

IN THE UNITED STATES SUPREME COURT

DAMIEN FORD

MOVANT/PETITIONER

v.s. CASE No. 23-1875

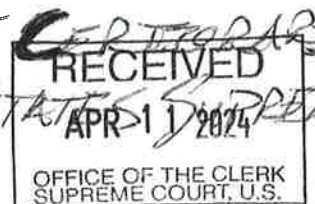
DEXTER PAYNE, ETAL.

RESPONDENTS

MOTION TO STAY

COMES NOW DAMIEN FORD, PRO SE WITH HIS MOTION TO STAY. MR. FORD BRINGS HIS MOTION TO STAY TO THE UNITED STATES SUPREME COURT FOR THE FOLLOWING REASON(S):

1. THAT THE DEADLINE, WHICH IS (90) NINETY DAYS TO FILE WRIT OF CERTIORARI FOR CASE No. 23-1875 BE STAYED UNTIL THE EIGHTH CIRCUIT AND THE UNITED STATES EASTERN DISTRICT OF ARKANSAS COURT HAS SUPPLIED THEIR LAST RULING DENYING MR. DAMIEN FORD'S SECOND/SUCCESSIVE FEDERAL HABEAS CORPUS, SO THAT THE TIME DEADLINE CAN NOT EXPIRE BEFORE, THE RULINGS ARE SUPPLIED SO THAT MR. FORD'S WRIT OF CERTIORARI CAN NOT BE DENIED BY THE UNITED STATES SUPREME



Inmate Request Form

This form is to be used by Inmates to contact staff with request on issues they may have.
This is a Maximum Security Unit In-house form.

Name:	Number:	Date:
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Housing Assignment:	Job Assignment:
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I have a request in the following area: (circle one)

- | | | | | |
|----------------|---------------|------------------|-----------------|----------------|
| Records | Warden | Deputy-Warden | School | |
| Business | Chaplin | Laundry | Library | Food Service |
| Classification | Parole | Visitation | Medical | Property |
| Mailroom | Law Library | Commissary | General Library | Job Assignment |
| Security | Mental Health | Personal Hygiene | Other: _____ | |

STAFF DIRECTED TO:	OFFICE:
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INMATE SIGNATURE DATE

STAFF DIRECTED RESPONDING:	DATE:
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I have reviewed your request and here is my finding:

I am referring this to:

cc: _____

Inmate File

Staff Signature

Date

(M.T.S.)

CASE No. 23-1875

COURT CLERK FOR FAILING TO FOLLOW UNITED STATES SUPREME COURT RULES 14(h)(i) AND (ii).

2. THAT MR. DAMIEN FORD IS INDIGENT AND HAS PROVEN THAT HE IS, AND THAT MR. FORD DID NOT HAVE MUCH TIME TO FILE PETITION FOR REHEARING (EN BANC), AND THAT MR. FORD'S ONLY COPY OF THE RULINGS WAS ATTACHED TO THE PETITION FOR REHEARING'S APPENDICES AS REQUIRED BY EIGHTH CIRCUIT COURT RULES ~~GOVERNING~~ GOVERNING PETITION FOR REHEARING (EN BANC).

3. THAT MR. FORD COULD NOT TRUST TO SEND HIS ONLY COPY OF THE LAST RULING ON SECOND SUCCESSIVE FEDERAL HABEAS CORPUS FOR CASE No. 23-1875, DUE TO THE FACT THAT MR. FORD SENT SOME EVIDENCE TO THE TUCKER MAX UNIT'S LAW LIBRARY AND IT DISAPPEARED WITH NO ACCOUNTABILITY, THE LAW LIBRARY AT THIS UNIT IS NOT EVEN BEING CONDUCTED ACCORDING TO POLICY M.S.P. 21001, WHERE THE LAW LIBRARY SUPERVISOR IS SUPPOSE TO PICK UP LAW REQUEST AND PASS OUT LAW SLIPS AFTER THEY ARE FILLED AND THIS IS NOT HAPPENING AND THIS IS WHY NO ONE IS CLAIMING RESPONSIBILITY FOR DISAPPEARING EVIDENCE.

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| Mailroom | Law Library | Commissary | General Library | Job Assignment |
| Security | Mental Health | Personal Hygiene | Other: _____ | |

STAFF DIRECTED TO:	OFFICE:
--------------------	---------

INMATE SIGNATURE

DATE

STAFF DIRECTED RESPONDING:	DATE:
----------------------------	-------

I have reviewed your request and here is my finding:

I am referring this to:

cc: _____

Inmate File

Staff Signature

Date

(M T S)

CASE No. 23-1875

CONCLUSION

MR. FORD THEREFORE ASKS THIS COURT TO GRANT THE MOTION TO STAY, ~~REMOVED~~ THE (90) NINETY DAY DEADLINE, UNTIL THE EIGHTH CIRCUIT COURT AND THE UNITED STATES EASTERN DISTRICT OF ARKANSAS COURT HAS SUPPLIED ITS LAST RULING ON MR. FORD'S ~~SECOND~~ SECOND/SUCCESSIVE FEDERAL HABEAS CORPUS AND ANY AND ALL OTHER RELIEF THAT MAY BE JUST AND PROPER.

