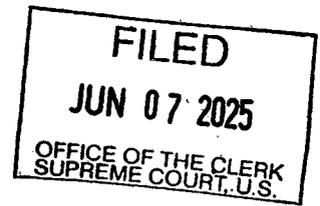


25 - 6984



No. ____ In the Supreme Court of the United States

IN THE SUPREME COURT OF THE UNITED STATES

IN RE BILLY MARVIN WITT III AND JEANIE ROCHELLE WITT,

PETITIONERS,

v.

DEPUTY BILLY KENYON, SHERIFF SYDNEY HORTON, CLAY COUNTY SHERIFF'S
DEPARTMENT, CONSTABLE FERGUSON (BADGE #1500), CONSTABLE'S DEPUTY
LOWRY (BADGE #1501), AND THE 97TH JUDICIAL DISTRICT COURT,

RESPONDENTS.

PETITION FOR AN EXTRAORDINARY WRIT OF HABEAS CORPUS

QUESTIONS PRESENTED

1. Whether the warrantless arrest and 24-hour detention of Petitioner Billy Marvin Witt III on April 3, 2024, violated his constitutional rights under the Fourth, Fifth, and Fourteenth Amendments.

2. Whether the warrantless arrest and subsequent strip search of Co-Petitioner Jeanie Rochelle Witt on April 3, 2024, violated her constitutional rights under the Fourth, Fifth, Eighth, and Fourteenth Amendments, especially considering her disability and lack of probable cause.

3. Whether the ongoing pattern of harassment and retaliation by Clay County law enforcement—including a militarized four-hour standoff at Petitioners' home on July 2, 2024, repeated predatory traffic stops by multiple officers, and the stacking of new felony charges arising from the April 3rd incident—justifies this Court's extraordinary intervention.

4. Whether the practice of judicial overreach, including entering pleas for defendants against their will, coercing pleas under duress, and denying defendants the opportunity to present medical hardship evidence, violates constitutional due process guarantees.

5. Whether the use of a 25-year-old Oklahoma conviction—without establishing its validity, finality, or eligibility for use as a sentencing enhancement under Texas law—to increase the severity of current criminal charges violates Petitioner Billy Witt’s rights to due process and fundamental fairness.

6. Whether the June 18, 2025 arrest of Petitioner Billy Marvin Witt III, and his continued detention under unsigned or invalid warrants, violated his constitutional rights when no judicial officer with lawful authority ever issued or executed the warrants.

7. Whether the search justification report used to defend the April 3, 2024 strip search of Co-Petitioner Jeanie Rochelle Witt—claiming discovery of narcotics that were never found—constitutes the falsification of an official record in violation of the Fourteenth Amendment’s guarantee of due process.

8. Whether the absence of any transportation logs documenting Co-Petitioner Jeanie Rochelle Witt’s custody and transfer following her April 3, 2024 arrest violates the constitutional requirements for procedural due process and accountability in detention.

9. Whether the participation of Constable Ferguson (Badge #1500) and Constable's Deputy Lowry (Badge #1501) in the June 18, 2025 raid—while acting as an “assisting agency” without body cameras, official reports, or judicial authorization—constitutes a violation of Petitioners’ rights under the Fourth and Fourteenth Amendments and underscores a broader failure of inter-agency oversight in Clay County law enforcement.

10. Whether repeated interference by Clay County officials with Petitioners’ legal mail, electronic communications, and ability to participate in state proceedings—including delays preventing time-sensitive filings, obstruction of attorney correspondence, and intimidation preventing Co-Petitioner Jeanie Witt from safely entering the jail or courthouse—renders ordinary state remedies unavailable or ineffective within the meaning of Supreme Court Rule 20 and violates Petitioners’ rights under the First and Fourteenth Amendments.

