Plain And Simple Engl[redacted].

No. 25-6070

(1:23-cv-01396-PTG-IDD)

IN THE

SUPREME COURT OF THE UNITED STATES

COREY LEE BUTTS — PETITIONER
(Your Name)

VS.

CHADWICK DOTSON — RESPONDENT(S)

PROOF OF SERVICE

I, Corey Lee Butts, do swear or declare that on this date, July-29-2, 2025, 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:

CHADWICK DOTSON
Office of the Attorney General • 202 North Ninth Street • Richmond, Virginia [23219].

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

Executed on [: July-29-2.], 2025

"at arm's length"
"Without Prejudice" UCC 1-308"
[: Corey-Lee: Butts Bey.]
(Signature)
[: Copy-Right/Copy-claimant.]

Plain And Simple English

"Attachme ."

IN THE SUPREME COURT OF THE UNITED STATES

COVER LETTER

TO: SUPreme Court of the United States, clerk
1 First street NE • Washington, DC [20543]

From: COREY LEE BUTTS
c/o 701 Sanderson Road
Chesapeake, Virginia
Non-Domestic

Dear clerk,

Enclosed you will find A "Writ of certiorari." I Request that you file this document into the Public Record in Reference to Case Numbers: CR18000704-13 through -16, 1:23-cv-1396, And 25-6070. Thank You for Your Kind Attention to this matter.

:May-z 14,-z 2025. "Without PreJudice UCC 1-308"
:Corey-Lee:Butts-Bey.
:Copy-Right/Copy-Claimant.

RECEIVED
MAY 23 2025
OFFICE OF THE CLERK
SUPREME COURT, U.S.

CC: Virginia Attorney General office
CHADWICK DOTSON, Virginia Dept. of Corrections

" Attachmen

Sherer v. Cullen 481 F 945, confrontation Clause; I've had to endure several years of incarceration.

5. There's a violation of Federal Rules of Criminal Procedure. The alleged injured victim in this case never signed And/or Completed A "Criminal Complaint" Form with the Norfolk Police Department. which is A Violation of the Federal Rules of Criminal Procedure "Rule 3." violation of Constitutional, Procedural Due Process." The Courts are not bound by an officers interpretation of the law under which he Presumes to act. Hoffsomer v. Hayes, 92 Okla 32, 227 F. 417." Thus, I Request that the court review this case Per 5 U.S.C § 702 Right of Review (1), (2)" "... the writ now extends to all Constitutional Challenges." Fay v. Noia, 372 U.S. 391, 83 S. Ct 822, 9 L. Ed. 2d. 837

6. Therefore, I Request that Honorable Judge grants this writ of Certiorari and review this case, And have all Lower Courts produce for the record All transcripts And related documents As Evidence for this case. I request that this case is dismissed And/or discharged, with an Immediate Release.

"Attachm. 1"

7. I declare under the Penalty of Perjury, Under the laws of the United States of America, That the Facts And Claims Presented herein Is the truth, the whole Truth, And nothing but the Truth. I Affirm.

:May-14,-2025. "Without Prejudice UCC 1-308"

:Corey-Lee:Butts-Bey.

:Copy-Right/Copy-Claimant.

RONALD GRISWELL NOTARY PUBLIC REG. #7374674 MY COMMISSION EXPIRES 04/30/2027 COMMONWEALTH OF VIRGINIA

Notary Public (Print) Ronald Griswell

Notary Public (Sign.) Ronald Griswell

State of Virginia
County/City of Chesapeake

Subscribed and sworn/Affirmed before me on this 14th day of MAY, 2025 by Corey Lee Butts proved to me of Satisfactory evidence to be the person(s) who Appeard before me.

"Use of a Notary is for attestation and verification Purposes only and does not constitute a change in status or entrance or acceptance of foreign Jurisdiction."

" Attachment

Certificate of Service

I hereby Certify that on: May-- 14, -- 2025. A Copy of this "writ of certiorari" was mailed to, Supreme Court of the United States, Clerk • 1 1st Street NE • Washington, DC [20543], Office of the Attorney General • 202 North Ninth street • Richmond, Virginia [23219], CHADWICK DOTSON, Director of the Virginia Department of Corrections • 6900 Atmore Drive • Richmond, Virginia [23225].

"Without Prejudice UCC 1-308"
:Corey-Lee:Butts-Bey.
:Copy-Right/Copy-Claimant.

"Attachment"

4. **Issues on Appeal**

Use the following spaces to set forth the facts and argument in support of the issues you wish the Court of Appeals to consider on appeal. You must include any issue you wish the Court to consider, regardless of whether the district court granted a certificate of appealability as to that issue. You may cite case law, but citations are not required.

Issue 1. "I Challenge Jurisdiction."

Supporting Facts and Argument. I Request Persons involved in this Matte to Produce for the record, The Physical documented '. Delegation of Authority', AS Proof of Jurisdiction, As required by Law, Per Article III, Section 1 of the United States Republic Constitution; Als "Jurisdiction can be challenged at any time" and 'Jurisdiction, once Challenged, cannot be assumed and must be decided" Basso v Utah Power and Light Co. 495 F. 2d 906, 910." Miranda v. Arizona 384 US 436, 125"

Issue 2. "There is no victim or Injured Party in this case."

Supporting Facts and Argument. An Injured victim never came to court, I was not Allowed to face My Accusers or confront the witnesses used Against me in this case. which is a violation of the Constitution for the united states of America, "Bill of Rights", And The Virginia Constitut "For a Crime to exist, there must be an injured Party (Corpus Delicti). There can be no sanction or Penalty imposed on one because of this Constitutional Right. Sherer v. Cullen 481 F. 945, Confrontation Clause.

Issue 3. "Violation of Federal Rules of Criminal Procedure."

Supporting Facts and Argument. The Alledged Injured victim In this matter never signed And/or completed A "Criminal Complaint" Form with the Norfolk Police Department. which is A violation of the Federal Rules of criminal Procedure "Rule 3". violation of constitutional, Procedural Due Process. "The courts are not bound by an officers interpretatio of the law under which he presumes to act. Hoffsomer v. Hayes, 92 Okla 32, 227 F 417." 5 U.S.C § 702 Right of Review (1), (2)" "... the writ now extends to all constitutional challenges." Fay v. Noia, 372 U.S. 391, 83 S. Ct 822, 9 L. Ed. 2d. 837

"Attachment"

Issue 4. EX POST FACTO "Title 18 USC Sec. 241, 242"

Supporting Facts and Argument The Alleged charges And conviction I'm currently being held captive on, Against My will and consent, since November 8, 2016, Are "EX POST FACTO," Because Slavery was Abolished in the year 1865, Thus the defendants in this matter Are in violation of Title 42 U.S.C section 1983, 1985, 1986, 28 U.S.C.S Federal Rules of civil Procedure, Title 18 U.S.C. ch. 13 sec 241, 242, 247. U.S. constitution 13th Amendment.

