

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Arthur J. Smith And Darlene Smith — PETITIONER(S)
(Your Name)

VS.

Anthony Simpson "et al" — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

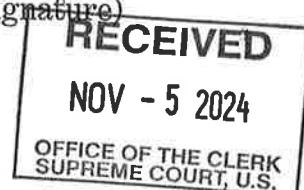
Petitioner's affidavit or declaration in support of this motion is attached hereto.

Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

The appointment was made under the following provision of law: _____
_____, or

a copy of the order of appointment is appended.

Darlene Smith
(Signature)



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**AFFIDAVIT OR DECLARATION
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Darlene Smith, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <u>0</u>	\$ <u>300</u>	\$ <u>0</u>	\$ <u>300</u>
Self-employment	\$ <u>700</u>	\$ <u>0</u>	\$ <u>700</u>	\$ <u>0</u>
Income from real property (such as rental income)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Interest and dividends	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Gifts	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Alimony	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Child Support	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Disability (such as social security, insurance payments)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Unemployment payments	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Public-assistance (such as welfare)	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>	\$ <u>0</u>
Total monthly income:	\$ <u>700</u>	\$ <u>300</u>	\$ <u>700</u>	\$ <u>300</u>

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
Super Bold City	4225 Lyons Avenue Houston, Texas 77020	5/2022-11/2024	\$ 700.00 \$ \$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
Super Bold City	4225 Lyons Avenue Houston, Texas 77020	6/2022-11/2024	\$ 300.00 \$ \$

4. How much cash do you and your spouse have? \$ 100

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
Checking	\$ 4,47	\$ 0
0	\$ 0	\$ 0
0	\$ 0	\$ 0

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Home
Value _____ \$ 0

Other real estate
Value _____ \$ 0

Motor Vehicle #1
Year, make & model 1990 Chevy Suburban
Value \$ 500

Motor Vehicle #2
Year, make & model _____ \$ 0
Value _____

Other assets
Description _____ \$ 0
Value _____

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
<u>J</u>	\$ <u>0</u>	\$ <u>0</u>
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

7. State the persons who rely on you or your spouse for support. For minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

Name	Relationship	Age
<u>J</u>	<u>J</u>	<u>J</u>
_____	_____	_____
_____	_____	_____

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>0</u>	\$ <u>0</u>
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ <u>0</u>	\$ <u>\$75⁰⁰</u>
Home maintenance (repairs and upkeep)	\$ <u>0</u>	\$ <u>0</u>
Food	\$ <u>0</u>	\$ <u>\$75⁰⁰</u>
Clothing	\$ <u>0</u>	\$ <u>0</u>
Laundry and dry-cleaning	\$ <u>0</u>	\$ <u>\$40⁰⁰</u>
Medical and dental expenses	\$ <u>0</u>	\$ <u>0</u>

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>Ø</u>	\$ <u>Ø</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>Ø</u>	\$ <u>Ø</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>Ø</u>	\$ <u>Ø</u>
Life	\$ <u>Ø</u>	\$ <u>Ø</u>
Health	\$ <u>Ø</u>	\$ <u>Ø</u>
Motor Vehicle	\$ <u>Ø</u>	\$ <u>Ø</u>
Other: _____	\$ <u>Ø</u>	\$ <u>Ø</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>Ø</u>	\$ <u>Ø</u>
Installment payments		
Motor Vehicle	\$ <u>Ø</u>	\$ <u>Ø</u>
Credit card(s)	\$ <u>Ø</u>	\$ <u>Ø</u>
Department store(s)	\$ <u>Ø</u>	\$ <u>Ø</u>
Other: _____	\$ <u>Ø</u>	\$ <u>Ø</u>
Alimony, maintenance, and support paid to others	\$ <u>Ø</u>	\$ <u>Ø</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>300</u>	\$ <u>Ø</u>
Other (specify): <u>Employee</u>	\$ <u>300</u>	\$ <u>Ø</u>
Total monthly expenses:	<u>600</u>	<u>190</u>

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes No If yes, describe on an attached sheet.

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form? Yes No

If yes, how much? _____

If yes, state the attorney's name, address, and telephone number:

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

Yes No

If yes, how much? _____

If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

Due to Hurricane Harvey in 2017, The Pandemic (covid) and the Winter Freeze that took place in 2020, Illegal and Unlawful Evictions and Illegal and Unlawful Demolitions of my home and my place of business that had a hand painted Mural that was painted by my husband Arthur and I that encouraged people to vote and get registered to vote with the words "VOTE AND LIVE" in 2023 & the current Tornado that took place here in Houston on May 16, 2024

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 1, 2024

Hurricane Beryl that took place on July 8, 2024, I'm still in recovery mode of getting my business back up and running as normal, My husband and I are being assisted by FEMA (Federal Emergency Management Agency) at this current time due to us being affected by the Tornado that took place on May 16, 2024 and Hurricane Beryl that took place on July 8, 2024 here in Houston, Texas, My husband Arthur Smith and I are displaced due to these two natural disasters.

Darlene Smith (Signature)

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Arthur J. Smith And Darlene Smith — PETITIONER(S)
(Your Name)

vs.

Anthony Simpson, Alan Patterson — RESPONDENT(S)
Corinth Missionary Baptist Church f/k/a
Mount Corinth Missionary ON PETITION FOR A WRIT OF CERTIORARI TO
Baptist Church

Supreme Court of Texas
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Darlene Smith
(Your Name)

4225 Lyons Avenue
(Address)

Houston, Texas 77050
(City, State, Zip Code)

713.887.0331
(Phone Number)

QUESTION(S) PRESENTED

- 1.) While live on Facebook, why was I approached, unlawfully stopped (detained), received loss of liberty, demanded to Show my identification by the church security guard while my husband and I were conducting a peaceful protest on the City of Houston public sidewalk, while not committing a crime?
- 2.) Why was my Civil Rights, Constitutional Rights as a Native American, Protest Rights and Human Rights violated while conducting a Peaceful Protest?
- 3.) Why was there abuse of power, judicial misconduct, bias, bribery, unethical act, conflict of interest, unfair practice committed and why was I deprived of my due process?

LIST OF PARTIES

[V] 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

- Arthur J. Smith And Darlene Smith v. Anthony Simpson, Alan Patterson, Corinth Missionary Baptist Church f/K/a Mount Corinth Missionary Baptist Church, No. 2019-37936, Harris County Civil District Court #55 of Harris County, Texas, Judgment entered May 23, 2022.
- Arthur J. Smith And Darlene Smith v. Anthony Simpson, Alan Patterson, Corinth Missionary Baptist Church f/K/a Mount Corinth Missionary Baptist Church, No. 01-23-00080-cv, First Court of Appeals of Houston, Texas, Judgment entered February 2, 2024.
- Arthur J. Smith And Darlene Smith v. Anthony Simpson, Alan Patterson, Corinth Missionary Baptist Church f/K/a Mount Corinth Missionary Baptist Church, No. 23-0900, Supreme Court of Texas of Houston, Texas, Judgment entered April 15, 2024.