11. Whether the complete breakdown of Clay County's administrative grievance system—demonstrated by Petitioner Witt's grievance to the Jail Administrator being returned “VACANT” while the Sheriff's Office simultaneously identified Captain Johnston, the same officer who conducted the unlawful April 3rd, 2024 strip search and falsely reported narcotics in Petitioner's vehicle, as the Jail Administrator- renders ordinary state remedies unavailable, thereby satisfying Rule 20's requirement for this Court's extraordinary intervention.

PARTIES TO THE PROCEEDING

Petitioners:

Billy Marvin Witt III and Jeanie Rochelle Witt, husband and wife, appearing pro se.

Respondents:

Deputy Billy Kenyon, Clay County Sheriff's Department;

Sheriff Sydney Horton, Clay County Sheriff's Department;

Clay County Sheriff's Department;

Clay County Constable Ferguson, Badge No. 1500;

Clay County Constable's Deputy Lowery, Badge No. 1501; and

The 97th Judicial District Court, Clay County, Texas.

STATEMENT OF RELATED PROCEEDINGS

Jeanie Rochelle Witt and Billy Marvin Witt III v. Deputy Billy Kenyon, Sheriff Sydney Horton, and Clay County Sheriff's Department, Civil Action No. 7:25-cv-00061-O-BP, United States District Court for the Northern District of Texas.

State of Texas v. Billy Marvin Witt III, Cause Nos. 25-039-DCCR-0070, 0071, 0072, 0073, and 25-039-DCCR-0103 pending in the 97th Judicial District Court, Clay County, Texas.

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CITATION OF JURISDICTION

This Court has jurisdiction under 28 U.S.C. § 2241 and Supreme Court Rule 20. Petitioners assert that their detention, charges, and treatment involve substantial violations of federal constitutional rights and present issues of imperative public importance.

State court remedies have proven inadequate to provide meaningful relief, and Petitioners have exhausted all reasonable avenues available at the state level.

PRELIMINARY STATEMENT

Petitioners file directly in this Court under 28 U.S.C. § 2241 because no fair or adequate remedy exists within the state courts. The judicial system in Clay County, Texas, and the 97th Judicial District has demonstrated systemic bias, collusion, and a consistent refusal to adjudicate Petitioners' constitutional claims on the merits, leaving no alternative forum for relief.

Since Petitioners first attempted to seek relief in this Court, the situation in Clay County has continued to deteriorate. Newly obtained records and subsequent events have revealed additional—and escalating—evidence of official misconduct, including falsified search reports used to justify an unlawful strip search, the admitted absence of transport logs for Co-Petitioner Jeanie Rochelle Witt's April 3rd, 2024 arrest, and the participation of Clay County Constable Ferguson and Constable Deputy Lowry—1 of whom pointed a firearm at Petitioner's minor child—during the June 18th, 2025 raid on Petitioners' Home.

These developments further confirm that state remedies are ineffective and that the violations at issue are ongoing, systemic, and worsening.

CONCISE STATEMENT OF THE CASE

On April 3, 2024, Petitioners Billy Marvin Witt III and Jeanie Rochelle Witt were stopped by Clay County deputies solely for an alleged expired registration tag. Despite this being a non-arrestable offense, Petitioner Billy Witt was forcibly removed from the vehicle after invoking his Fifth Amendment right to remain silent. He was arrested, taken into custody, and held for approximately 24 hours without a valid warrant or probable cause. Before his release, he was charged with assaulting Deputy Billy Kenyon, a charge that arose directly from the arrest incident itself and remains the subject of ongoing proceedings.

During this same encounter, Co-Petitioner Jeanie Rochelle Witt—who is disabled and uses a prosthetic leg—was also arrested and subjected to a full strip search under demeaning and unconstitutional conditions. No probable cause or judicial authorization was shown to justify the search, and all charges against her were later dismissed. She was required to remove her prosthetic leg without assistance, forced to undress while seated, and subjected to degrading comments made by deputies conducting the search. These acts caused severe emotional distress, humiliation, and long-term psychological harm.

