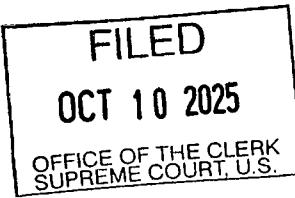


No. 25-6045



IN THE  
SUPREME COURT OF THE UNITED STATES

**In Re: Rayfield J. Thibeaux- PETITIONER**

ON PETITION FOR A WRIT OF MANDAMUS

United States District Court for the Southern District of Texas

United States Fifth Circuit Court of Appeals

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**PETITION FOR WRIT OF MANDAMUS**

**Rayfield J. Thibeaux**

**1333 Old Spanish Trail, Ste.G-115**

**Houston, Texas 77054**

**Ph: 713-444-7068**

## **QUESTION PRESENTED**

The District Court denied me access to the court after my 1987 conviction was overturned by the Texas Court of Criminal Appeals. Then, the District Court denied me the right to file a civil rights suit in the Fifth Circuit Court of Appeals, citing the Clerk's office for their attempt to mislead, rather than reply or file anything related to a trial in the District Court. They acted in concert.

## **LIST OF PARTIES**

1. United States District Judge Charles Eskridge
2. United States Magistrate Judge Richard W. Bennett
3. Fifth Circuit Deputy Clerk Milissa V. Mattingly

## **RELATED CASES**

1. Rayfield J. Thibeaux v. Troy Finner, et al; 4:23-cv-03783
2. Rayfield J. Thibeaux v. Lyle W. Cayce, et al; 4:24-cv-02836
3. Rayfield J. THibeaux v. Unknown Psychiatrist; No.20-30200 (Fifth Circuit)
4. Judgment issued as the mandate by the Deputy Clerk Melissa V. Mattingly Fifth Circuit No.25-20050

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APPENDIX A: U.S. District Judge Charles Eskridge Order of Dismissal ;

Thibeaux v. Finner,et al 4:23-cv-03783;

APPENDIX B: U.S. District Judge Charles Eskridge Order of Dismissal ;

Thibeaux v. Cayce,et al; 4:24-cv-02836; copies of the  
Clerk's office, and U.S.Attorney General's signatures, and  
all three Certified mail receipts

APPENDIX C: Petition for Writ of Mandamus sent to the Fifth Clerk, but  
never filed, file No. 25-20050, but never filed, a courtesy  
copy from the district court clerk's office ;

Appendix D: Judgment issued as the mandate by Deputy Melissa V.

Mattingly ,No.25-20050;

APPENDIX E: Misfiled Petition to file as a Sanction Litigant in the District Court;

APPENDIX F: The Sanction Court-Fifth Circuit: Thibeaux v. Unknown Psychiatrist; No.20-30200

Appendix G: Letter from Deputy Clerk Roeshawn Johnson

## **TABLE OF AUTHORITIES CITED**

Bounds v. Smith, 430 U.S. at 822-27 (1977)

Tuner v. Rogers et al. 564 U.S. 431 (2011)

## **STATUTES AND RULES**

Title 28 U.S. Code 1651(a)

IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF MANDAMUS

Petitioner respectfully prays that a writ of mandamus issue.

**OPINIONS BELOW**

For the cases from federal courts:

**The opinion of the United States Court of Appeals appears in:**

Appendix C: In re Rayfield J. Thibeaux-Petition for Writ of  
Mandamus, No.25-20050

Appendix D: Judgment issued as the mandate by Deputy Melissa V.  
Mattingly , No.25-20050;

Appendix F: The sanction Court: No.20-30200

**The opinion of the United States District Court appears in:**

Appendix A: Thibeaux v. Finner 4:23-cv-03783 Order of Dismissal;

Appendix B: Thibeaux v. Cayce, 4:24-cv-02836 Order of Dismissal

## **JURISDICTION**

The District Court decided Thibeaux v. Finner, December 18, 2023;

The District Court decided Thibeaux v. Cayce, April 30, 2025;

The Fifth Circuit Appeal No. 25-20050 was decided on the Petition for a Writ of Mandamus on July 1, 2025.

The jurisdiction of the Court is invoked under 28 U.S. 1254(1).