5. **Relief Requested** IMMEDIATE RELEASE; PROHIBITION (SEE ATTACHMENT P. 1 - 8
Identify the precise action you want the Court of Appeals to take:
IMMEDIATE RELEASE; PROHIBITION; TIME SERVED; SENTENCE REDUCTION; NEW TRIAL

6. **Prior appeals (for appellants/petitioners only)**
A. Have you filed other cases in this Court? Yes [ ] No [X]
B. If you checked YES, what are the case names and docket numbers for those appeals and what was the ultimate disposition of each? None

"WITHOUT PREJUDICE UCC 1-308"
I AM: Corey Lee Butts - Bey
Signature All RIGHTS RESERVED
[Notarization Not Required]

I AM: Corey Lee Butts-Bey
[Please Print Your Name Here]

CERTIFICATE OF SERVICE
****

I certify that on 2/18/2025 I served a copy of this Informal Brief on all parties, addressed as shown below: Chadwick Dotson, office of the Attorney General, 202 North Ninth Street Richmond, Virginia 23219

"WITHOUT PREJUDICE UCC 1-308"
I AM: Corey Lee Butts-Bey
Signature All RIGHTS RESERVED

NO STAPLES, TAPE OR BINDING PLEASE

"Attachment"

(ATTACHMENT)

ISSUE 5. I did not have a PRELIMINARY Hearing.

Supporting Facts and Argument

In All felony cases the Accused shall enjoy ~~the~~ (a3) The right to a Preliminary hearing, But because I was not allowed to have one violates My right to Due Process, Also violates the U.S. Constitution.

ISSUE 6. The Prosecutor Nolle Prosequi This case And brought it back with no new evidence TWO (2) times.

Supporting Facts and Argument

I went home on this case TWO (2) Times, because The victim was not coming, And the Prosecutor said in open court that the initial witnesses had left the country. The Evidence was insuffi-cient. In Addition this case result in a Mistrial Three (3) Times. This violates the Constitution For the United States of America, Bill of Rights, Violates My right to a Speedy trial, Due Process, Double Jeopordy, violates the 5th, 6th Amendments.

"Attachment"

(ATTACHMENT)

ISSUE 7. Prosecutorial Misconduct

Supporting Facts and Argument

MY Public Defender Leslie Tingle Came to visit me In the Norfolk city Jail And told me that Prosecutor Katherine M. Beye Threated me And said that if I do not take the Plea for Four (4) to Nine (9) Years, That she would take me back to booking And upgrade The Malicious Wounding charge to An Aggravated Malicious Charge, And charge me with every other thing She can think of that fits this crime. Thereby rasing MY Guidelines to over **Twenty (20) Years.** when I respectfully declined the Plea Deal, I was called to booking two days later And Indicted on Three (3) more Felony Charges. I Argue That this is A Violation of the Federal Rules of Criminal Procedure, Title 28 Federal Rules of Civil Procedure, Violation of the Constitution For the United states of America, Violation of the Virginia Constitution 4th, 5th, 6th Amendments, Due Process, Right to A Fair trial Equal Protection of the Law, Prosecutorial Misconduct, Vindictive Prosecution. 1A

"Attachment"

(ATTACHMENT)

ISSUE 8. I Never Asked For A Jury Trial.

Supporting Facts and Argument

The Judge Junius P. Fulton Automatically Ordered And Scheduled A Jury trial, Because I would not Participate in the Bench trial because we was not scheduled for a Bench trial, My Paid Lawyer Kenneth Singleton And I had Agreed that we were coming to court for A Suppression hearing, to suppress the video footage And the medical Records because No one from the Hospital or the Convenience Store was there to support the Prosecution's evidence, But my Lawyer refused to Argue ~~the~~ (C.3) And Put into the record the things I wanted him to Argue At the Suppression hearing, And so The Judge, Prosecutor, And My Lawyer All tried to Force And Coerce me into A bench trial that Same day, But I was not Prepared or ready And I did not understand what was going on, so I Just decided not to Participate. This is a violation Of the Constitution for the united states of America, Federal Rules of Criminal Procedure, The Virginia Constitution, 4th, 5th, 6th, Amendments, Due Process Fair trial, Ineffective Assistance of Counsel.

"Attachment"

(ATTACHMENT)

ISSUE 9. Prosecution used Jail house Snitch

Supporting Facts and Argument

When I was in the Norfolk City Jail 6th Floor CELL BLOCK 6K, This Random Guy would often APProach me Asking me Personal Questions And he Also Asked me For Phone calls using my Pin number. He was an older Guy And I did not know him so I Always told him No. When I went home on A Nolle-Prosequi, Within A few months I was Re-indicted And that same Guy I was in the Jail with was now an eye witness on MY case. Prosecution used Jail house Snitch with a Mental Health history to give False Testimony in EXchange for A Time Cut. This violates The Constitution For The United states of America, 4th, 5th, 6th, 8th, 9th, Amendments, My right to A Fair Trial, Equal Protection of the Law, Mis carriage of Justice, Horse tradeing, The Virginia constitution, violation of MY Right to Due Process, U.S. District Court HASH V. JOHNSON Civil Case No. 7:10-CV-00161. Prosecution failed to disclose that eye witness Jail house Snitch has A History of being an informant, Mental Health history, of sentence reduction in EXchange For Testimony, Trial counsel inaffective For Failing to investigate.

11 Attachment

(ATTACHMENT)

ISSUE 10. I was not Present in the Courtroom during my Trials.