RESPECTFULLY
SUBMITTED

Damien Ford

CERTIFICATE OF SERVICE

I, DAMIEN FORD, CERTIFY THAT THE FOREGOING MOTION TO STAY HAS BEEN PLACED IN THE MAIL (U.S.) WITH SUFFICIENT POSTAGE TO THE UNITED STATES SUPREME COURT, AT ONE 1ST STREET, [REDACTED] NE, WASHINGTON, D.C. 20543-0001, Damien Ford ON 3-18-24.

I, DAMIEN FORD, DECLARE UNDER THE PENALTY OF PERJURY, PURSUANT TO 28 U.S.C. § 1746, THAT THE FOREGOING IS TRUE AND CORRECT.
Damien Ford 3-18-24

Inmate Request Form

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| Mailroom | Law Library | Commissary | General Library | Job Assignment |
| Security | Mental Health | Personal Hygiene | Other: _____ | |

STAFF DIRECTED TO:	OFFICE:
--------------------	---------

INMATE SIGNATURE

DATE

STAFF DIRECTED RESPONDING:	DATE:
----------------------------	-------

I have reviewed your request and here is my finding:

I am referring this to:

cc: _____

Inmate File

Staff Signature

Date

MOTION TO STAY
CASE No. 23-1875

MEMORANDUM OF LAW

MR. DAMIEN FORD HAS BROUGHT A MOTION TO STAY TO THE UNITED STATES SUPREME COURT TO STAY THE WRIT OF CERTIORARI'S (90) NINETY DAY DEADLINE, UNTIL THE EIGHTH CIRCUIT COURT OF APPEALS AND THE UNITED STATES EASTERN DISTRICT OF ARKANSAS COURT SUPPLY THE UNITED STATES SUPREME COURT WITH THE LAST RULING ON MR. FORD'S SECOND/SUCCESSIVE HABEAS CORPUS, SO THAT MR. FORD'S WRIT OF CERTIORARI CAN NOT BE DENIED BY THE UNITED STATES SUPREME COURT CLERK FOR FAILURE TO NOT FOLLOW UNITED STATES SUPREME COURT RULES 14 (h) (i) AND (ii). MR. DAMIEN FORD IS INDIGENT AND HAS PROVEN SO. MR. FORD HAD NOT MUCH TIME TO FILE PETITION FOR REHEARING (EN BANC) AND MR. FORD HAD ATTACHED HIS ONLY COPY TO THE PETITION FOR REHEARING TO COMPLY WITH EIGHTH CIRCUIT COURT RULES GOVERNING PETITION FOR REHEARING (EN BANC). MR. FORD COULD NOT TRUST TO SEND HIS ONLY COPY OF THE UNITED STATES EASTERN DISTRICT OF ARKANSAS COURT AND EIGHTH CIRCUIT COURT OF APPEALS COURT LAST RULING ON SECOND/SUCCESSIVE HABEAS CORPUS DUE TO MR. FORD'S PREVIOUS EVIDENCE/EXHIBITS) DISAPPEARING AT THE TUCKER MAX UNIT'S LAW LIBRARY WITH NO ACCOUNTABILITY. THE LAW LIBRARY RUNS IN VIOLATION OF POLICY No. P, 21.01 GOVERNING LAW LIBRARY SUPERVISOR SUPPOSE TO PASS OUT LAW REQUEST AND PASS UP DOES NOT HAPPEN AT THIS

PAGE 1 OF 1 FILLED LAW MATERIALS, WHICH UNIT, THAT'S WHY THERE IS NO ACCOUNTABILITY.

