

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Richard Barroso (TDCJ-CID #1452245) PETITIONER
(Your Name)

VS.

Texas Department of Criminal Justice (TDCJ);
Executive Director, Bryan Collier RESPONDENT(S)
Bryan Collier

PROOF OF SERVICE

I, Richard Barroso, do swear or declare that on this date, June 05, 2023, 20²³, 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. Actually the in forma pauperis copy was mailed March 21, 2023, at the same time Application for extended time and to the Attorney General's Office, P.O. Box 12548, Austin, Texas 78711-2548, but following notice of granted extended time and copy to Texas Supreme Court, Petitioner mailed copy of second application to the Supreme court and mailed on June 05, 2023 copy of petition also to Supreme Court Tx. I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 05, 20²³

Richard Barroso
(Signature)

No.

(RELEVANT TO APPLICATION NO.22A852/SCTX No.22-0952)

IN THE

SUPREME COURT OF THE UNITED STATES

Richard Barroso (TDCJ-CID #1452245) -Petitioner

vs.

TEXAS DEPARTMENT OF CRIMINAL JUSTICE (TDCJ); TDCJ-EXECUTIVE DIRECTOR,
BRYAN COLLIER; and TDCJ Actors under his direction.

PETITION FOR WRIT OF CERTIORARI

STATE OF TEXAS §

§

COUNTY OF BRAZORIA §

§

~~2023~~

AFFIDAVIT OF Richard Barroso OF TIMELY FILED

PETITION FOR WRIT OF CERTIORARI

(ON JUNE 05, 2023 PER MAIL BOX RULE)

TO THE HONORABLE JUSTICE(S) OF COURT:

I, Richard Barroso, affiant, am over the age of eighteen, and am of sound mind sufficient to make this affidavit, and I have personal knowledge of the facts stated herein, and I declare under penalty of perjury that they are true and correct.

Executed this the 25th day of July, 2023.

Richard Barroso

Richard Barroso pro se

1. Affiant placed his petition for writ of certiorari, albeit unperfected due to necessity to timely file, and which is relevant to Application No. 22A852, and due June 05, 2023, into the possession of the Ramsey Unit Law Librarian on June 05, 2023 for indigent supply postage and delivery to Office of the Clerk, Supreme Court of

the United States, 1 1st ST. NE, Washington, DC 20534-0001. NOTE Zip Code Error.

2. The above noted error was noted in second mailing in "Affidavit of Richard Barroso Relevant To Application/Motion For Temporary Restraining Order and/or For Temporary Injunctive Relief, page 2, #4 continued on page 3, and further explained of his disabilities and his relevant conditions of confinement unconstitutional rendering affiant incompetent in his capacity to litigate in his domicile to timely & effectively protect his property and liberty interests as denied disability considerations/ accommodations amount to unconstitutional cruel & unusual punishments, which are exponentially compounded via state actors' acts of harassments/retaliations/discriminations for affiant asserting his Constitutionally protected Civil & Disability rights and causing serious physical injuries to affiant, mental/ emotional harm/ injury to affiant, and injury to affiants causes of action, including those in and relevant to affiant's petition for writ of certiorari now again mailed a third time.

3. Those facts noted in #2 above lend to affiant being under severe duress of suffering pain, mental anguish knowing established laws govern the TDCJ & state & federal courts of law to protect affiant, yet ten (10) years of litigation efforts, affiant's suffering is exponentially exponential, despite every court having authority to act.

4. The affiant's petition for writ of certiorari was in fact timely filed per the "mail box rule" when placed in the possesion of the institutional mail system on June 05, 2023, despite that it was not post-marked until June 06, 2023, which the Office of the Clerk of this Court has retained that envelope affiant enclosed with second mailing of writ showing post-mark of June 05, 2023, the envelope shows on it "TUE 06 JUNE 2023PM and AFSM 6 N HOU 773", it has 3-\$1.00 stamps, 1-FOREVER stamp, and 1-ADDITIONAL OUNCE stamp.