Supporting Facts and Argument

On the morning of the Jury trial Nov. 2018, I Fired my Paid lawyer because of what he done at my Suppression hearing. At this Point I am in fear for my Life because I dont have a lawyer so I have no choice but to try and defend myself on my own. I Asked for a continuance to try and Buy more time so that I could get another lawyer, But the Judge denied my Request for a continuance And forced me to defend myself. The Judge Presiding was Joseph Migliozzi. So in doing the Best I could in defending myself I Asked the Judge Lawful constitutional Questions such AS:
1. What is the Nature and Cause of the Accusations?
2. what Jurisdiction am I being tried under?
3. under the Authority of the 5th And 6th Amendment I Request to face my Accuser? But the Judge did not answer any of my Questions so I did not understand what was going on or how to Proceed. Then the Judge told me to sit down And don't ASK Any more Lawful Questions. When I Attempted to ASK more Questions, The Judge had me

"Attachment"

removed from the courtroom And Placed in Lock UP, Then They had the trial without me being present in the courtroom. I don't know Anything that happened during my own trial, That was forced on me. This is a violation of the Constitution for the United States of America. violation of the confrontation clause, violation of the 4th, 5th, 6th, 7th, 8th, And 9th Amendments, violation of The Virginia constitution right to Face my Accuser, Mis carriage of Justice. The next trial the same thing happened this Judge Junius P. Fulton was Presiding, This time taken out of the courtroom into the Judges chambers, The Judge told me Back there in the Judges chambers that if I do not stop Asking lawful questions that I would be Placed in Lock up And they will have the trial without me present in the court room, And I told the Judge that that would be unconstitutional because I have the constitutional right to defend Myself. I was then Placed in Lock up Again And was not Allowed to be present during the trial.

"Attachment"

(ATTACHMENT)

ISSUE 11. Norfolk Circuit Court Trial Judge Junius P. fulton Deemed/Ruled me Incompetent to Represent myself At trial.

Supporting Facts and Argument
The Judge deemed me incompetent to Represent myself, Yet The Court of Appeals Judge Gave An order that forces me to represent myself; But I only Know how to Present myself Pro Per And not Pro se. So now the Respondent is saying That I'm time barred, But I did not have A lawyer to Appeal my case for me. This is A violation of the constitution for the United States of America, Bill of Rights, 4th, 5th, 6th Amendments, right to An EFFective Assistance of Counsel, right to Due process. I don't understand how to Present the Appeal Pro se I need an EFFective lawyer to do that for me.

ISSUE 12: MY Lawyer was taken Away from me.

Supporting Facts and Argument
My Appeal Lawyer Abandon me and the case, she did not Appeal the case to the Supreme Court of

"Attachment"

Virginia. The court of Appeals Judge Allowed My Lawyer to withdrawl herself from My case. As a result I had no lawyer to move foward with my Appeal. This violates my constitutional Right to have Effective Assistance of counsel Throughout the Entire Appeals Process. The 5th Amendment required that all persons within the united states must be given due Process of the Law and Equal Protection of the law. "If any question of fact or liability be conclusively Presumed against him, this is not due Process of law, Zeigler v. Railroad Co. 58 Ala. 599." "Title 28 U.S.C.S- F.R.C.P." Federal Rules of Civil Procedure

ISSUE 13. I Reserved/Reserve All of My Rights in open Court And For the Record.

Supporting Facts and Argument
"Without Prejudice UCC 1-308, UCC 1-103,"
I reserve my right not to be Compelled to Perform under any Contract or Commercial agreement that I did not enter Knowingly, Voluntarily and intentionally. I do not accept the liability of the Compelled benefit of any unrevealed Contract or Commercial agreement. "I Also Reserved My Rights in open Court During Trial."

Plain And Simple English

"Attachme "

IN THE SUPREME COURT OF THE UNITED STATES

COREY LEE BUTTS

V. Case No. CR18000704-13--16

CHADWICK DOTSON U.S. Appeal No. 25-6070

Writ of Certiorari

Now Comes: Corey-Lee: Butts-Bey for COREY LEE BUTTS and moves this Court to Review this Case and release: Corey-Lee: Butts-Bey, held under the Personage COREY LEE BUTTS, idem Sonans, but distinct actually, on the following grounds:

1. The Habeas Corpus petition was Dismissed In the UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT on April 15, 2025, Case No. (1:23-cv-01396-PTG-IDID), No. 25-6070, CR18000704-13--16, By Circuit Court Judges WILKINSON and RUSHING and Senior Circuit Judge FLOYD.

2. The Claimant now presents this writ of Certiorari to the UNITED STATES SUPREME COURT.

APPENDIX A

VIRGINIA:

In the Court of Appeals of Virginia on **Tuesday** *the* **5th** *day of* **October, 2021.**

Corey Lee Butts, Appellant,

against Record No. 1082-20-1
Circuit Court Nos. CR18000704-13 through CR18000704-16

Commonwealth of Virginia, Appellee.

From the Circuit Court of the City of Norfolk

Before Senior Judges Clements, Haley and Retired Judge Bumgardner*

Counsel for appellant has moved for leave to withdraw. The motion to withdraw is accompanied by a brief referring to the part of the record that might arguably support this appeal. A copy of this brief has been furnished to appellant with sufficient time for appellant to raise any matter that appellant chooses. Appellant has not filed any *pro se* supplemental pleadings.

The Court has reviewed the petition for appeal, fully examined all of the proceedings, and determined the case to be wholly frivolous for the following reasons:

I. Following a jury trial on September 30, 2019, and October 1, 2019,[1] appellant was convicted of maliciously shooting into an occupied building, aggravated malicious wounding, reckless handling of a firearm resulting in serious injury, and use of a firearm in the commission of a felony. Appellant asserts that the trial court erred by finding him competent to stand trial and by revoking his bond on April 8, 2019. On the one hand, he suggests that the trial court erred by ordering, *sua sponte*, a competency evaluation without "any real indication that [he] was not competent to stand trial." On the other hand, appellant maintains that

* Retired Judge Bumgardner took part in the consideration of this case by designation pursuant to Code § 17.1-400(D).

[1] As discussed herein, appellant stood trial three times before September 30, 2019: November 27, 2018, April 16, 2019, and April 17, 2019. Each of these proceedings ended in mistrial.

the trial court erred in finding him competent to stand trial based on the competency evaluation because the evaluating psychologist, Dr. Sugden, only spoke "generally" with him. He asserts that the trial court therefore "erred in accepting the doctor's report and adopting his conclusion that [he] was competent to stand trial." We disagree.

"The determination whether a criminal defendant is competent to stand trial is a question of fact that will not be disturbed on appeal unless plainly wrong." Smith v. Commonwealth, 68 Va. App. 399, 419 (2018), aff'd, 296 Va. 450 (2018) (quoting Orndorff v. Commonwealth, 271 Va. 486, 500 (2006)). "In conducting our review, we consider the evidence in the light most favorable to the Commonwealth, the prevailing party on this issue in the circuit court." Orndorff, 271 Va. at 500.

On December 3, 2018, Dr. Thomas Sugden, a forensic psychologist, met with appellant and assessed his competency to stand trial. Dr. Sugden submitted a written evaluation to the trial court opining that appellant was competent. Dr. Sugden noted in his report that appellant was uncooperative and refused to participate in the evaluation. However, he observed that appellant did not "appear to be in distress" or paranoid. Dr. Sugden also concluded that appellant's thoughts were "logical," "organized," and "goal directed." Further, Dr. Sugden observed that appellant had a "significant legal history and courtroom experience."