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TABLE OF AUTHORITIES CITED

CASES

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Estate Of Joseph V. Bartlett, 981 F.3d 319, 332 (5th Cir. 2020) Officers were not entitled to qualified immunity.	14
Joseph v. Doe (E.D. La Jan. 3, 2019) Circuit affirmed the district court's denial of summary judgment on qualified immunity, explaining that, because the plaintiff had not committed any crime, ²⁴ did not pose an immediate threat to himself or others, and offered minimal resistance, the officers use of force in arresting the plaintiff was unreasonable and therefore violated his Fourth Amendment rights.	162

STATUTES AND RULES

In Texas, PC 38.02, states that you don't have to
identify until you are lawfully arrested (not detained)
(suspicious, or randomly questioned)

OTHER

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 data.scotxblog.com; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the Supreme Court Of Texas court appears at Appendix A to the petition and is

reported at data.scotxblog.com; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

1.

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 February 2, 2024.
A copy of that decision appears at Appendix A.

[] A timely petition for rehearing was thereafter denied on the following date: April 5, 2024, 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

I, Darlene Smith being stopped, harassed, questioned by a security guard/off duty officer while I'm on foot doesn't obligate me to provide identification unless I'm under lawful arrest, I was not under lawful arrest and I was not committing a crime while conducting a peaceful protest via Facebook Live on the City of Houston Public Sidewalk in the State of Texas, as national recording artist who has been seen on BET Sundays Best (2013 and 2014), seen on BET And MTV in the Summer of 1995, cowrote and featured on a song G-Groove by the Standard Susenitez, my reputation as a public figure was damaged and the embarrassment was so much emotional pain that carries with me until this day. My recording name is Koffey.

The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated and no warrants shall issue, but upon probable cause, supported by oath or affirmation and particularly describing the place to be searched, and the persons or things...

On June 16, 1866 the House Joint Resolution proposing the 14th Amendment to the Constitution was submitted to the States, on July 28, 1868, the 14th Amendment was declared, in certificate of the Secretary of State, ratified by the necessary 28 of 37 States, and became part of the Supreme law of the land. My 1st Amendment, 4th Amendment, 14th Amendment, Civil Rights and Constitutional Rights, Human Rights, Protest Rights were all violated,

STATEMENT OF THE CASE

On May 31, 2017 (Wednesday) I, Darlene Smith Civil Rights, Human Rights, Constitutional Rights, Protest Rights, 1st Amendment Rights, 4th Amendment Rights and 14th Amendment Rights were violated when Corinth Missionary Baptist Church f/k/a Mount Corinth Missionary Baptist Church, Pastor Alan Patterson Church Security Guard Anthony Simpson walked out of the church front double doors, down the church sidewalk, walking out to the City of Houston public sidewalk (Leaving his post at the church and neglected his security guard duties to protect the church and the church building) approaching my husband Arthur and I while we were standing on the City of Houston public sidewalk conducting a Peaceful Protest walking back and forth on feet and not committing a crime while going Facebook Live. Church Security Guard Anthony Simpson randomly questioned my husband Arthur and I by demanding to know what we were doing and demanding to see our I.D.'s. When my husband Arthur and I didn't give Corinth Missionary Baptist Church f/k/a Mount Corinth Missionary Baptist Church Security Guard Anthony Simpson our I.D.'s, Anthony Simpson then assaulted my husband Arthur J. Smith by grabbing, hitting, pushing his arms and back, Anthony Simpson committed Battery Aggravated Assault on Arthur with a deadly weapon (Taser Gun) by using Excessive Force, Misconduct, Brutality, Abuse of Authority, Violating Procedural Process when he committed unconstitutional Tasering use on Arthur J. Smith as he unlawfully and illegally Tasered Arthur without a warning and without a probable cause on the Houston City Streets, Anthony Simpson forced Arthur J. Smith from the Houston City sidewalk into the Houston City Street. As Arthur was backing up backwards from Anthony Simpson facing him while Simpson was walking toward Arthur, Anthony Simpson reached for his gun first, then reached for his taser, pulled out his taser and immediately started tasering Arthur while aiming the taser gun at Arthur's face. Arthur threw up his arms to protect his eyes and prevent the taser barbs and

STATEMENT OF THE CASE

Wires from tasing him in his face, Anthony Simpson tased Arthur a second time, hitting Arthur again for the second time in his chest, Arthur was able to rip the taser barb wires from his chest however the two barbs remained stuck in his chest, while blood was flowing everywhere. When Arthur was hit by the powerful 50,000 Volts from the taser gun, he fell in the city street, hit his head hard on a parked vehicle (car), which was parked on the curb side city street of Finnigan Park. (All the Unlawful and Illegal Assaults and Taserings Committed on Arthur Smith from Anthony Simpson happened on the City of Houston Sidewalk and the City of Houston Street where Arthur was not committing a Crime. All the Violations of Arthur and I Rights were committed by Anthony Simpson, Corinth Missionary Baptist Church (aka Mount Corinth Missionary Baptist Church) Pastor Alan Patterson Security Guard happened on the City of Houston Sidewalk and the City of Houston Streets.) After being tased, and falling, Arthur jumped up staggering and started running from Anthony Simpson and his Barbaric Behavior down the City of Houston Public Street on to private property that had a private property sign posted at my place of business at 5309 Sonora Street, Houston, Texas 77030, when Anthony Simpson trespassed on to the property chasing Arthur onto our private property. Simpson had his gun out the entire time while chasing Arthur down the street and around our red suburban. I was able to unlock my shop door and get my husband to safety while a group of people were outside shouting for Arthur to get into our shop building. Once in the building and locked up due to being in fear of his life, Anthony Simpson

STATEMENT OF THE CASE

gets on his cell phone and tells someone that he is talking to that when Arthur comes out of the building, he is going to kill him. Anthony Simpson stood outside the burglar bar door of my shop with his gun out, waiting to kill my husband Arthur without a probable cause and at the same time Anthony Simpson was trespassing onto our private property. Anthony Simpson was no longer securing the church building or the church members who all were at church for Bible Study. Anthony Simpson Security Guard duties for the church was neglected. Anthony Simpson mission was to kill my husband Arthur J. Smith without a probable cause. And walked out of the front doors of Corinth Missionary Baptist Church #1 Kla Main Corinth Missionary Baptist Church to assassinate my husband Arthur. Anthony Simpson endangered my life, Arthur and I 19 year old son (life), who was at home from Texas Southern University and was inside of my shop building and didn't even know his dad, Arthur had been unlawfully chased and chased onto our private property by Anthony Simpson with his gun out, until he heard the commotion and looked outside after opening the door. Anthony Simpson endangered all innocent bystanders lives (Seniors, children and adults), without a justifiable cause, while all watched in person and as some went Facebook live, I have Face book Live Videos and Photos to prove my statements, Arthur and I did no wrong and did not deserve all the unlawful and illegal acts that was committed against us.