Subsequent open records requests revealed that no transportation logs exist for Co-Petitioner Jeanie Witt's April 3, 2024 arrest, and that the internal search report used to justify the strip search was falsified, claiming the discovery of narcotics that never existed. These fabrications were used to rationalize conduct already in violation of clearly established constitutional law

prohibiting suspicionless strip searches.

On June 17, 2025, Defendants were formally notified via e-file of Petitioners' pending civil rights action in the Northern District of Texas. Within twenty-four hours, on June 18, 2025, Clay County officers—including Sheriff Sydney Horton, Deputy Nicholas Hamilton, Constable Ferguson (Badge #1500), and Constable Deputy Lowery (Badge #1501)—executed an armed and unauthorized raid on Petitioners' residence without a signed judicial warrant. Constable Deputy Lowery entered Petitioners' daughter's bedroom and pointed a firearm at her. The Clay County Constable's Office later admitted that its deputies do not wear body cameras and that no reports were generated regarding their involvement.

At the time of the raid, Mr. Witt was arrested for assaulting Deputy Billy Kenyon—the same deputy involved in the April 3, 2024 incident—demonstrating a retaliatory pattern tied directly to the filing of Petitioners' federal civil rights complaint. The 97th Judicial District Court subsequently refused to consider or allow evidentiary submissions documenting Mrs. Witt's disability and medical condition, further evidencing systemic bias and judicial misconduct.

Further compounding these constitutional violations, the warrants underlying Mr Witt's June 18th, 2025 arrest were never signed by any judicial officer, contain internally inconsistent dates, and were never served on Mr Witt prior to the raid. As demonstrated in Appendix N, the Sheriff's Office produced these warrants only after a June 25th, 2025 public records request, revealing that the “return of service” falsely claimed service on June 13th 2025— five days before Mr Witt was taken into custody and contrary to his undisputed lack of notice. These defects render the

warrants void and confirm that the June 18th arrest was executed without lawful judicial authorization.

This ongoing pattern of harassment, fabrication, and judicial abuse by Clay County and its affiliates has deprived Petitioners of fair process, inflicted lasting emotional and medical harm, and eliminated any effective state remedy. Federal review under this Court's extraordinary jurisdiction is therefore necessary to prevent further violations of constitutional rights.

**STATEMENT OF EXTRAORDINARY CIRCUMSTANCES JUSTIFYING SUPREME
COURT INTERVENTION**

This case presents extraordinary circumstances warranting this Court's intervention under 28 U.S.C. § 2241 and Supreme Court Rule 20. Petitioners have been subjected to ongoing constitutional violations by law enforcement and the judiciary of Clay County, Texas, leaving no adequate state remedy or impartial tribunal to protect their rights.

Following the initial unlawful arrest of Petitioner Billy Witt and the unconstitutional strip search of Co-Petitioner Jeanie Witt on April 3, 2024, the same county officials continued a pattern of harassment, retaliation, and fabrication of evidence. Petitioners have since uncovered through open-records requests that:

1. No transportation logs exist for Petitioner Jeanie Witt's April 3 arrest, indicating that her detention was undocumented and unauthorized;

2. The search-justification report used to validate the strip search was falsified to claim discovery of narcotics that did not exist; and

3. Deputies involved in the raid of Petitioners' home on June 18, 2025, acted without a signed

judicial warrant and under the direction of Sheriff Sydney Horton, despite having prior notice of Petitioners' pending federal civil-rights complaint.

These events collectively demonstrate a coordinated pattern of misconduct, judicial bias, and deliberate indifference to constitutional protections. Petitioners' efforts to obtain relief through the state judicial system have been met with obstruction, refusal to adjudicate motions, and repeated violations of due process by the 97th Judicial District Court.

The urgency of this matter is further underscored by Mr. Witt's continued detention under questionable judicial authority and the severe physical and emotional harm to Mrs. Witt, whose medical condition places her life at risk under sustained stress and loss of necessary transportation assistance caused by the county's retaliatory actions.

