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May 22, 2025

Office of the Clerk
United States Supreme Court
1 First Street NE
Washington, D.C. 20543

RE: No. 24-7264, Michael Lee Sharpe v. State of Texas

Dear Sir/Mam,

You will find enclosed a copy of a Notification of Case Number Assignment and a Challenge to Constitutionality of a State Statute. Texas law (Section 402.010 Government Code) requires that I notify the Texas Attorney General of a suit challenging the constitutionality of a state statute, and file the enclosed form in the court in which the cause is pending.

No action is requested with this filing.

Thank you.

Sincerely,

William H. "Bill" Ray
Attorney for Petitioner

cc: Texas Attorney General
P.O. Box 12548, Austin, Texas 78711-2548

Texas State Prosecuting Attorney
P. O. Box 13046, Austin, Texas 78711-3046

Tarrant County Criminal District Attorney's Office
401 W. Belknap Street, Fort Worth, Texas 76196

NO. 24-7264

IN THE SUPREME COURT OF THE UNITED STATES

MICHAEL LEE SHARPE, PETITIONER
VS.
STATE OF TEXAS, RESPONDENT

NOTIFICATION OF CASE NUMBER ASSIGNMENT

Pursuant to Supreme Court Rule 29, I certify that I notified the following persons/ entities of the case number that the Court has assigned a case number to this case, as shown at the top of this document, by copy of this notice, and additionally provided a copy of the attached Challenge to Constitutionality of a State Statute to the Texas Attorney General as required by Section 402.010, Texas Government Code, by Certified/Priority United States Mail, Return Receipt Requested, with proper postage thereon, addressed to:

Office of the Attorney General of Texas
ATTN: POST CONVICTION LITIGATION DIVISION
Post Office Box 12548, Capital Station, Austin, Texas 78711-2548

Texas State Prosecuting Attorney
P. O. Box 13046, Austin, Texas 78711-3046

Tarrant County Criminal District Attorney's Office
401 W. Belknap Street, Fort Worth, Texas 76196

On this the 22nd day of May, 2025

WILLIAM H. "BILL" RAY
ATTORNEY FOR PETITIONER (PRO BONO)
LAW OFFICE OF WILLIAM H. "BILL" RAY, P.C.
2101 MONEDA STREET
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Challenge to Constitutionality of a State Statute

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This form must be completed by a party filing a petition, motion or other pleading **challenging the constitutionality of a state statute**. The completed form must be filed with the court in which the cause is pending as required by Section 402.010 (a-1), Texas Government Code.

Cause Number (If Known): 24-7264

Court (If Known):

United States Supreme Court

Styled: Michael Lee Sharpe v. Texas

(e.g., John Smith v. All American Insurance Co.; in re Mary Ann Jones; In the Matter of the Estate of George Jackson)

Contact information for party* challenging the constitutionality of a state statute. (*If party is not a person, provide contact information for party, party's representative or attorney.)

Name: Michael Lee Sharpe c/o William  Telephone: 817-698-9090

Address: 2102 Moneda Street Fax: 817-698-9092

City/State/Zip: Haltom City, Texas 76117 State Bar No. (if applicable): 16608700

Email: bill@billraylawyer.com

Person completing this form is: Attorney for Party Unrepresented Party Other:

Identify the type of pleading you have filed challenging the constitutionality of a state statute.

Petition Answer Motion (Specify type):

Other:

Is the Attorney General of the State of Texas a party to or counsel in this cause?

Yes No

List the state statute(s) being challenged in your pleading and provide a summary of the basis for your challenge. (Additional pages may be attached if necessary.)

Petitioner was detained by police for investigation of theft. Police searched the vehicle Petitioner had been in and found a handgun and ammunition. Petitioner told the police that he was old and had the firearm for protection. Petitioner was indicted for a violation of Sec. 46.04, Texas Penal Code. The underlying felony conviction was a conviction for the offense of Possession of a Controlled Substance Under One Gram, Penalty Group One (state jail felony). The State subsequently filed a new indictment with a conviction for the offense of Aggravated Assault with Deadly Weapon (second degree felony) as the underlying felony conviction. Petitioner filed a pretrial habeas corpus, pursuant to Art. 11.08, Code of Criminal Procedure. The trial court, Hon. Doug Allen, judge of Criminal District Court Number Three, Tarrant County, Texas denied relief in case number C-0011658 on August 15, 2024. Petitioner appealed to the Second Court of Appeals in Fort Worth. The Second Court of Appeals denied relief in case number 02-24-00282-CR on December 19, 2024. Petitioner's Petition for Discretionary Review was denied by the Court of Criminal Appeals in case number PD-0036-25 on March 12, 2025.

Petitioner alleges that Section 46.04, Texas Penal Code violates the Second Amendment and is unconstitutional under New York State Rifle and Pistol Association, Inc. v. Bruen, 597 U.S. 1 (2022).