STATEMENT OF THE CASE

We did not deserve to have all our fundamental rights and duties of citizens violated by Corinth Missionary Baptist Church & K/a Mount Corinth Missionary Baptist Church, Pastor Alan Patterson Security Guard, Anthony Simpson on May 31, 2017. Arthur and I did not commit any crime and did not impose a threat upon no one. Arthur and I were conducting a Peaceful Protest on the City of Houston Public sidewalk while on Facebook Live (with 5,000 Facebook friends watching) giving our viewers an update about an illegal, one sided, unpermitted, intentionally 12 foot dangerous wall built by Corinth Missionary Baptist Church & K/a Mount Corinth Missionary Baptist Church, Pastor Alan Patterson that blocked my husband and I VOTE AND LIVE Mural that my husband Arthur and I painted on the outside side wall of my place of business to promote and encourage people to register to vote and to vote.

On the day of my husband Arthur being unlawfully and illegally tased, arrested and jailed, he asked for the Mary Unit to come out to pick him up because after the Church Security Guard, Anthony Simpson and HPD (Houston Police Department) threatened to call SWAT to get my husband out of my place of business, which was on Private Property with Private Property and No Trespass signs posted, my husband really feared for his life. At this time, hours had passed after my husband had been unlawfully tased, with no medical assistant, two taser barbs still stuck in his chest and stomach and bleeding very bad. I contacted State Rep./ Attorney Harold V. Dutton, Jr. and put my phone on speaker so he could speak with a Sergeant French and then a Lieutenant L.E. Bonnette. Sergeant French and Lieutenant Bonnette with the Houston Police Department assured Mr. Dutton and myself that when my husband Arthur come out of the building (my place of business) he will be safe and then taken to the hospital (Ben Taub) immediately.

STATEMENT OF THE CASE

Which turned out to be a lie from Sgt. French and Lieutenant Bonnette of the Houston Police Department. After Sgt. French and Lieutenant Bonnette spoke with State Representative/Attorney Harold V. Dutton, Sr., Mr. Dutton spoke back with Arthur through the burglar bar door of my shop and informed Arthur that SWAT was on the way because that's what Houston Police Department Sgt. French and Lt. Bonnette told him, if he don't come out the building, however if he come out the building, HPD Sgt. French and Lt. Bonnette guaranteed Arthur will be safe.

Arthur barricaded himself in my shop because he knew he did not commit a crime, he was illegally and unlawfully tazed, his rights were violated, Church Security Guard, Anthony Simpson threatened to kill him (with gun in hand) if he came out the building (my shop). Arthur was in fear of his life. Arthur requested the Mary Unit (Medical Police) to pick him up if he come out of the building because they are trained to handle situations like his and Arthur knew he would feel safe and comfortable being in the car with them due to him being in the system as a mental patient at Ben Taub Hospital in the Medical Center Area in Houston, Texas. Arthur also showed the officers his medication to prove what he was saying. Some of the Houston Police Officers refused to believe him and some of the Houston Police Officers said they didn't even know what a Mary Unit was. I asked Sgt. French and Lt. Bonnette if my husband come out of the building, will he be arrested. Lt. Bonnette said Yes. So I asked Lt. Bonnette what would my husband be arrested for. Lt. Bonnette

STATEMENT OF THE CASE

Said he could not tell me. I then asked Lt. Bonnette, could he tell my husband Arthur attorney, Mr. Dutton, why he was being arrested. Lieutenant Bonnette said no and said that Arthur's Attorney, Mr. Dutton had to be there, then he could tell him why Arthur was being arrested. I then said to Lt. Bonnette that Atty. Dutton was on his way to Houston from Austin, Texas and he's still on the phone, he's 45 minutes away. Lt. Bonnette still refused to tell me (Arthur's wife) and Mr. Dutton (Arthur's Attorney) why Arthur was being arrested. And Lt. Bonnette knew Mr. Dutton was driving from Austin, Texas because he had spoke with him on my phone with the speaker on and I heard Mr. Dutton tell him where he was traveling from. With hundreds of people going Facebook live on their cell phones, Arthur came out of the building (my shop) officers approached him, while others stood by my burglar bar shop door, searching him and jerking on him without a probable cause. Arthur asked a black Houston Police Officer if I could take a picture of him. The officer told my husband, "Put Yo Muthaf*cking hands behind yo back, this ain't no Muthaf*cking photo shoot!" I later was told from my husband that he wanted me to take a photo of him because he felt that the Houston Police Department officers were gonna kill him when he leave

STATEMENT OF THE CASE

with them and that would be my last time seeing him alive and I would have a photo of him the last time I seen him alive. So as the Officers were taking my husband to a unmarked Houston Police Car, I asked Sgt. French where were they taking my husband. Sgt. French said to me that they were taking my husband to Ben Taub Hospital. I later found out that was a lie, because I caught a ride to Ben Taub Hospital in Houston Medical Center Area that is about 10 minutes from my shop and I waited for about 2 hours and the Houston Police Officers never brought my husband to Ben Taub Hospital. I left Ben Taub Hospital and went to another hospital (LBJ-Lyndon B. Johnson) that was also close by my shop, about 7 minutes away, my husband was there, but he didn't arrive at LBJ Hospital until about 2 or more hours after the Houston Police Officers arrested him and took him from my shop. Sgt. French said that my husband don't want to ride in the car with the rookie officers (a black officer and a white officer). However, when I later spoke to my husband, he told me the police officers in the unmark police car took him to the Police Substation on Northeast, 830 Ley Rd., Houston, Texas 77028, not the hospital, not Ben Taub) questioned his mental health and then placed him in the car with the two rookies (black officer and white officer) that Sgt. French said to me who my husband don't want to ride with. My husband said his heart started beating very fast and he felt and he knew he was gonna be killed by Houston Police Officers. Hours had passed at this time and my husband still had not received any medical attention for the taser barbs that were

STATEMENT OF THE CASE

Was still stuck in him. Once my husband Arthur was booked in Harris County jail, the date on the website showed 2015 while the year was 2017. No records with the Houston Police Department til this date, to my knowledge, in reference to my husband Arthur illegal and unlawful arrest, illegal and unlawful tasering, illegal and unlawful jail for 11 days with no bond is documented about the illegal and unlawful tasering of my husband Arthur on May 31, 2017, nothing documented why my husband Arthur was arrested and jailed on May 31, 2017. He was in Houston Police Department custody for about 96 hours (holding tank) before he was even booked into jail. For four days straight I tried to call and visit my husband Arthur and I could not because of the long time the Houston Police Department took to book him. So much corruption, my husband Arthur and I was violated, harassed, abused, mistreated, embarrassed, targeted and humiliated emotionally and physically in so many ways. There was no report of Anthony Simpson disarming his taser on May 31, 2017 and he left the taser barb wires from his taser gun on the private property grounds of my shop on May 31, 2017 when he trespassed on to the private property with his gun out, chasing my husband Arthur around our 1990 Red Suburban threatening to kill him. Arthur and I were victims treated like criminals. All these illegal acts, unlawful acts and violations caused emotional strain, damage, humiliation, character assassination, embarrassment and damage to our reputation til this day in 2024. A law suit was filed May 31, 2019 by Attorney T. Christopher Lewis. As the case was going through the judicial process, my husband Arthur and I was not informed exactly of what date that Harris County Civil District Judge LaTosha Lewis Payne in Court No. 55 had dismissed the case and signed off on a order

STATEMENT OF THE CASE

Granting defendant Alan Patterson No Evidence Motion for Summary Judgment, until we received a copy of our Case file from the downtown Courthouse on August 1, 2022. We then started representing ourselves Pro Se, I then filed a Motion for Reconsideration on August 10, 2022. (Please See Exhibit) I then filed a Notice of Hearing on December 19, 2022. (Please See Exhibit) The hearing was scheduled for January 23, 2023. Judge LaTosha Lewis Payne for Harris County Civil District Court No. 55 denied Motion for Reconsideration, I then filed an Appeal to the judge decision, The case was then accepted to the First Court of Appeals in Houston (Harris County) Texas, The First Court of Appeals denied the case (appeal). I then filed a Motion for Rehearing to the courts decision and the case then went to the Supreme Court of Texas, The Supreme Court of Texas denied my Motion for Rehearing Petition for Review and I am now requesting a Petition for Writ of Certiorari from the Supreme Court of The United States.