The trial court accepted Dr. Sugden's evaluation and found appellant competent to stand trial. Appellant objected to the trial court's ruling, providing the trial court with additional evidence that he understood the ramifications of the competency evaluation and the trial court's ruling. Nevertheless, although appellant objected to the trial court's ruling, he never sought to exclude Dr. Sugden's evaluation because it lacked an adequate factual foundation. Therefore, the trial court was entitled to consider it. See Bitar v. Rahman, 272 Va. 130, 140 (2006) ("[A]n objection based on the fact that a medical expert's opinion . . . lacks an adequate factual foundation . . . challenges the admissibility of evidence rather than the sufficiency of evidence."). To the extent that appellant contests the admissibility of the report on appeal, he has failed to preserve this argument. Rule 5A:18. Appellant does not invoke the good cause or ends of justice exceptions

"APPENDIX A"

to Rule 5A:18, and the Court will not apply the exceptions *sua sponte*. Edwards v. Commonwealth, 41 Va. App. 752, 761 (2003) (*en banc*). Accordingly, based on Dr. Sugden's expert opinion, the trial court could rationally find that appellant was competent to stand trial.

With respect to the trial court's decision to revoke appellant's bond, we review it for abuse of discretion. Commonwealth v. Duse, 295 Va. 1, 7 (2018). "[T]he abuse of discretion standard requires a reviewing court to show enough deference to a primary decisionmaker's judgment that the court does not reverse merely because the reviewing court would have come to a [different] result in the first instance." Barnes v. Commonwealth, 72 Va. App. 160, 166 (2020) (quoting Duse, 295 Va. at 7). "A person who is held in custody pending trial . . . shall be admitted to bail . . . unless there is probable cause to believe" that "[h]e will not appear for trial" or "[h]is liberty will constitute an unreasonable danger to himself or the public." Code § 19.2-120(A). However, the trial court "shall presume, subject to rebuttal, that no condition or combination of conditions will reasonably assure the appearance of the [defendant] or the safety of the public if [he] is currently charged with . . . [a]n act of violence as defined in § 19.2-297.1[.]" Code § 19.2-120(B)(1). Aggravated malicious wounding is "an act of violence" under Code § 19.2-297.1(A)(d).

Appellant asserts that the trial court abused its discretion by revoking his bond because the sole basis for its decision was appellant's disruptive behavior, rather than a concern he would not appear for trial or posed a danger to the public. We disagree.

The record reflects that appellant repeatedly denied that he was the person charged. The trial court found that, based on his "continuous denial of his identity," he posed a flight risk. Further, appellant's disruptive conduct during the November 27, 2018 trial had necessitated a mistrial and had required appellant's removal from the courtroom. Because of his continued misconduct, appellant was removed from the courtroom during the trial and observed it from a cell. Based on the record, the trial court did not abuse its discretion by granting the Commonwealth's motion to revoke his bond.[2]

[2] The Commonwealth's motion was limited to revoking bond pending the April 16, 2019 trial date; however, mistrials occurred both on April 16, 2019 and April 17, 2019. On July 31, 2019, appellant filed a

II. Appellant contends that the evidence was insufficient to support his convictions because it failed to prove that he was the perpetrator or that the injuries sustained by the victim resulted from his actions. He emphasizes that the victim, Saquone Gray, did not testify regarding "the effects of the shooting on the night of the offense" and, even though medical records established that the victim underwent an orchiectomy, no testimony proved that the procedure resulted from the shooting. Appellant asserts that the eyewitness testimony from Otinka Bray identifying him as the perpetrator was not credible because Bray was under the influence of heroin on the day of the offenses and Bray himself was a criminal who identified appellant only after he faced criminal charges.

"When reviewing the sufficiency of the evidence, '[t]he judgment of the trial court is presumed correct and will not be disturbed unless it is plainly wrong or without evidence to support it.'" Smith v. Commonwealth, 296 Va. 450, 460 (2018) (quoting Commonwealth v. Perkins, 295 Va. 323, 327 (2018)). "In such cases, '[t]he Court does not ask itself whether *it* believes that the evidence at the trial established guilt beyond a reasonable doubt.'" Secret v. Commonwealth, 296 Va. 204, 228 (2018) (quoting Pijor v. Commonwealth, 294 Va. 502, 512 (2017)). "Rather, the relevant question is, upon review of the evidence in the light most favorable to the prosecution, whether *any* rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt." Id. (quoting Pijor, 294 Va. at 512). "If there is evidentiary support for the conviction, 'the reviewing court is not permitted to substitute its own judgment, even if its opinion might differ from the conclusions reached by the finder of fact at the trial.'" Chavez v. Commonwealth, 69 Va. App. 149, 161 (2018) (quoting Banks v. Commonwealth, 67 Va. App. 273, 288 (2017)).

"In accordance with familiar principles of appellate review, the facts will be stated in the light most favorable to the Commonwealth, the prevailing party at trial." Gerald v. Commonwealth, 295 Va. 469, 472

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motion asking the trial court to reconsider its decision on bail. The record does not contain an order ruling on the motion. On September 27, 2019, three days before trial, the trial court clerk signed a "form" jail card order stating that there were no changes in bond. The clerk signed another identical jail card on September 30, 2019.

"APPENDIX A"

(2018) (quoting Scott v. Commonwealth, 292 Va. 380, 381 (2016)). In doing so, we discard any of appellant's conflicting evidence, and regard as true all credible evidence favorable to the Commonwealth and all inferences that may reasonably be drawn from that evidence. Id. at 473.

Late in the evening on November 8, 2016, Otinka Bray and Richard Eley visited a Norfolk convenience store to purchase drinks. Bray admitted that he had used heroin earlier that day, but he testified that he had used heroin for nearly twenty years and that he was aware of his surroundings and was "functioning . . . very well." While Eley entered the store, Bray walked to the side of the building to use the bathroom. Upon returning to the front of the store, he saw appellant. Bray noted that he knew appellant "[f]rom the neighborhood." According to Bray, appellant walked across the street, turned, and began firing "a black, semiautomatic pistol." Bray stated that appellant fired approximately eight or nine shots. He recalled that appellant was wearing a large black coat, a black skull cap, "brownish pants," and black boots or shoes. Video footage from the front of the store captured the shooting and corroborated Bray's description of the shooter. It also depicted the shooter firing eight times in the direction of the convenience store.