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| Security | Mental Health | Personal Hygiene | Other: _____ | |

STAFF DIRECTED TO:	OFFICE:
--------------------	---------

INMATE SIGNATURE

DATE

STAFF DIRECTED RESPONDING:	DATE:
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I have reviewed your request and here is my finding:

I am referring this to:

cc: _____

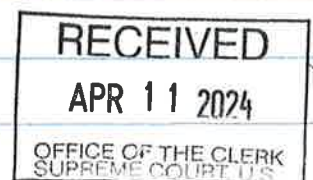
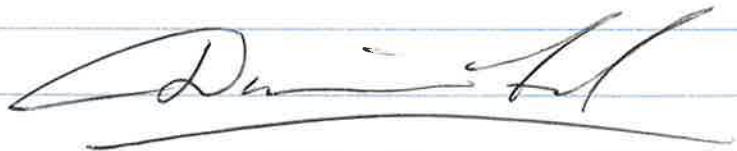
Inmate File

Staff Signature

Date

3-18-24

AN ATTORNEY RECENTLY GOT THIS FOR ME, BUT I'M STILL MISSING THE RULING FROM THE UNITED STATES EASTERN DISTRICT OF ARKANSAS COURT ON MY SECOND/SUCCESSIVE HABEAS CORPUS AND BOTH THE 8TH CIR. CT. AND THE U.S. EASTERN DIST OF ARK. CT. HAS THIS RULING FOR CASE No. 5:16-CV-00250-KGB, THE MOTION FOR STAY IS STILL NECESSARY UNTIL THE DIST. CT.'S RULING HAS BEEN SUPPLIED BY ONE OF THE 2 COURTS.



**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

APPENDICE A (1)

FILED

U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

Nov 16, 2023

Tammy H. Downs, Clerk

By: John Hibbs D.C.

DEP CLERK

No: 23-1875

Damien Ford

Plaintiff - Appellant

v.

Dexter Payne, Director, Arkansas Department of Correction (originally named as Wendy Kelley)

Defendant - Appellee

Appeal from U.S. District Court for the Eastern District of Arkansas - Pine Bluff
(5:16-cv-00250-KGB)

JUDGMENT

Before LOKEN, STRAS, and KOBES, Circuit Judges.

This appeal comes before the court on appellant's application for a certificate of appealability. The court has carefully reviewed the original file of the district court, and the application for a certificate of appealability is denied. The motion for appeal bond and the motion to proceed on appeal in forma pauperis are denied as moot.

The appeal is dismissed.

November 16, 2023

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

United States Court of Appeals
For The Eighth Circuit
Thomas F. Eagleton U.S. Courthouse
111 South 10th Street, Room 24.329
St. Louis, Missouri 63102

APPENDICE A(2)

Michael E. Gans
Clerk of Court

VOICE (314) 244-2400
FAX (314) 244-2780
www.ca8.uscourts.gov

November 16, 2023

Damien Ford
MAXIMUM SECURITY CORRECTIONAL FACILITY
143035
2501 State Farm Road
Tucker, AR 72168-8713

RE: 23-1875 Damien Ford v. Dexter Payne

Dear Damien Ford:

Enclosed is a copy of the dispositive order in the referenced appeal. Please note that FRAP 40 of the Federal Rules of Appellate Procedure requires any petition for rehearing to be filed within 14 days after entry of judgment. Counsel-filed petitions must be filed electronically in CM/ECF. Paper copies are not required. This court strictly enforces the 14 day period. Except as provided by Rule 25(a)(2)(iii) of the Federal Rules of Appellate Procedure, **no grace period for mailing is granted** for pro-se-filed petitions. A petition for rehearing or a motion for an extension of time must be filed with the Clerk's office within the 14 day period.

Michael E. Gans
Clerk of Court

CRJ

Enclosure(s)

cc: Ms. Clerk, U.S. District Court, Eastern District of Arkansas
Ms. Pamela Rumpz

District Court/Agency Case Number(s): 5:16-cv-00250-KGB

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

APPENDICE A(3)

FILED

U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

Dec 28, 2023

Tammy H. Downs, Clerk

By: John Hibbs D.C.

DEP CLERK

No: 23-1875

Damien Ford

Appellant

v.

Dexter Payne, Director, Arkansas Department of Correction (originally named as Wendy Kelley)

Appellee

Appeal from U.S. District Court for the Eastern District of Arkansas - Pine Bluff
(5:16-cv-00250-KGB)

ORDER

The petition for rehearing en banc is denied. The petition for rehearing by the panel is also denied.

December 28, 2023

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

APPENDIX A(4)

FILED

U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

Jan 04, 2024

Tammy H. Downs, Clerk

By: JohnHibbs D.C.

DEP CLERK

No: 23-1875

Damien Ford

Appellant

v.

Dexter Payne, Director, Arkansas Department of Correction (originally named as Wendy Kelley)

Appellee

Appeal from U.S. District Court for the Eastern District of Arkansas - Pine Bluff
(5:16-cv-00250-KGB)

MANDATE

In accordance with the judgment of November 16, 2023, and pursuant to the provisions of Federal Rule of Appellate Procedure 41(a), the formal mandate is hereby issued in the above-styled matter.

January 04, 2024

Clerk, U.S. Court of Appeals, Eighth Circuit