REASONS FOR GRANTING THE PETITION

Please pardon my tardiness as far as delivery of these documents in reference to my Petition for Writ of Certiorari. My husband and I have been displaced and is under the care of FEMA (Federal Emergency Management Agency) at this current time due to us being affected by the tornado that took place on May 16, 2024 and Hurricane Beryl that took place on July 8, 2024 here in Houston, Texas, my husband Arthur J. Smith and I are displaced due to these two natural/national disasters and are being assisted by FEMA. When the damage affected our home, our documents got wet and some damaged in reference to this case, however I was able to save some by placing them in bags, I am requesting for the petition to be GRANTED because according to when I found out about the judge La Tasha Lewis Payne decision in Harris County Civil District Court No. 55 and filed a Motion for Reconsideration I was within my time frame to file my Motion for Reconsideration. (Please See Exhibit 4) Date I received documents with Judge La Tasha Lewis Payne judgment was on August 1, 2022 And I filed my Motion for Reconsideration on August 10, 2022 within the 10 day time frame. (Please See Exhibit 4) The Order Granting Defendant Alan Patterson No Evidence Motion For Summary Judgment was GRANTED and claims and causes of action of Plaintiffs Arthur J. Smith and Darlene Smith against Alan Patterson were ordered Dismissed, signed off on and dated by Presiding Judge La Tasha Lewis Payne on May 23, 2023. (Please See Exhibit 2) And the Defendant Alan Patterson's No Evidence Motion for Summary Judgment names a job occupation of a person and a person who are not parties to the law suit. (Please See Exhibit 1) There IS NO Evidence To Support The Plaintiff Negligence Claims Against Defendant Alan Patterson, Named Alan Simpson.

REASONS FOR GRANTING THE PETITION

I'm also requesting for the Petition to be granted due to a Conflict of Interest between the Defendant attorney Benjamin 'Ben' Hall with The Hall Law Firm who contributed \$1,000.00 on June 15, 2021 to Judge LaTosha Lewis Payne campaign while my husband and I case was still active in the Harris County District Court No. 55 with presiding Judge LaTosha Lewis Payne before she dismissed my husband and I case. (Please See Exhibit 3) also the First Court of Appeals listed the Trial Judge, Honorable Jeffrey A. Shadwick who is a Republican for my husband and I case for Trial Docket No. 2019-37346. (Please See Exhibit 16 pages 1-4 : top of page 2) And the Trial Judge for my husband and I Trial Docket No. 2019-37346 was Judge LaTosha Lewis Payne who is a Democrat.

I'm requesting for Petition to be granted due to Vincent Clocksien Vacation Letter was not filed within the time frame when the Order for Resetting Trial was put in place. (Please See Exhibit 13 - Vincent Clocksien Vacation Letter), (Please See Order Resetting Trial (pgs. 1-4) I'm also requesting for the Petition to be granted due to right before my husband medical records were requested and the witnesses were contacted for Order of Resetting Trial Case, it was dismissed. (Please See Exhibits 6, Exhibit 9, Exhibit 10, Exhibit 11, Exhibit 12)

REASONS FOR GRANTING THE PETITION

I'm requesting for the Petition to be granted due to the Defendants claiming I admitted to Trespassing on to the church property and I did not Trespass on to the church property. (Please see Exhibit 7 and Photos of Church Security Guard approaching me while my husband and I was doing a Peaceful Protest on the Houston City Public Sidewalk. (Please See Photo Exhibits)

No one should be detained unlawfully, assaulted, illegally tasered, illegally arrested, wrongfully and illegally jailed who did not comit a crime, my rights (all my rights) were violated without a probable cause. There's nothing in Harris County Systems that shows why my husband was tased, arrested and taken to jail on

May 31, 2017 and held 116 days without a bond.

The Defendants Attorneys claim Church Security Guard Anthony Simpson had qualified immunity as a police officer off duty. Anthony Simpson was not in police uniform when he came out of church and approached my husband and I and his actions towards my husband and I clearly violated a legal rule laid out by the federal appeals court. (Please see Photo Exhibits of Church Security Anthony Simpson Actions- Exhibit Photos: Exhibit 15, pages 18-31 of Arthur's Exhibits)

As of today November 1, 2024 from the time that the incidents took place May 31, 2017, before my ^{husband} went to Harris County Jail. He was receiving threats. One by Pastor Alan Patterson and until this day, we are, in fear of our lives due to the corruption of the Houston Police Dept. and the ties Pastor Patterson have with the police Dept.

REASONS FOR GRANTING THE PETITION

I am requesting the Petition to be GRANTED due to the fact that Atty. Vincent Glocksien never responded to my Petition For Review/Brief in the First Court of Appeals in Houston Harris County Texas in reference to case no. 01-23-000080-cv in reference to Arthur S. ~~Also~~ Smith and Darlene Smith.

Also No Deposition was done on me after the Defendants Attorney said they would reschedule one with me, Even though some documents say one was done on me. I was neglected and treated as if my voice did not matter. No due process.

Darlene Smith Exhibits

Exhibit 1 - V. There Is No Evidence To Support The Plaintiff Negligence Claims Against Defendant Alan Patterson (page 7 of 9)

Exhibit 2 - Order Granting Defendant Alan Patterson No Evidence Motion For Summary Judgment (page 1 of 3 and page 2 of 3)

**Exhibit 3 - Monetary Political Contributions
(page 1)**

Exhibit 4 - Motion For Reconsideration (pages 1-2)

Exhibit 5 - Notice Of Hearing (page 1)

Exhibit 6 - Plaintiff's Response To Defendant's Request For Admissions (pages 1-2)

Exhibit 7 - Reporter's Certification Deposition Of Arthur J. Smith - June 21, 2021
(pages 1-5)

Exhibit 8 - JACKSON, DREWS & BOANERGES, P.C.
Vincent Glocksien Vacation Letter (page 1)

Exhibit 9 - Order Resetting Trial (pages 1-6)

Exhibit 10 (Exhibit 16 for ARTHUR J. SMITH) -
ARTHUR J. SMITH AND DARLENE SMITH
v. ANTHONY SIMPSON, ALAN PATTERSON AND
CORINTH MISSIONARY BAPTIST CHURCH FKA
MOUNT CORINTH MISSIONARY BAPTIST CHURCH
Page 29 of 62

FILE COPY

RE: Case No. 23-0900
COA #: 01-23-00080-CV
STYLE: SMITH v. SIMPSON

Today the Supreme Court of Texas denied the petitions for review in the above-referenced case.