After appellant left the scene, Bray entered the store to check on Eley. Eley was not injured, but Bray noted that "a young fellow" who had been standing near the cash register was "holding his midsection." Two men escorted the injured male to the back of the store. Bray and Eley left the scene without speaking to the police. Bray explained he did not want to talk to the police because he was "scared" of the consequences of "street law." He stressed that he related what he had seen to the police only after he was arrested in December 2016 because he hoped he might receive consideration for his testimony. However, he emphasized that he was not incarcerated at the time of trial and had no pending charges when he testified. Bray denied that he ever viewed any store surveillance footage, but he acknowledged that the police may have shown him a still photograph of appellant standing with other men in front of the convenience store. At trial, he identified his friend Eley in an image extracted from interior surveillance footage. He also identified the individual who was shot.

Interior and exterior surveillance footage from the store at the time of the shooting was admitted into evidence. The interior footage depicted a man dressed in a red checked jacket standing next to the cash register. As the man walked toward the store entrance, he grabbed his midsection as the other customers in the store scattered. The footage showed the man stumbling to the back of store and collapsing.

Paramedic John Howard was dispatched to the store at 10:56 p.m. on November 8, 2016. Howard testified that a twenty-one-year-old male had been shot in the testicle and was the only person in the store who was injured. The victim was conscious and identified himself as Saquone Gray. Howard prepared a "Prehospital Care Report Summary" that recorded Gray's biographical information and the time, location, and nature of the dispatch. The summary included a narrative of Gray's statement to Howard that he had been shot in the groin. The summary also reflected that Gray was transported to Sentara Norfolk General Hospital on Gresham Drive at 11:10 p.m. on November 8, 2016.

Gray did not appear at trial, but his Sentara Norfolk General Hospital records were admitted into evidence. The records reflected that he was admitted to the hospital at 11:17 p.m. on November 8, 2016 with a gunshot wound to his testicle. Medical personnel determined that the testicle had been shattered and surgically removed it through a procedure known as an orchiectomy.

On November 10, 2016, a robbery alarm was activated at the same convenience store where Gray was wounded.[3] Officer Ryan responded to the store shortly after 1:30 p.m. Ryan noted that he did not activate his siren as he approached the store to avoid alerting any possible suspects at the scene. A black male dressed in a black skull cap, a black trench coat, and black shoes was standing outside the store when Ryan arrived. Upon seeing Ryan, the male ran from the scene. The store clerk exited the store and gestured in the male's direction. Ryan pursued the male on foot and apprehended him. Appellant was identified as the individual whom Ryan apprehended. Video footage and photos of the shooter outside the convenience store on the night

[3] Although the Commonwealth's attorney referred to the date as November 11, 2016 during Ryan's examination, the time stamp on the body camera footage was November 10, 2016, the same date later identified by Detective Murphy as the day that Ryan apprehended appellant.

"APPENDIX A"

of November 8, 2016 were admitted into evidence, as were video footage and a photo of appellant outside the convenience store shortly before Ryan's arrival on the afternoon of November 10, 2016.

"Determining the credibility of witnesses . . . is within the exclusive province of the jury, which has the unique opportunity to observe the demeanor of the witnesses as they testify." Dalton v. Commonwealth, 64 Va. App. 512, 525 (2015) (alteration in original) (quoting Lea v. Commonwealth, 16 Va. App. 300, 304 (1993)). "When 'credibility issues have been resolved by the jury in favor of the Commonwealth, those findings will not be disturbed on appeal unless plainly wrong.'" Towler v. Commonwealth, 59 Va. App. 284, 291 (2011) (quoting Corvin v. Commonwealth, 13 Va. App. 296, 299 (1991)). An "appellate court does not 'retry the facts,' reweigh the evidence, or make its own determination of the 'credibility of the witnesses.'" Yahner v. Fire-X Corp., 70 Va. App. 265, 273 (2019) (quoting Jeffreys v. Uninsured Employer's Fund, 297 Va. 82, 87 (2019)). That deference applies even to factual findings regarding recordings, sometimes referred to as a "silent witness." See Donati v. Commonwealth, 37 Va. App. 575, 581 (2002). As we have recognized, "[p]hotographs are 'an aid . . . in ascertaining the truth.'" Bowman Apple Products Co., Inc. v. Commonwealth, State Water Control Bd., 50 Va. App. 383, 392 (2007) (quoting Adams v. Ristine, 138 Va. 273, 298 (1924)). "[A] video recording . . . provide[s] depictions of physical facts that present[] a . . . question [for the fact finder]." Donati, 37 Va. App. at 581.

Here, the jury was presented with video and photographs of the shooting on the night of November 8, 2016. The exterior images depicted a black male dressed in a long dark coat, a dark skull cap, and black shoes firing at the convenience store. The interior footage depicted the store occupants scattering and one of the customers, later identified as Gray, clutching his midsection and stumbling to the back of the store. Although Bray did not immediately identify appellant as the shooter, his description of appellant on the night of the shooting matched that of the shooter, as well as the description of appellant when he was apprehended outside the store two days later. Based on the photographs and footage from November 8, 2016 and November 10, 2016, a rational fact finder could conclude that Bray's identification was credible. In addition to the photographs and footage, appellant's flight from the convenience store on November 10, 2016 in

response to the arrival of the police provided the jury with evidence of his guilt. See Speller v. Commonwealth, 69 Va. App. 378, 388 (2018). Further, although Gray did not testify, he was the only person in the store wounded during the incident, and his identity and the location of his gunshot wound were documented by paramedic and hospital records. Thus, the evidence supported a rational finding that Bray was wounded as a result of the November 8, 2016 shooting and that appellant was the shooter. Accordingly, the evidence was competent, credible, and sufficient to prove beyond a reasonable doubt that appellant was guilty of maliciously shooting into an occupied building, aggravated malicious wounding, reckless handling of a firearm resulting in serious injury, and use of a firearm in the commission of a felony.

III. Appellant maintains that the trial court erred by denying his July 31, 2019 motion to dismiss the indictments because he was denied a preliminary hearing. However, as appellant concedes, his motion related to the lack of a preliminary hearing for charges that were *nolle prosequied* in February 2017. Appellant contends that he was indicted in September of 2017 "in direct contravention of the plain language in [Code § 19.2-218]." We disagree.

