States Of America.
 2. To dismantle a procedure of TYRANNY and its conspirators.
 3. To respect the motto, "PROTECT AND SERVE."
 4. To give Ashtians father a chance to ask Adam Fomby before the courts, "why you never helped me when informed about my false arrest and gang intimidation?"
 5. Why is he using the exact same format that Harryl St. Julien told petitioner in 1991 down to the same address on Alabama street?
 6. Why Texas Civil Rights Project never responded when asked the same about false arrest where petitioner stayed in Harris County Jail for three months on trumped up charges that are not known to this day?
 7. To expose a group that has the ability to take this terrorism all over the United States by way of same fraternal organizations: gangs, masonic, and collegiate all as one creating a deception that gets argued in our justice system.
 8. To protect innocent lives.
- To expose Ashtians own family who is involved.
10. To expose Ken Paxton and the three men that supported him in his impeachment rally: Andy Louderbach, T. Michael Oconnor, and Clinton Woolridge.
 11. Because it is the right thing to do.
 12. To identify a loophole in the justice system that can operate undetected and cause a great injustice as well as lose of lives?
 13. Because Pettitioners voice has never been herd since being granted Pro se. status thus defeating said Pettitioners sole purpose of identifying the TYRANTS.
 14. To allow Pettitioner the chance to go under oath and in a court of this country to address all the above said.

RELIEF SOUGHT

- 1) To have Tommy Barnes constitutional rights adhered to under his Pro.se. status and have his voice heard by the courts of this land as that constitutional right was violated in The United States District Courts under Judge Alfred H. Bennett. Mr. Barnes asks this court to review all entries made by him in said court USDC. petitioning for a hearing to come on record in the presence of a Judge. A hearing that would dismantle the tyrannious structure below this Court.
- 2) To have a new investigation into the MURDER of Ashtian Barnes' not to exclude Ken Paxton(Texas Attorney General), Andy Louderbach (Jackson County Sheriff), Clinton Woolridge(Chief Of Police Edna, Texas), T. Michael Oconnor(US Marshall), Pattie Mildred Edwards(District Court Case Manager, Praire View A and M Alumni, former resident of Jackson County, Judge Alfred H. Bennett(Judge in District Court), Henry Tolbert Jr.(Former resident of Jackson County and Tyrant, Con Man), Irvin Dean(former resident of Jackson County and Con Man), Ida Barnes(former employee of Jackson County Sheriffs Department and ashtians grandmother), Rita Felder(Ashtians grandmother), Harryl St. Julien(Gang board member and Con Man), Eyvonne Tolbert(resident of Jackson County and dating Tommy Barnes at time of Ashtians murder ????? Henry Tolberts sister) Jaz Prince and James Prince(Rap-Alot record owner and son who set ashtian up to be on the Beltway for Felix to Murder him, Board members of a gang), James Franklin(liasion with elected officials, Praire View A and M Alumni, as well as masonic fraternal affiliation 33 degree), Dave Green (Internal Revenue Service, relative of Tommy Barnes and provider of motive for long planned out scheme), Adam Fomby and Fomby Law Firm (produced for scheme) Janice Hughes(Ashtians mother and participant in scheme), The County Of Jackson, Texas(fifth wheel to the scheme creating deception). The findings from this investigation would would illustrate deadly conduct finding aborted in District court before excessive force was allowed to proceed. Explanation to Roberto Felix actions during the traffic stop and his lack of assistance as he watched ashtian die. His intentions before summoning ashtian to pull over.
- 3) To review all entries in district by Mr. Barnes. Note new case manager name Lisa Edwards in relation to Pattie Mildred Edwards. Review all entries in 5th Circuit as well.
- 4) To investigate the coalition of all the above to detour future offenses and lose of innocent lives.
- 5) To investigate integrity of Texas Civil Rights Project hired by adam Fomby. Same Method told to Tommy in 1991 by Harryl St. Julien.
- 6) To allow this case to be reestablished after Mr. Barnes voice is heard by the courts in the presence of a Judge. Reason Bennett scheduled phone hearing that was cancelled due to lack of court reporter as informed to Mr. Barnes by law library officer. Excessive force to proceed prior to investigation.
- 7) Recusal of Judge Alfred H. Bennett
- 8) Allow this brief to be used as WRIT OF HABEAS CORPUS!

for Mr. Tommy Barnes being that he was arrested and held in Harris County Jail for 3 Months after Ashtians death and prior to the Evading arrest charge in The County of Jackson, Texas. Adam Fomby did nothing when informed neither did Liyah Brown, from Texas Civil Rights Project which I was told about in 1991! She immediately withdrew from my case.

c)

9) To have Mr. Barnes released from custody pending Civil Investigation from agency outside Texas Jurisdiction.

10) Allow actions to be commenced against James and Jaz Prince/Rap-Alot Records, The County of Jackson, Texas, Andy Louderbach, and The County of Harris, Texas again for wrongful imprisonment and mental anguish; as well as Google for their location lack of security in their technology.

SUMMARY

The dash camera video shows a murder. An act of terrorism by a public official who TOTALLY! disregarded the integrity imbedded in the phrase, "PROTECT AND SERVE!" Ashtian was staged for the incident as well as myself whom decide to go pro Se. after his mothers confession and his ability to recant the past. A past starting back in 1991. Again! 1991. Mr. Tommy Barnes received a letter while in prison from Pattie Mildred Edwards informing him she was moving to Houston from Edna Texas to start work at a new job; "District Clerks case manager". At that time Mr. Barnes was also friended by Harry St. Julien who slept a couple cubicles over from him whom informed me that there was so much you could do with information from that position Pattie Mildred had. The stage was being set according to the forecast of The County of Harris, Texas due to the already start of The Beltway 8 The exact same roadway Ashtian was Murdered on. Keep in mind "ave Green (Mr. Barnes relative) is an employee at The Internal Revenue Service during this time and current day. There are so many incidents up until Ashtians murder that shows organized crime and conspiracy to commit the murder that happened in 2016. Everyone was placed and a coalition with a plan to manipulate the entire narrative with all the organizations involved insured by the people whom the tyrants made a part of their organization from 1991 til present. Was Mr. Barnes next? He was intimidated by gangs. arrested for three months with no help from his lawyer nor family /wife at that time. Mr. Barnes was being set up and figured out the play in Victoria, Texas by Deborah Hightower and avoided that scheme by walking out the room naked to attract attention and disrupt the process. Mr. Barnes was then followed to Tulsa Oklahoma after he left Texas. There he was ran off a cliff after borrowin 10,000.00 against lawsuit. Mr. Barnes was leaving the jurisdiction the Tyranny had been established in. Mr. Barnes family playing two sides. Texas Civil Rights Project needs to be investigated. Ken Paxton as well. Just review any footage of Ken Paxtons impeachment rally and you will see Andy Louderbach, Clinton Woolridge, and T. Michael Oconnor. Mr. Barnes mother says, "Louderbach will be senator and Steve green will be Mayor of san Antonio as a result of this" Ill fight to reveal the truth of my loss.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Tommy Barne #02366706

Date: April 17th 2024