DATE: 2/2/2024
TC#: 2019-37366

DARLENE SMITH
* DELIVERED VIA E-MAIL *

FILE COPY

RE: Case No. 23-0900
COA #: 01-23-00080-CV
STYLE: SMITH v. SIMPSON

DATE: 4/5/2024
TC#: 2019-37366

Today the Supreme Court of Texas denied the motions for rehearing of the above-referenced petition for review.

DARLENE SMITH
* DELIVERED VIA E-MAIL & POSTAL *

time for discovery has passed. Plaintiff has had more than adequate time to conduct discovery in this matter, this No-Evidence Motion for Summary Judgment is appropriate.

v.

**THERE IS NO EVIDENCE TO SUPPORT THE PLAINTIFF
NEGLIGENCE CLAIMS AGAINST DEFENDANT ALAN PATTERSON**

Plaintiffs herein alleges that the Defendant was negligent and grossly negligent and intentionally caused severe emotional distress to Plaintiffs. Defendant ALAN PATTERSON did not control the means and methods of the work of Houston Police Officer Alan Simpson at the time of the occurrence nor did Pastor ALAN PATTERSON control the acts of Houston Police Officer Alan Simpson therefore he had no duty to Plaintiffs. Defendant ALAN PATTERSON moves for No Evidence Summary Judgment on all of the elements of liability brought against him in Plaintiff's Petition and Pleadings on file in this cause.

Accordingly, Defendant ALAN PATTERSON is entitled to Summary Judgment as a matter of law on Plaintiffs claims arising from the incident made the basis of this suit.

v.

WHEREFORE, PREMISES CONSIDERED, Defendant ALAN PATTERSON prays that Plaintiffs take nothing by reason of this suit, that Defendant ALAN PATTERSON be discharged and be released from costs, without day, and for all such other and further relief, both general and special, at law and in equity, to which the Defendant

NO. 2019-37336

ARTHUR J. SMITH AND DARLENE SMITH
v.
ANTHONY SIMPSON, ALAN PATTERSON AND CORINTH
MISSIONARY BAPTIST CHURCH f/k/a
MOUNT CORINTH MISSIONARY
BAPTIST CHURCH

IN THE DISTRICT COURT OF
HARRIS COUNTY, TEXAS
55th JUDICIAL DISTRICT

7A

ORDER GRANTING DEFENDANT ALAN PATTERSON NO EVIDENCE
MOTION FOR SUMMARY JUDGMENT

CAME on to be considered on this _____ day of _____
2022, Defendant Alan Patterson's No Evidence Motion for Summary
Judgment. The Court, upon review of all responsive pleadings and
arguments of counsel, finds that Defendant's Motion is in all
things GRANTED. It is, therefore;

ORDERED, ADJUDGED and DECREED that Defendants' No Evidence
Motion for Summary Judgment as to ALAN PATTERSON is hereby GRANTED.
The claims and causes of action of Plaintiffs ARTHUR J. SMITH AND
DARLENE against ALAN PATTERSON are hereby Ordered Dismissed.

Costs of Court are taxed to the party incurring said costs.

SIGNED this _____ day of _____, 2022.

Signed:
5/23/2022


JUDGE PRESIDING

page 31 of 62

APPROVED:

JACKSON, DREWS & BOANERGES, P.C.

Vincent Glocksien

VINCENT GLOCKSIEN TBN:08031200
9432 Katy Freeway, Suite 100
Houston, Texas 77055
Telephone: (713) 464-3383
Facsimile: (713) 464-9467
Vincent@cjblawfirm.com
ATTORNEY FOR DEFENDANT
ALAN PATTERSON

page 32 of 62

Automated Certificate of eService

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Michael Cooper on behalf of Vincent Glocksien
Bar No. 8031200
mc@cjblawfirm.com
Envelope ID: 62511762
Status as of 3/11/2022 8:12 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Thomas CLewis		tcl@tchrislaw.com	3/10/2022 5:09:25 PM	SENT
Thomas Lewis	24059224	tcl@yourjusticematters.com	3/10/2022 5:09:25 PM	SENT
Lekeshia Alexander		lla@yourjusticematters.com	3/10/2022 5:09:25 PM	SENT
Karl Douglas Drews		karl@cjblawfirm.com	3/10/2022 5:09:25 PM	SENT
Karl D.Drews		kdd@cjblawfirm.com	3/10/2022 5:09:25 PM	SENT
Benjamin Hall	8743745	bhall@thlf.us	3/10/2022 5:09:25 PM	SENT
Ryan Finnegan		rfinnegan@bhalllawfirm.com	3/10/2022 5:09:25 PM	SENT
Kimberly Bobb		kbobb@bhalllawfirm.com	3/10/2022 5:09:25 PM	SENT
Vincent Glocksien		vincent@cjblawfirm.com	3/10/2022 5:09:25 PM	SENT
Debbie Campbell		dcampbell@cjblawfirm.com	3/10/2022 5:09:25 PM	SENT



I, Marilyn Burgess, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office this August 1, 2022

Certified Document Number: 102103925

Marilyn Burgess, DISTRICT CLERK
HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail support@hcdistrictclerk.com

MONETARY POLITICAL CONTRIBUTIONS

SCHEDULE A(J)1

The Instruction Guide explains how to complete this form.			1 Total pages Schedule A(J)1: Sch: 10/19 Rpt: 13/35
2 FILER NAME Payne, Latosha Lewis (The Honorable)			3 Filer ID (Ethics Commission Filers) 00069496
4 Date 06/15/2021	5 Full name of contributor Hall, Benjamin	<input type="checkbox"/> out-of-state PAC (ID#:)	7 Amount of Contribution (\$) \$1,000.00
	6 Contributor address; City; State; Zip Code Houston, TX 77024		
8 Contributor's Principal Occupation Lawyer		9 Contributor's Job Title Lawyer	
10 Contributor's employer/law firm Hall law firm		11 Law firm of contributor's spouse (if any)	
12 If contributor is a child, law firm of parent(s) (if any)			
Date 06/29/2021	Full name of contributor Hardin, Rusty	<input type="checkbox"/> out-of-state PAC (ID#:)	Amount of Contribution (\$) \$1,000.00
	Contributor address; City; State; Zip Code Houston, TX 77005		
Contributor's Principal Occupation Attorney		Contributor's Job Title Attorney	
Contributor's employer/law firm Rusty Hardin & Associates		Law firm of contributor's spouse (if any) n/a	
If contributor is a child, law firm of parent(s) (if any)			
Date 06/29/2021	Full name of contributor Hiran, Bruce	<input type="checkbox"/> out-of-state PAC (ID#:)	Amount of Contribution (\$) \$250.00
	Contributor address; City; State; Zip Code Houston, TX 77055		
Contributor's Principal Occupation Litigation Attorney		Contributor's Job Title Litigation Attorney	
Contributor's employer/law firm Hiran & Streeter Law Firm		Law firm of contributor's spouse (if any) Hiran & Streeter Law Firm	
If contributor is a child, law firm of parent(s) (if any)			

Arthur J. Smith
and Darlene Smith,
Plaintiffs

In The District
Court Of Harris
County, Texas

V.