The record before us begins with the indictments returned against appellant on April 4, 2018. However, assuming that appellant is correct that the earlier charges concluded through *nolle prosequi*, those charges no longer exist. "A *nolle prosequi* 'discharges the accused from liability on the indictment to which the *nolle prosequi* is entered.'" Duggins v. Commonwealth, 59 Va. App. 785, 791 (2012) (quoting Miller v. Commonwealth, 217 Va. 929, 935 (1977)). "After a *nolle prosequi* of an indictment, the slate is wiped clean, and the situation is the same as if 'the Commonwealth had chosen to make no charge.'" Watkins v. Commonwealth, 27 Va. App. 473, 475 (1998) (*en banc*) (quoting Burfoot v. Commonwealth, 23 Va. App. 38, 44 (1996)). Should the Commonwealth elect to indict the defendant again, the new indictment is "an entirely different proceeding" from that in which the *nolle prosequi* occurred. Duggins, 59 Va. App. at 793. Thus, appellant's argument that he was deprived of a preliminary hearing relates to proceedings that no longer exist and are not before us on appeal. Accordingly, we decline to consider this assignment of error.

"APPENDIX A"

IV. Appellant asserts that the trial court erred by appointing counsel and by refusing to allow him to represent himself at trial on September 30, 2019. He stresses that he had represented himself during prior proceedings and that the trial court appointed counsel to represent him at trial over his objection.

On April 17, 2019, the trial court ruled that appellant could not appear *pro se* at trial, and it appointed counsel to represent him. The trial court noted that its ruling was based on its finding that appellant had "deliberately engaged in serious obstruction." It emphasized that he had been "disruptive" in dealing with the trial court and counsel, had "persisted in . . . frivolous defenses and arguments," and had been unresponsive to "basic questions." The trial court also stressed that appellant had repeatedly cited his rights under the Uniform Commercial Code. In response, appellant objected and again cited his rights under the Uniform Commercial Code.

The trial court's ruling followed in the wake of mistrials on November 26, 2018, April 16, 2017, and April 17, 2019, when appellant appeared *pro se*. The trial court reiterated its ruling at the beginning of appellant's trial on September 30, 2019, and again stated that appellant's disruptive conduct was the basis of the decision.

Appellant offers no argument in support of his assignment of error other than an assertion that he objected to the trial court's decision and that he had represented himself previously. "A court may reject even a timely Faretta[4] request [for self-representation] when used as 'tactic to secure delay' of the trial, even if the defendant expressly disclaims any intent to do so." Edwards v. Commonwealth, 49 Va. App. 727, 738 (2007). "[A] trial court may 'deny a request for self-representation when the request is made for purposes of manipulation because, in such cases, the request will not be clear and unequivocal.'" Id. at 735 (quoting United States v. Bush, 404 F.3d 263, 271 (4th Cir. 2005)). "A trial court must be permitted to distinguish between a manipulative effort to present particular arguments and a sincere desire to dispense with the benefits of counsel." Id. (quoting United States v. Frazier–El, 204 F.3d 553, 560 (4th Cir. 2000)).

[4] Faretta v. California, 422 U.S. 806 (1975).

Here, the trial court provided appellant with three opportunities to represent himself, and each time the proceedings concluded in a mistrial. Appellant's misconduct and refusal to abide by the trial court's admonitions were such that he had to be removed from the courtroom. Based on the record, the trial court did not abuse its discretion by ruling that appellant could not represent himself in the fourth trial and by appointing counsel to appear on his behalf.

V. Appellant contends that the trial court erred by denying his motion to dismiss the charges because his statutory and constitutional speedy trial rights were violated. He notes that he was indicted on April 4, 2018, but "after two mistrials,"[5] he was not tried until September 30, 2019. He stresses that the Commonwealth moved to revoke his bond on April 8, 2019. He therefore asserts that he was "held continuously without bond for more than five months from the date of the indictments." Emphasizing that he objected to each of the continuances and that the delays were not attributable to him, appellant maintains that his statutory and constitutional speedy trial rights were violated. We disagree.

After the indictments were returned on April 4, 2018, appellant moved to continue the trial date from May 22, 2018 to June 6, 2018. On June 4, 2018, by agreement of counsel, the trial court entered an order scheduling a bench trial for July 5, 2018. On June 6, 2018, the trial court appointed the public defender to represent appellant. In July, appellant asked for a jury trial and, on his motion, the trial was continued from July 5, 2018 to November 27, 2018.

On the morning of trial on November 27, 2018, appellant discharged his retained counsel and declared that he intended to proceed *pro se*. The trial court denied his motion for a continuance and seated a jury. At the conclusion of the Commonwealth's evidence, the trial court declared a mistrial. The trial court also ordered appellant to undergo a mental evaluation. The trial court appointed stand-by counsel for appellant and continued the trial date to April 15, 2019. On April 8, 2019, the trial court found appellant competent to stand trial. On April 16, 2019, appellant appeared for trial *pro se* with the assistance of stand-by counsel.

[5] As noted previously, the record reflects that three mistrials occurred.

"APPENDIX A"

The trial court granted appellant's motion for a mistrial, and the case was continued to the following day. On April 17, 2019, the trial court declared another mistrial and continued the case to May 1, 2019 for rescheduling. On May 1, 2019, the trial court entered an order ruling that appellant's conduct during the April 17, 2019 trial prompted the trial court to declare a mistrial. The trial court set a new trial date for September 27, 2019.

On July 31, 2019, appellant moved to dismiss the charges on the basis that his statutory and constitutional speedy trial rights had been violated. Appellant cites this motion as the place in the record where he preserved his speedy trial argument. The record does not reflect that the trial court ruled on this motion. The record includes neither an order reflecting the denial of the motion nor a transcript reflecting a hearing on the motion.

When a party fails to obtain a ruling on a matter presented to a trial court, there is nothing for this Court to review on appeal, and appellant has waived his argument.[6] See Williams v. Commonwealth, 57 Va. App. 341, 347 (2010). Further, appellant has failed to ensure that the record contains a transcript or written statement of facts necessary to permit us to resolve his constitutional speedy trial argument. Rule 5A:8(b)(4)(ii). "A claim of a violation of speedy trial rights under the federal constitution is resolved by the balancing of four factors—length of delay, reason for delay, defendant's assertion of his right, and prejudice to the defendant." Howard v. Commonwealth, 281 Va. 455, 462 (2011) (citing Barker v. Wingo, 407 U.S. 514, 530 (1972)); see also Beachem v. Commonwealth, 10 Va. App. 124, 131 (1990) ("A defendant must be able to at least raise the presumption that . . . the delay involved was so detrimental as to have endangered his right to a fair trial."). Appellant addressed none of the Barker factors in his motion to dismiss. Assuming that

[6] Further, we note that appellant sought or concurred in all of the delays in trial between April 4, 2018 and November 27, 2018. Accordingly, the statutory speedy trial deadline did not run between those dates. See Code § 19.2-243(4). Once appellant stood trial on November 27, 2018, the speedy trial deadline was met, even though that proceeding ended in a mistrial. "[W]hen a prosecution is disrupted by mistrial, the commencement of such trial, if timely, satisfies the statutory mandate and excludes subsequent retrials from the provisions of Code § 19.2-243." Fisher v. Commonwealth, 26 Va. App. 788, 793 (1998). "Code § 19.2-243 requires the timely commencement of trial. It does not require that the trial be concluded within the specified time." Morgan v. Commonwealth, 19 Va. App. 637, 640 (1995).

there was a hearing on his motion, we are unable to ascertain whether he addressed these factors at the hearing because the record does not include a transcript of that hearing. Accordingly, we decline to consider this argument.