Given the systemic bias of the local judiciary, the falsification of official records, and the pattern of retaliatory acts by law enforcement, no adequate or impartial remedy exists within the State of Texas. Only this Court's intervention can prevent further irreparable harm and uphold the fundamental constitutional guarantees of liberty, due process, and equal protection.

Interference With Legal Mail, Electronic Communication, and Access to State Remedies

In addition to the above-described constitutional violations, Petitioners have experienced

repeated interference with both legal mail and electronic communication at the Clay County Jail - conduct that directly prevents them from accessing ordinary state remedies and thus satisfies the requirement under Supreme Court Rule 20 that state procedures be “unavailable or ineffective.”

Multiple sets of outgoing legal filings delivered to jail staff for immediate mailing - including Petitioner Billy Witt’s August 2025 Motion to Terminate Court-Appointed Counsel, Motion to Set Hearing, and accompanying filings - were withheld for several days to over a week. The filings prepared by Co-Petitioner Jeanie Witt on August 27, 2025, were not postmarked until September 3, 2025, causing them to miss the September docket. As a result, Petitioner Billy Witt’s request to terminate court-appointed counsel was not heard until the November 2025 docket, delaying adjudication of a critical constitutional concern by more than two months.

Similarly, in October and November 2025, two complete sets of required signature pages for this Supreme Court petition were delayed without explanation. The first set, mailed on October 20, 2025, was withheld for 14 days and not delivered to Petitioner Witt until November 03, 2025. Due to the delay in delivery of the signature sheets, Co-Petitioner Jeanie Witt prepared and sent a second set of signature sheets, certified mail on October 31, 2025. Petitioner Billy Witt received the second set, signed them, and sent them back on November 4, 2025. Co-Petitioner Jeanie Witt did not receive the required signature sheets until November 15, 2025. Furthermore, the postmark on the envelope is November 13, 2025, indicating that the jail withheld the legal mail for 10 days before placing it in the mail. These disruptions impeded Petitioners’ ability to prepare and finalize this filing and further demonstrate that state-level procedures are

functionally inaccessible.

Electronic communication has likewise been hindered. Numerous routine, non-threatening CityTeleCoin messages between the Petitioners-containing no prohibited content - were flagged, delayed, or withheld without justification. These interruptions impaired Petitioners' ability to coordinate filings, discuss legal issues, and exchange time-sensitive information necessary for court submissions.

Petitioners maintain a comprehensive, time-stamped log documenting every instance of withheld, delayed, or flagged electronic communication on the CityTelecoin platform, as well as each episode of interference with incoming and outgoing postal mail. This log is extensive and contains sensitive personal and family information; accordingly, it has not been included in the Appendix. The same evidentiary log is also being used in petitioners pending federal civil rights action to document patterns of retaliation, suppression of communication, and obstruction of legal processes. Petitioners will promptly provide the complete log to this Court upon request.

In November 2025, Petitioner Jeanie Rochelle Witt attempted to file a grievance with the Clay County Jail Administrator regarding interference with legal mail and electronic communication. The grievance was returned by the U.S. Postal Service marked "VACANT". Shortly afterward, Petitioner received an official email from the Clay County Sheriff's Office identifying Captain Holly Johnston—the same officer who conducted the April 3rd 2024 strip search, checked the "other facts leading to reasonable suspicion box" and falsely wrote that drugs were found in vehicle on the strip search report— as the current jail administrator.

The Sheriff's Office email expressly stated that if Petitioner had "any questions regarding the content of this response to you or the process for document signing please feel free to contact the jail Administrator Captain Holly Johnston and she'll be more than happy to assist you with your needs."

This contradiction—returning a grievance as vacant while simultaneously identifying the same officer as the responsible administrator—demonstrates a breakdown in Clay County's grievance system and eliminates any meaningful neutral channel for addressing misconduct. Routing all concerns to the very officer whose actions are in dispute renders the grievance system structurally compromised and make state level remedies unavailable or ineffective within the meaning of Supreme Court Rule 20.