Anthony Simpson,
Alan Patterson
And Corinth Missionary
Baptist Church f/k/a
Mount Corinth Missionary
Baptist Church

55TH JUDICIAL COURT

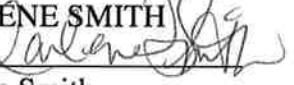
MOTION FOR RECONSIDERATION

I, Darlene Smith is submitting a Motion For Reconsideration in the above case no. 2019-37336 due to the fact that there is an error in the Defendant Alan Patterson's No Evidence Motion For Summary Judgment. (Please See Exhibit on page 7 of 9 stating under roman number V. THERE IS NO EVIDENCE TO SUPPORT THE PLAINTIFF NEGLIGENCE CLAIMS AGAINST DEFENDANT ALAN PATTERSON.) The first paragraph states, "Plaintiffs herein alleges that the Defendant was negligent and grossly negligent and intentionally caused serve emotional distress to Plaintiffs.

Defendant ALAN PATTERSON did not control the means and methods of the work of Houston Police Officer Alan Simpson at the time of the occurrence nor did Pastor ALAN PATTERSON control the acts of Houston Police Officer Alan Simpson therefore he had no duty to Plaintiffs. Defendant ALAN PATTERSON moves for No Evidence Summary Judgment on all of the elements of liability brought against him in Plaintiff's Petition and Pleadings on file in this cause.

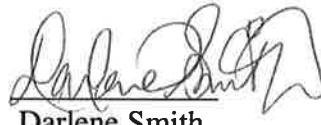
Accordingly, Defendant ALAN PATTERSON is entitled to Summary Judgment as a matter of law on Plaintiffs claims arising from the incident made the basis of this suit." This statement in the Defendant Alan Patterson's No Evidence Motion For Summary Judgment was submitted by JACKSON, DREWS & BOANERGES, P.C. and signed off on by Attorney Vincent Glocksien for Defendant Pastor Alan Patterson on the date of March 10, 2022.

The Order Granting Defendant Alan Patterson No Evidence Motion For Summary Judgment was GRANTED and the claims and causes of action of Plaintiffs Arthur J. Smith and Darlene against ALAN PATTERSON were ordered Dismissed. Signed and dated by Presiding Judge Latosha Lewis Payne on May 23, 2022. The Defendant Alan Patterson's No Evidence Motion For Summary Judgment names a job occupation of a person and a person who are not parties to the lawsuit. I received my case documents from the Harris County Civil Courthouse located on 201 Caroline, Houston, Texas 77001 on August 1, 2022 and that's when I first reviewed the error.

Respectfully Submitted,
DARLENE SMITH
By: 
Darlene Smith
Email: artkoffey@yahoo.com
5315 Sonora Street
Houston, Texas 77020
Telephone: 281.667.1016
Pro Se

Certificate Of Service

I hereby Certify that on August 10, 2022, a True and Correct Copy of this MOTION FOR RECONSIDERATION was delivered to the Defendant(s) Attorney(s).



Darlene Smith

CASE NO. 2019-37336

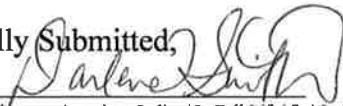
Arthur J. Smith and
Darlene Smith,
Plaintiffs
V.

Anthony Simpson, Alan
Patterson And Corinth
Missionary Baptist Church.
f/k/a Mount Corinth Missionary
Baptist Church,
Defendants

In The District Court
Of
Harris County, Texas
55th Judicial
District

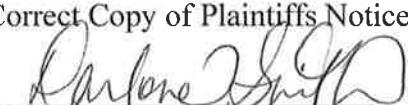
NOTICE OF HEARING

The hearing for Motion For Reconsideration will be heard on January 23, 2023 at 1:30pm by Zoom <https://justex.zoom.us/j/360123286> in the 55th County District Court in Harris County, Texas.

Respectfully Submitted,
By: 
Autochthonous American Indian/ In Full Life/ Sui Juris/In Solo Proprio
Darlene Smith
Email: artkoffey@yahoo.com
5315 Sonora Street
Houston, Texas 77020
Telephone: 281.667.1016
Pro Se

CERTIFICATE OF SERVICE

I Certify that On December 19, 2022 a True And Correct Copy of Plaintiffs Notice Of Hearing was delivered to the Defendants Attorney.


Darlene Smith

CAUSE NO. 2019-37336

ARTHUR J. SMITH AND DARLENE § IN THE DISTRICT COURT
SMITH §
VS § 55TH JUDICIAL DISTRICT
ALAN PATTERSON § OF HARRIS COUNTY, TEXAS

PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSIONS

As provided in Rule 198.2, Texas Rules of Civil Procedure, Plaintiff, Arthur J. Smith And Darlene Smith, Respondent herein, serves this Response to Defendant's Request for Admissions.

DEFENDANT'S REQUESTS FOR ADMISSION TO PLAINTIFFS

REQUEST FOR ADMISSION NO. 1 You admit you have no evidence that the defendant which you sued as Corinth Missionary Baptist Church f/k/a Mount Corinth Missionary Baptist Church caused you any harm or damages.

Admit _____ Deny

REQUEST FOR ADMISSION NO. 2 You admit that the defendant Corinth Missionary Baptist Church f/k/a Mount Corinth Missionary Baptist Church which you sued in this case caused you no harm or damages for which you complain in this suit.

Admit _____ Deny

REQUEST FOR ADMISSION NO. 3 You admit that the officer (Anthony Simpson) who arrested you was performing his duty as a Houston police officer and not as an employee or agent of defendant Corinth Missionary Baptist Church f/k/a Mount Corinth Missionary Baptist Church which you sued in this case.

Admit _____ Deny

REQUEST FOR ADMISSION NO. 4 You admit the defendant Corinth Missionary Baptist Church f/k/a Mount Corinth Missionary Baptist Church which you sued in this case is the wrong defendant.

Admit _____ Deny

REQUEST FOR ADMISSION NO. 5 You admit that defendant Corinth Missionary Baptist Church f/k/a Mount Corinth Missionary Baptist Church which you sued in this case did nothing to cause the harm or damages you allege in this case.

Admit _____ Deny X

REQUEST FOR ADMISSION NO. 6 You admit your alleged damages in this case against the defendant Corinth Missionary Baptist Church f/k/a Mount Corinth Missionary Baptist Church you sued in this case totals \$0.

Admit _____ Deny X

Respectfully submitted,

Law Office of T. Christopher Lewis
730 N. Bishop Ave., Suite 100
Dallas, TX 75208

T. Christopher Lewis
T. Christopher Lewis
Attorney for Plaintiff
Bar no: 24059224
Phone: 8177953900
Fax: 8177953901
Email: tel@yourjusticematters.com

Certificate of Service

I certify that a true copy of this document was served in accordance with Rule 21a of the Texas Rules of Civil Procedure on the following on October 30, 2020.