Accordingly, we deny the petition for appeal and grant the motion for leave to withdraw. See Anders v. California, 386 U.S. 738, 744 (1967). This Court's records shall reflect that Corey Lee Butts is now proceeding without the assistance of counsel in this matter and is representing himself on any further proceedings or appeal.

The trial court shall allow Catherine M. Paxson, Esquire, the fee set forth below and also counsel's necessary direct out-of-pocket expenses. The Commonwealth shall recover of the appellant the costs in this Court and in the trial court.

Costs due the Commonwealth by appellant in Court of Appeals of Virginia:

Attorney's fee $400.00 plus costs and expenses

A Copy,

Teste:

A. John Vollino, Clerk

By: Kristen M. McKenzie

Deputy Clerk

"APPENDIX A"

VIRGINIA:

In the Court of Appeals of Virginia on **Wednesday** *the* **27th** *day of* **October, 2021.**

Corey Lee Butts, Appellant,

against Record No. 1082-20-1
Circuit Court Nos. CR18000704-13 through CR18000704-16

Commonwealth of Virginia, Appellee.

Upon a Petition for Rehearing

Before Senior Judges Clements, Haley and Retired Judge Bumgardner*

On consideration of the petition of the appellant to set aside the judgment rendered herein on the 5th day of October, 2021 and grant a rehearing thereof, the said petition is denied.

A Copy,

Teste:

A. John Vollino, Clerk

By: _____

Deputy Clerk

* Retired Judge Bumgardner took part in the consideration of this case by designation pursuant to Code § 17.1-400(D).

Deborah Uitvlucht

From: Deborah Uitvlucht
Sent: Wednesday, October 27, 2021 3:58 PM
To: Gregory Underwood (gregory.underwood@norfolk.gov)
Subject: Corey Lee Butts v. Commonwealth of Virginia, Record No. 1082-20-1 - Order - Petition for Rehearing
Attachments: 102721 order - PFR denied 1082-20-1.pdf

COURT OF APPEALS OF VIRGINIA

Mr. Underwood:

Attached is the Court of Appeal's order, which disposes of the petition for rehearing in the above-noted case.

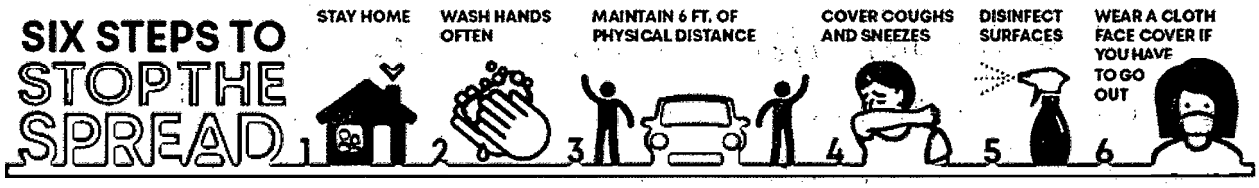
A copy of the order was sent to appellant via U. S. Mail at:

Corey Lee Butts, 1407113
Greensville Correctional Center
901 Corrections Way
Jarratt, VA 23870

DO NOT REPLY TO THIS EMAIL.

This Court will take no action on anything received at this email address. Should you wish to contact the Clerk's Office of the Court of Appeals of Virginia, you may do so by telephone at 804-786-5651 or by writing to A. John Vollino, Clerk, Court of Appeals of Virginia, 109 North Eighth Street, Richmond, Virginia, 23219

Deborah Uitvlucht
Senior Deputy Clerk
804-786-5651



"APPENDIX A"

"NOTICE" "RECORDED COPY"

IN THE COURT OF APPEALS

Corey Lee Butts	Record No. 1082-20-1
-vs-	Circuit Court Nos.
Commonwealth of Virginia	CR18000704-13 through CR18000704-16

NOTICE OF APPEAL

Comes now the Accused Corey Lee Butts with a Notice of APPEAL in the matter of Corey Lee Butts -vs- Commonwealth of Virginia record No. 1082-20-1:

1) ON Tuesday the 5th day of october, 2021 the Anders Brief filed by Attorney Catherine Paxon on behalf of Corey Lee Butts was denied.

2) Attorney Catherine Paxson then wrote me a letter and Advise me to file a motion for rehearing with this honorable court.

3) So on 10/17/2021 I Corey Lee Butts filed a motion For Rehearing and that motion was denied on the 27th day of october, 2021.

4) So in an attempt to appeal the case to the next highest court I filed a motion For rehearing to the Supreme court of Virginia on 11/18/2021.

"NOTICE" "RECORDED COPY"

IN THE COURT OF APPEALS

TO: CLERK OF COURT
109 N. EIGHTH STREET
RICHMOND, VA 23219

RE: Corey Lee Butts
-v-
Commonwealth of Virginia
Record NO. 1082-20-1
Circuit Court Nos: CR18000704-13
through CR18000704-16

Dear Clerk of Court,

Enclosed You will find a NOTICE OF APPEAL. Please file this NOTICE within the Courts file. Thankyou for Your kind attention to this matter.

DATE: 12/21/2021

Sincerely
/s/ Corey Butts
Without Presudice

PAGE 1 OF 3

"APPENDIX B"

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Tuesday the 8th day of August, 2023.

Corey Lee Butts-Bey a/k/a
Corey Lee Butts, No. 1407113, Petitioner,

against Record No. 230362

Harold W. Clarke, Director,
Virginia Department of Corrections, Respondent.