5. Affiant's petition was again retured to him after second mailout and received July 18, 2023 with notice from Clerk's Office stating "An otherwise untimely petition being filed by an inmate confined in an institution may not be docketed unless it was timely deposited in the institution's internal mail system and is accompanied by a notarized statement or declaration setting forth the date of deposit and

stating that first class postage has been prepaid. Rule 29.2, which this affidavit is sought to be accepted as compliance with this Rule 29.2 that affiant's petition for writ of certiorari will be docketed and his motions for injunctive relief be consolidated and heard and determined for relief from unconstitutional and injurious conditions of his confinement within the TDCJ.

6. Affiant filed in this Court previously with his March 21, 2023 cover letter to this Clerk's Office, Motion For Leave To Proceed In Forma Pauperis, & Under Imminent Danger of Serious Physical Injury Exception to 28 USCS § 1915(g), notwithstanding the three strikes against affiant, which are resulting from unconstitutional applications of the PLRA in extraordinary & exceptional circumstances, also affiant submitted notarized six month statement of his inmate trust account, his affidavit of Being In Imminent Danger of Serious Physical Injury Relevant to Proceeding In Forma Pauperis, Copies of Orders Respecting Rehearing per Supreme Court Rule 13(5); and Certificate of Authenticity of Copies Respecting Rehearing, all with Certificate of Service to SCTX.

7. Affiant's cover letter to Office of the Clerk dated June 12, 2023 and mailed same date with enclosed Motion For Declaratory Judgment & Preliminary Injunctive Relief of Accommodations as Equal Protections of the Laws Relevant to Rights to Petition In The Courts and returned to affiant July 07, 2023 with letter from clerk dated June 30, 2023 is also enclosed in this third mailing of affiant's petition for writ of certiorari. Note that upon return of these papers from the Court to affiant July 07, 2023 there was a stain on bottom left corner of papers that is not affiant's doing and affiant intent is that these papers be consolidated with all papers for the Court's review.

8. Affiant is in, remains in, and has been for years under duress of TDCJ's, TDCJ Executive Directors' Brad Livingston and Bryan Collier's, and TDCJ Actors' acts under the direction of these authorities of unconstitutional cruel & unusual punishments within his conditions of confinement interfering with civil and disability rights.

rights and as such affiant is an outlaw subjected to outlawry, which is forbidden in the State of Texas per the Constitution of the State of Texas and the reason affiant seeks this Court's attention to consolidate his intended relief from all his pleading thus far, hear & determine what this Court deems necessary to ensue justice prevails in these and relevant claims by affiant so far denied.

9. Affiant has no ill or malicious intent, nor has he filed a single claim without merit shown on the face of his pleadings as injuries due to denied disability rights are meritorious, injuries of malicious seizure and destruction of Reporter's Record and Appellate Record, and Convicting Court papers germane to affiant's challenging the convictions against him via habeas corpus state & federal with AEDPA time barring is meritorious, and not once, not twice, but three times legal materials seized, twice destroyed has injured irreparably affiant's causes of actions to include all state and federal causes of action, all of which continue maliciously as affiant has more than legally sufficiently notified TDCJ, TDCJ Exec.Dir., and actors under his direction that resolution of ongoing harm, even gross negligence, which affiant is able to prove given opportunity.

UNSWORN DECLARATION

I, Richard Barroso, affiant, presently confined in the TDCJ Ramsey Unit in Brazoria County, Texas, declare under penalty of perjury that the foregoing is true and correct.

Executed this the 25th day of July, 2023.

Richard Barroso

Richard Barroso pro se

CERTIFICATE OF SERVICE

I, Richard Barroso, certify that a true and correct copy of the Affidavit of Timelt Filed Petition was placed in the Institution's Internal Mail System to:

Clerk
Supreme Court of Texas
P.O.Box 12248
Austin, Texas 78711-2248

on July 26, 2023.

Richard Barroso July 25, 2023
Richard Barroso pro se