T. Christopher Lewis
T. Christopher Lewis
Attorney for Plaintiff



I, Marilyn Burgess, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office this August 1, 2022

Certified Document Number: 92878756

Marilyn Burgess, DISTRICT CLERK
HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail support@hcdistrictclerk.com

Page 41 of 62

1

CAUSE NO. 2019-37336

2 ARTHUR J. SMITH AND) IN THE DISTRICT COURT OF
3 DARLENE SMITH)
4 VS.)
5) HARRIS COUNTY, T E X A S
6 ANTHONY SIMPSON, ALAN)
PATTERSON AND CORINTH)
MISSIONARY BAPTIST CHURCH)
F/K/A MOUNT CORINTH)
MISSIONARY BAPTIST CHURCH) 55TH JUDICIAL DISTRICT

7

REPORTER'S CERTIFICATION

DEPOSITION OF ARTHUR J. SMITH

JUNE 21, 2021

8

10 I, Cynthia C. Miller, Certified Shorthand
11 Reporter in and for the State of Texas, hereby certify
12 to the following:

13 That the witness, ARTHUR J. SMITH, was duly
14 sworn by the officer and that the transcript of the oral
15 deposition is a true record of the testimony given by
16 the witness;

17 That the amount of time used by each party at
18 the deposition is as follows:

19 Mr. T. Christopher Lewis - None,
20 Mr. Ryan Finnegan - 7 minutes,
Mr. Vincent Glocksien - 2 hours 32 minutes;

21 That pursuant to information given to the
22 deposition officer at the time said testimony was taken,
23 the following includes counsel for all parties of
24 record:

25

Mr. T. Christopher Lewis, Attorney for Plaintiff,
Mr. Ryan Finnegan, Attorney for Defendant Corinth Missionary Baptist Church,
Mr. Vincent Glocksien, Attorney for Defendant Alan Patterson.

I further certify that I am neither counsel for, related to, nor employed by any of the parties or attorneys in the action in which this proceeding was taken, and further that I am not financially or otherwise interested in the outcome of the action.

10 Further certification requirements pursuant to
11 Rule 203 of TRCP will be certified to after they have
12 occurred.

Cynthia Cyphillen

CYNTHIA C. MILLER, Texas CSR 8065
Certification Expiration 07/31/2023

Advantage Reporting Service
Firm Registration No. 378
P.O. Box 169
Tomball, Texas 77377
281.376.9303

1 FURTHER CERTIFICATION UNDER RULE 203 TRCP
2 FOR THE DEPOSITION OF ARTHUR J. SMITH
3 TAKEN ON JUNE 21, 2021

4 The deposition transcript was submitted on
5 July 7, 2021 to the witness or to the attorney
6 for the witness for examination, signature and return to
7 me by July 30, 2021;

8 The original deposition was was not returned to the deposition officer on July 30, 2021;

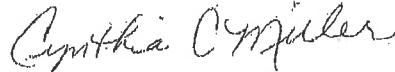
9 If returned, the attached Changes and Signature
10 page contains any changes and the reasons therefor;

11 The original deposition was sent to
12 Mr. Vincent Glocksiem, Custodial Attorney, on
13 August 2, 2021;

14 That \$1,0109.05 is the deposition officer's
15 charges to the Defendants, for preparing the original
16 deposition transcript and any copies of exhibits;

17 That the deposition was delivered in accordance
18 with Rule 203.3, and that a copy of this certificate was
19 served on all parties shown herein and filed with the
20 Clerk.

21 Certified to by me this 2nd day of August,
22 2021.

23 

24 CYNTHIA C. MILLER, Texas CSR 8065
25 Certification Expiration 07/31/2023

26 Advantage Reporting Service
27 Firm Registration No. 378
28 P.O. Box 169
29 Tomball, Texas 77377
30 281.376.9303



Advantage Reporting Service
Full Service Court Reporting Agency
P.O. Box 169
Tomball, TX 77377
281-376-9303

July 6, 2021

Mr. T. Christopher Lewis
Law Office of T. Christopher Lewis
730 N. Bishop, Suite 100
Dallas, TX 75208

In Re: Arthur J. Smith
Arthur J. Smith and Darlene Smith Vs. Anthony Simpson, et al
Case Number: 2019-37336
Date: 06/21/2021

Dear Mr. Lewis:

Enclosed please find the deposition of Arthur J. Smith and Darlene Smith, which was taken in the above-styled case. Please have the witness read the deposition, note any changes by page and line number on the correction sheet located in the back of the deposition, sign the deposition before any Notary Public, and return the deposition, correction sheet, and the signed and notarized signature page to me within the required twenty (20) days for forwarding to counsel.

** The twenty (20) days begin the day you receive this transcript.

Job number to reference: 101613

Sincerely,

Glaythan Trauth

Glaythan Trauth
Enclosure

cc: Mr. Vincent Glocksiem
Mr. Ryan Finnegan

page 45 of 62

Lone Star Overnight
Customer Shipping Record
Tracking Number: ZY04YFH9

[Click Here to
schedule a
Pickup](#)

ADVANTAGE
From: REPORTING
SERVICE
ADVANTAGE
REPORTING
SERVICE
11802
LAKEGROVE
COURT
TOMBALL,
TX 77377
(281) 376 -
9303

MR. T.
To: CHRISTOPHER
LEWIS
L/O OF T.
CHRISTOPHER
LEWIS
730 N. BISHOP
SUITE 100
DALLAS,
TX 75208
(817) 795 - 3900

Date Printed: 6/29/2021

LIMIT OF LIABILITY: We are not responsible for claims in excess of \$100 for any reason unless you: 1) declare a greater value (not to exceed \$25,000); 2) pay an additional fee; 3) and document your actual loss in a timely manner. We will not pay any claim in excess of the actual loss. We are not liable for any special or consequential damages. Additional limitations of liability are contained in our current Service Guide. If you ask us to deliver a package without obtaining a delivery signature, you release us of all liability for claims resulting from such service. NO DELIVERY SIGNATURE WILL BE OBTAINED FOR 8:30 AM DELIVERIES OR RESIDENTIAL DELIVERIES.

WARNING: Use only the printed original label for shipping. Using a photocopy of this label or any other label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your Lone Star Overnight account number.

This label is valid for use for 3 months from the date printed. Use of expired labels may result in delayed billing and / or additional research charges.

RIGHT TO INSPECT: We may, at our option, open and inspect any shipment prior to or after you give it to us to deliver.

Prices calculated on the website are estimates based on the information provided. Charges may change due to, but not limited to the following: Address Correction, Unspecified Residential Delivery, incomplete or Inaccurate Dimensional and Weight Data.

NOTE: This is not an airbill for use in the delivery of a package.

Questions? Call 800.800.8984



I, Marilyn Burgess, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office this August 1, 2022

Certified Document Number: 97268958

Marilyn Burgess, DISTRICT CLERK
HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail support@hcdistrictclerk.com

page 47 of 62

JACKSON, DREWS & BOANERGES, P.C.
 ATTORNEYS AT LAW

Shareholders

JAMES BOANERGES
 WILLIAM S. JACKSON
 KARL D. DREWS

9432 Katy Freeway, Suite 100
 Houston, Texas 77055
 713-464-3383
 713-464-9467-Fax
vincent@cjblawfirm.com

VINCENT GLOCKSIEN

July 14, 2021

Ms. Marilyn Burgess
 Harris County District Clerk
 201 Caroline
 Houston, Texas 77002

RE: Cause No. 2019-37336; Arthur J. Smith and Darlene Smith
 v. Anthony Simpson, Alan Patterson and Corinth
 Missionary Baptist Church f/k/a Mount Corinth Missionary
 Baptist Church; In the 55th District Court, Harris
 County, Texas

Dear Ms. Burgess:

This letter is to advise you that I will be invoking my vacation letter beginning July 19, 2021 through August 13, 2021. I would appreciate it very much if you would not set any matters, including trial, during that time period.