Compounding these obstructions is a breakdown in the court - appointed counsel process. Although the 97th Judicial District Court entered a written order Appointing Counsel naming Attorney Travis Yondell on July 29, 2025, Mr. Yondell expressly denied in writing that he had been appointed. This contradiction left Petitioner Billy Witt without effective representation during critical stages and further illustrates the unreliability of the state process.

Taken together - mail interference, electronic communication obstruction, breakdown in appointed-counsel procedures, and intimidation by law enforcement - these circumstances render ordinary state remedies unavailable or ineffective. They independently satisfy the standard for this Court's exercise of extraordinary jurisdiction under Rule 20.

EMOTIONAL AND PSYCHOLOGICAL TRAUMA INFLICTED ON PETITIONERS' FAMILY

Petitioners' minor child was forced to witness a militarized standoff at the family home in July 2024, which caused extreme emotional trauma and lasting psychological harm. During the raid on June 18, 2025, a Clay County constable pointed a firearm directly at Petitioners' teenage daughter, ordering her to sit down. Their son, terrified by the violent scene, fled the home and has since experienced recurring panic attacks and deep anxiety whenever he sees law enforcement vehicles or flashing lights.

More critically, Petitioners' adult son—who has no involvement in any legal proceedings—now refuses to learn to drive, fearing that merely operating a vehicle will expose him to unlawful stops or retaliation by local deputies. He lives in a state of constant fear that he will be subjected to the same treatment his parents endured, simply for being part of the Witt family.

Mrs. Witt, who is disabled and dependent upon her husband for transportation and daily assistance, has been left to shoulder all household and caregiving responsibilities while enduring the ongoing stress of Mr. Witt's unlawful incarceration. The loss of her primary caregiver and driver, combined with repeated retaliatory seizures of their vehicles, has placed her health and safety in jeopardy.

In addition to the events described above, Petitioners have experienced multiple incidents of intimidation and coercive conduct by Clay County officials, further exacerbating the emotional harm caused by the unconstitutional actions at issue. Petitioners have also experienced direct intimidation by Clay County officials that impedes their ability to participate in state proceedings. During the June 18, 2025 entry and arrest incident, deputies entered Petitioners' home without warning. Co-Petitioner Jeanie Witt was ordered to the ground in her nightgown while deputies moved through the residence with their service weapons drawn. One deputy opened the bedroom door of Petitioners' minor daughter, pointed his handgun at her, and ordered her to sit down. Sheriff Sydney Horton was present and standing over Co-Petitioner Witt throughout the encounter.

This pattern of intimidation also includes an incident at the Clay County courthouse in September 2025. Upon entering the courthouse, Co-Petitioner Witt complied with routine security screening and opened her purse at an officer's request. After the screening was completed and she turned briefly to receive her visitor badge, she observed Sheriff Horton - who was not present during Co-Petitioner Witt's screening and did not participate in the screening—looking through her purse without consent or security justification. Sheriff Horton then acted as though he was handing the purse back to her. The encounter caused Co-Petitioner Witt to check the contents of her purse before entering the courtroom to ensure that the contents had not been disturbed during the secondary inspection.

This same Sheriff Horton later confronted Co-Petitioner Witt during a November 10, 2025 court

hearing, directing her to move from her seat - which she had been sitting in for an hour—in full view of the courtroom without any apparent security-related justification. The encounter served no legitimate courtroom-management purpose and further contributed to a reasonable and ongoing fear of future confrontational or coercive conduct by the same officials.

Taken together, these incidents of intimidation - occurring both inside petitioners' home and within the courthouse - have created a sustained atmosphere of fear, coercion, and psychological distress. For Co-Petitioner Jeanie Witt. The unpredictable and intrusive conduct of Clay County officials has caused ongoing emotional harm to Petitioners and their children and continues to undermine their ability to safely participate in their own legal proceedings.