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

U.S. Constitution Amendment 5. Access to Federal Courts and Substantive Due Process; Denial of Access to the Court

## STATEMENT OF THE CASE

I was arrested in 1986 for possession of cocaine inside my rented motel in Houston. I appealed the 1987 conviction to the Texas Court of Criminal Appeals in Austin, Texas, in 2023. The conviction was reversed, and the sentence was removed from the records in Harris County District Court 337. The attorney was ineffective, and the charge was bogus. Before my arrest in Harris County, I was in a Florida Prison, where I had only been released from it about fifteen to twenty days before arriving in Houston. I was only in Houston about sixteen hours before being arrested inside the rented room for possession of cocaine.

A year later, I went to trial on the charge of possession of cocaine. The jury assembled and the trial began. I did not participate in the jury selection. My attorney met with me only one time, and that was the day after he was appointed at the county jail. There was never a phone consultation. I told him that day, I was just getting in from Atlanta, Georgia, and was not involved in anything going on in Houston, but he demanded that I produce a bus ticket stub, or he could do nothing to defend me, and he never did. When the Texas Court of Criminal Appeals reversed the conviction, I filed the Thibeaux v. Finner, et al; 4:23-cv-03783 in the U.S. District Court

For the Southern District of Texas. On December 18,2023, Judge Eskridge dismissed the case for failing to get written permission to file because I was sanctioned by the Fifth Circuit Court of Appeals No. 20-30200 Appendix F. After paying the sanction, I filed a motion with his court for permission to reopen the file to the complaint, but he denied it, stating that did not get written permission. See Appendix A motion. If written permission can not be obtained in the District Court, it must be obtained from the Fifth Circuit. With that denial, I filed a "Request to file as a Sanction Litigant" in the Fifth Circuit. That petition was filed as a CM/ECF filing because I had permission to file online, but Deputy Clerk Roeshawn Johnson instructed me to file it through the pro se email: pro\_se@ca5.uscourts.gov. see Appendix G. All requests began with the sanctioned Court No.20-30200 , as a formality, and were sent through that email address. None of the requests were ever answered or misfiled, or I got files to deceive my understanding. I then filed Thibeaux v. Cayce;4:24-cv-02836 on the Fifth Circuit Clerk's office for refusing to allow me to get written permission for a trial in Thibeaux v. Finner in the District. That case, too, was dismissed by Judge Eskridge for failing to effectuate service of summons and complaint on the Defendant's office, Lyle W. Cayce, Clerk. That is not true. I sent a copy of

the summons and complaint to all three offices by Priority Mail with a Certified mail receipt. Copies of the receipts and signature of Lyle W. Cayce, Clerk's office, can be found in Appendix B with the dismissal. However, the three signatures effectuating delivery of the summons and complaints are on file with the District Clerk's office, but the Cayce signature was not accepted by the Court. I then filed a Petition for Writ of Mandamus, see **Appendix C**, in the Fifth Circuit Court of Appeals case file: **No. 25-20050**. That is what I paid the filing fee for. That petition was never filed, and Deputy Clerk Milissa V. Mattingly dismissed the appeal for failing to file an appellant's brief ;see **Appendix D**. That, too, is not correct. If I pay, I should be able to file any filing I want, based on the court's rules. Appendix C is a courtesy copy of my Petition for Writ of Mandamus filed in the District Court. The petition was sent to the District Court as a Certificate of Service copy.

## REASON FOR GRANTING THE PETITION

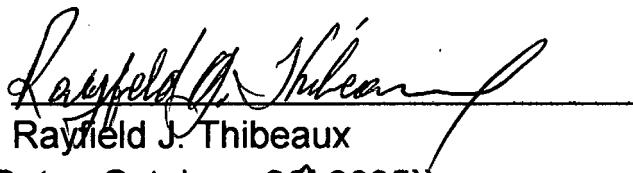
1. The Court should direct the district court to allow a trial in Thibeaux v. Finner, et al; and Thibeaux v. Cayce;
  - A. It is within this Court's Discretion To Issue A Writ Directing the District Court to promptly allow a trial to proceed;
  - B. A Writ of Mandamus is Necessary to Prevent Irreparable Prejudice;
  - C. The Petitioner was Denied Access to the Court.

## CONCLUSION

After paying \$1,400 in filing fees, I still did not get a hearing or trial, nor was a motion for summary judgment, if applicable, ever filed. An appeal to any one of these civil actions was not allowed. I am simply being denied access to the Court.

The petition for a writ of mandamus should be granted.

Respectfully submitted,



Rayfield J. Thibeaux

Date: October 30, 2025