Upon a Petition for a Writ of Habeas Corpus

Upon consideration of the petition for a writ of habeas corpus filed May 25, 2023, the Court finds the petition was not filed within one year from the November 29, 2021, date on which the time to file an appeal to this Court expired. Code § 8.01-654(A)(2). Accordingly, the Court is of the opinion that the petition was not timely filed. In addition, petitioner's argument that he is a "Moorish-American" and a "Natural Person" does not undermine the circuit court's jurisdiction over his case such that the statute of limitations would not apply. Code § 17.1-513. It is therefore ordered that the petition be dismissed.

A Copy,

Teste:

Muriel-Theresa Pitney, Clerk

By: Helen Hayman

Deputy Clerk

"APPENDIX D"

FILED: February 26, 2025

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-6070
(1:23-cv-01396-PTG-IDD)

COREY LEE BUTTS

Petitioner - Appellant

v.

CHADWICK DOTSON

Respondent - Appellee

ORDER

The court grants leave to proceed in forma pauperis.

For the Court--By Direction

/s/ Nwamaka Anowi, Clerk

"APPENDIX D"

FILED: April 15, 2025

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-6070, Corey Butts v. Chadwick Dotson
1:23-cv-01396-PTG-IDD

NOTICE OF JUDGMENT

Judgment was entered on this date in accordance with Fed. R. App. P. 36. Please be advised of the following time periods:

PETITION FOR WRIT OF CERTIORARI: The time to file a petition for writ of certiorari runs from the date of entry of the judgment sought to be reviewed, and not from the date of issuance of the mandate. If a petition for rehearing is timely filed in the court of appeals, the time to file the petition for writ of certiorari for all parties runs from the date of the denial of the petition for rehearing or, if the petition for rehearing is granted, the subsequent entry of judgment. See Rule 13 of the Rules of the Supreme Court of the United States; www.supremecourt.gov.

VOUCHERS FOR PAYMENT OF APPOINTED OR ASSIGNED COUNSEL: Vouchers must be submitted within 60 days of entry of judgment or denial of rehearing, whichever is later. If counsel files a petition for certiorari, the 60-day period runs from filing the certiorari petition. (Loc. R. 46(d)). If payment is being made from CJA funds, counsel should submit the CJA 20 or CJA 30 Voucher through the CJA eVoucher system. In cases not covered by the Criminal Justice Act, counsel should submit the Assigned Counsel Voucher to the clerk's office for payment from the Attorney Admission Fund. An Assigned Counsel Voucher will be sent to counsel shortly after entry of judgment. Forms and instructions are also available on the court's web site, www.ca4.uscourts.gov, or from the clerk's office.

BILL OF COSTS: A party to whom costs are allowable, who desires taxation of costs, shall file a Bill of Costs within 14 calendar days of entry of judgment. (FRAP 39, Loc. R. 39(b)).

"APPENDIX D"

PETITION FOR REHEARING AND PETITION FOR REHEARING EN BANC: A petition for rehearing must be filed within 14 calendar days after entry of judgment, except that in civil cases in which the United States or its officer or agency is a party, the petition must be filed within 45 days after entry of judgment. A petition for rehearing en banc must be filed within the same time limits and in the same document as the petition for rehearing and must be clearly identified in the title. The only grounds for an extension of time to file a petition for rehearing are the death or serious illness of counsel or a family member (or of a party or family member in pro se cases) or an extraordinary circumstance wholly beyond the control of counsel or a party proceeding without counsel.

Each case number to which the petition applies must be listed on the petition and included in the docket entry to identify the cases to which the petition applies. A timely filed petition for rehearing or petition for rehearing en banc stays the mandate and tolls the running of time for filing a petition for writ of certiorari. In consolidated criminal appeals, the filing of a petition for rehearing does not stay the mandate as to co-defendants not joining in the petition for rehearing. In consolidated civil appeals arising from the same civil action, the court's mandate will issue at the same time in all appeals.

A petition for rehearing must contain an introduction stating that, in counsel's judgment, one or more of the following situations exist: (1) a material factual or legal matter was overlooked; (2) a change in the law occurred after submission of the case and was overlooked; (3) the opinion conflicts with a decision of the U.S. Supreme Court, this court, or another court of appeals, and the conflict was not addressed; or (4) the case involves one or more questions of exceptional importance. A petition for rehearing, with or without a petition for rehearing en banc, may not exceed 3900 words if prepared by computer and may not exceed 15 pages if handwritten or prepared on a typewriter. Copies are not required unless requested by the court. (FRAP 40, Loc. R. 40(c)).

MANDATE: In original proceedings before this court, there is no mandate. Unless the court shortens or extends the time, in all other cases, the mandate issues 7 days after the expiration of the time for filing a petition for rehearing. A timely petition for rehearing, petition for rehearing en banc, or motion to stay the mandate will stay issuance of the mandate. If the petition or motion is denied, the mandate will issue 7 days later. A motion to stay the mandate will ordinarily be denied, unless the motion presents a substantial question or otherwise sets forth good or probable cause for a stay. (FRAP 41, Loc. R. 41).

Copy

SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001

June 10, 2025

Corey Lee Butts
#1407113
Centralized Mail Distribution Center
3521 Woods Way
State Farm, VA 23160

RE: Butts v. Dotson

Dear Mr. Butts:

The above-entitled petition for writ of certiorari was postmarked May 15, 2025 and received May 23, 2025. The papers are returned for the following reason(s):

No motion for leave to proceed in forma pauperis, signed by the petitioner or by counsel, is attached. Rules 33.2 and 39. The motion must be signed.

No notarized affidavit or declaration of indigency is attached. Rule 39. You may use the enclosed form.

The petition fails to comply with the content requirements of Rule 14. A guide for in forma pauperis petitioners and a copy of the Rules of this Court are enclosed. The guide includes a form petition that may be used.

The petition fails to comply with the content requirements of Rule 14, in that the petition does not contain:

The questions presented for review. Rule 14.1(a).

A reference to the opinions below. Rule 14.1(d).

A concise statement of the grounds on which jurisdiction is invoked. Rule 14.1 (e).

A concise statement of the case. Rule 14.1(g).

The reasons relied on for the allowance of the writ. Rules 10 and 14.1(h).

The appendix to the petition does not contain the following documents required by Rule 14.1(i):

The lower court opinion(s) must be appended to the petition.

It is impossible to determine the timeliness of the petition without the lower court opinions.

Please correct and resubmit as soon as possible. Unless the petition is submitted to this Office in corrected form within 60 days of the date of this letter, the petition will not be filed. Rule 14.5.

A copy of the corrected petition must be served on opposing counsel.

When making the required corrections to a petition, no change to the substance of the petition may be made.

Sincerely,
Scott S. Harris, Clerk
By:

Lisa Nesbitt
(202) 479-3015

Enclosures