This is not collateral damage—it is the direct and foreseeable result of a pattern of harassment, intimidation, and abuse of power by Clay County law enforcement and judicial officers. The emotional terror inflicted upon Petitioners and their children is part of the broader constitutional violation and underscores why this Court's extraordinary intervention is necessary to prevent further irreparable harm.

REASONS FOR GRANTING THE WRIT

1. The unlawful arrest and detention of Petitioner Billy Marvin Witt III on April 3, 2024, despite his invocation of constitutional rights, represents a gross abuse of government power and violates the Fourth and Fifth Amendments.
2. The unlawful arrest and strip search of Co-Petitioner Jeanie Rochelle Witt on April 3, 2024, without probable cause or necessity, violated her rights under the Fourth, Eighth, and Fourteenth Amendments, particularly given her physical disability and lack of access to accommodation.
3. The falsified “search justification” report used to excuse the strip search, combined with the absence of required transport logs, demonstrates an intentional attempt to conceal misconduct and deprive Petitioners of due process and accountability.
4. The ongoing harassment and retaliatory prosecution by Clay County authorities have escalated to additional felony charges designed to chill Petitioners’ exercise of their rights to free expression, self-representation, and petition for redress of grievances.

5. Mr. Witt is currently pro se, without appointed counsel, and faces serious criminal charges unrelated to the initial traffic stop. Continued detention—especially given his role as primary caretaker for his disabled wife—impairs his ability to prepare for trial and violates his Sixth Amendment rights.

6. The use of a 25-year-old, fully discharged Oklahoma conviction to enhance current charges violates fundamental fairness and due process protections.

7. The pattern of judicial overreach, including the court entering pleas for defendants, refusing to consider hardship or evidence, and holding pre-hearing discussions between court-appointed counsel and the District Attorney about Mr. Witt's case, raises grave constitutional concerns that merit Supreme Court intervention.

8. The involvement of Clay County Constable Ferguson and Constable's Deputy Lowry, who pointed a firearm at Petitioners' minor daughter during a militarized home raid, further demonstrates a coordinated pattern of intimidation and unlawful use of force. Despite participating as an "assisting agency", the Constable's Office generated no reports documenting their involvement, reflecting a complete lack of oversight, accountability, or lawful justification for their actions across agencies.

9. The public record demonstrates an entrenched pattern of targeting, retaliation, and collusion by Clay County law enforcement and judicial officers against the Witt family, resulting in repeated violations of due process, equal protection, and fundamental rights under the Constitution.

10. The repeated interference with Petitioners' legal mail and electronic communications, combined with escalating intimidation by Clay County officials, has obstructed access to courts and rendered state remedies ineffective – independently warranting this Court's intervention.

11. The Clay County Sheriff's Office's designation of Captain Holly Johnston—the same officer who conducted the unlawful April 3, 2024 strip search and falsely reported on the unclothed report that narcotics were “found in vehicle” – as the jail administrator responsible for reviewing grievances and legal mail procedures demonstrates a systemic failure of oversight. Her continued role in both the underlying misconduct and the administrative review process deprives Petitioners of any meaningful state remedy and independently satisfies Rule 20's requirement for this Court's extraordinary intervention.

RELIEF SOUGHT

Petitioners respectfully request that this Honorable Court:

- 1. Order the immediate release of Petitioner Billy Marvin Witt III from unlawful custody;**
- 2. Order the dismissal of all pending charges against both Petitioners that stem from the unlawful arrests and retaliatory prosecutions described herein;**
- 3. Alternatively, direct the transfer of all related proceedings to a judicial district sufficiently distant from Clay County to ensure neutrality and independence; and**
- 4. Grant such other and further relief as this Court deems just, proper, and necessary to prevent continued violations of Petitioners' constitutional rights.**

CONCLUSION

For the foregoing reasons, Petitioners respectfully pray that this Court grant this Petition for an Extraordinary Writ of Habeas Corpus, and for such other relief as may be just and proper in the interests of justice and constitutional protection.