By copy of this letter, I am notifying all counsel of record of this vacation schedule.

Sincerely,

Vincent Glocksiens
 Vincent Glocksiens

/dc

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I, Marilyn Burgess, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office this August 1, 2022

Certified Document Number: 96839138

Marilyn Burgess, DISTRICT CLERK
HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail support@hcdistrictclerk.com

SMITH, ARTHUR J

vs.

SIMPSON, ANTHONY

* IN THE DISTRICT COURT OF
* HARRIS COUNTY, TEXAS
* 55th JUDICIAL DISTRICT

ORDER RESETTING TRIAL

This case is reset for TRIAL for the two week period beginning 07-27-2021.

If the case has not been reached by the second Friday after this date, the trial will be reset. The parties are ordered to appear for a DOCKET CALL on 07-16-2021 at 09:00 AM.

All previous pre-trial deadlines remain in effect, unless changed by the court.

If you have any questions concerning this order, please contact the Court coordinator, ASHLEY HOSKINS at (832) 927-2653.

Signed

LATOSHA LEWIS PAYNE
JUDGE, 55TH DISTRICT COURT
Generated on: 2/24/2021

ALAN LAMAR PATTERSON
4901 PROVIDENCE STREET
HOUSTON, TX 77020

SMITH, ARTHUR J

vs.

SIMPSON, ANTHONY

* IN THE DISTRICT COURT OF
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ALAN PATTERSON

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Signed

LATOSHA LEWIS PAYNE
JUDGE, 55TH DISTRICT COURT
Generated on: 2/24/2021

THOMAS CHRISTOPHER LEWIS
730 N BISHOP AVE., SUITE 100
DALLAS, TX 75208-3900

24059224

JCVF13

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SMITH, ARTHUR J

vs.

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* IN THE DISTRICT COURT OF
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Signed

LATOSHA LEWIS PAYNE
JUDGE, 55TH DISTRICT COURT
Generated on: 2/24/2021

KARL DOUGLAS DREWS
9432 KATY FRWY, STE.100
HOUSTON, TX 77055

06117470

JCVF13

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SMITH, ARTHUR J

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* 55th JUDICIAL DISTRICT

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Signed

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JUDGE, 55TH DISTRICT COURT
Generated on: 2/24/2021

BENJAMIN L. III HALL
530 LOVETT BOULEVARD
HOUSTON, TX 77006

08743745

JCVF13

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I, Marilyn Burgess, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.
Witness my official hand and seal of office this August 1, 2022

Certified Document Number: 94520686

Marilyn Burgess, DISTRICT CLERK
HARRIS COUNTY, TEXAS

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No. 23-0900

[Click for Official Page \(http://www.search.txcourts.gov/Case.aspx?cn=23-0900\)](http://www.search.txcourts.gov/Case.aspx?cn=23-0900)

**ARTHUR J. SMITH AND DARLENE SMITH
v. ANTHONY SIMPSON, ALAN
PATTERSON AND CORINTH MISSIONARY
BAPTIST CHURCH F.K.A MOUNT
CORINTH MISSIONARY BAPTIST
CHURCH**

The Court denied review of the petition on February 2, 2024. It then denied rehearing on April 5, 2024 **File Closed**

[Case Events](#) [Parties and Counsel](#)

Court of Appeals

Appellate District:	1st Court of Appeals
Outcome Below:	Dismissed
COA Docket No.:	01-23-00080-CV
Opinion Author:	Per Curiam

Trial Court

Trial Court: 55th District Court

County: Harris

Trial Judge: Honorable Jeffrey A. Shadwick

Trial Docket: 2019-37366

Entries on SCOTX Orders Lists

- February 2, 2024 (/scotx/orders/2024-02-02?from=23-0900)
- April 5, 2024 (/scotx/orders/2024-04-05?from=23-0900)

Docket Entries

Date	Event	Outcome
2024-04-05	Notice sent to Court of Appeals	
2024-04-05	Notice sent to Court of Appeals	
2024-04-05	Motion for Rehearing - Disposed	Denied
2024-04-05	Motion for Rehearing - Disposed	Denied
2024-03-21	Call received	
2024-02-27	Case forwarded to Court	
2024-02-27	Case forwarded to Court	
2024-02-20	Motion for Rehearing	
2024-02-20	Motion for Rehearing for pet #2	

2024-02-02	Petition for Review disposed	Denied
2024-02-02	Petition for Review disposed	Denied
2024-01-02	Case forwarded to Court	
2024-01-02	Case forwarded to Court	
2023-12-08	Description of document returned to Supreme Court	
2023-12-06	Response Waiver filed	
2023-12-06	Response Waiver filed	
2023-12-01	Response Waiver filed	
2023-12-01	Case received	
2023-11-30	Phone call from Clerk's Office	
2023-11-29	Petition for Review (Petitioner)	
2023-11-29	Petition for Review #2 (Petitioner)	
2023-11-20	Description of document returned to Supreme Court	
2023-11-15	Description of document returned to Supreme Court	
2023-11-10	Affidavit of Inability to Pay Court Costs	
2023-11-10	Affidavit of Inability to Pay Court Costs	
2023-11-10	Motion for Extension of Time to File Petition for Review disposed	Filing granted
2023-11-02	Notice requesting filing fee	
2023-10-31	Clerk's Record	
2023-10-31	Notice of Appeal filed (Petitioner)	
2023-10-31	Notice requesting filing fee	
2023-10-31	Electronic communication sent to Party	

2023-10-31 Notice requesting filing fee

2023-10-30 Motion for Extension of Time to File Petition for Review filed

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Darlene Smith

Date: November 1, 2024

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Arthur J. Smith and Darlene Smith — PETITIONER(S)
(Your Name)

VS.

Anthony Simpson, Alan Patterson, — RESPONDENT(S)
Corinth Missionary Baptist Church FIR/la
Mount Corinth Missionary Baptist Church
PROOF OF SERVICE

I, Darlene Smith, do swear or declare that on this date,
November 1, 2024, as required by Supreme Court Rule 29 I have
served the enclosed MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS
and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding
or that party's counsel, and on every other person required to be served, by depositing
an envelope containing the above documents in the United States mail properly addressed
to each of them and with first-class postage prepaid, or by delivery to a third-party
commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

Vincent Glocksien; Jackson, Drews And Boanerges — Houston, Texas 77055
Pierre Grosdidier; City Of Houston, City Hall Annex — Houston, Texas 77002
Benjamin Hall, III; The Hall Law Firm — 530 Lovett Blvd. — Houston, TX 77006

9432 Katy Freeway

Suite 100

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 1, 2024

Darlene Smith
(Signature)

Pro se