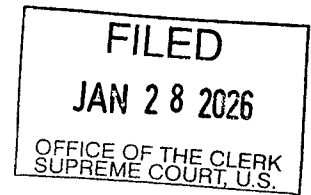


25-7527

ORIGINAL

No. _____



IN THE SUPREME COURT OF THE UNITED STATES

Anthony Wayne Mangram — PETITIONER

vs.

United States of America — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Fifth Circuit

PETITION FOR WRIT OF CERTIORARI (UNTIMELY)

Anthony Wayne Mangram
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Arlington, TX 76017
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Pro Se

QUESTIONS PRESENTED

NOTICE OF UNTIMELINESS: This petition is submitted as an untimely petition in a criminal case pursuant to the Clerk's instruction dated February 25, 2026.

- Whether the Fifth Circuit violated the Sixth Amendment and *Anders v. California*, 386 U.S. 738 (1967), by permitting withdrawal of appellate counsel where the *Anders* brief failed to address non-frivolous constitutional issues apparent on the record.
- Whether a criminal conviction obtained under an indictment that failed to allege drug quantity violates the Fifth Amendment Grand Jury Clause and Federal Rule of Criminal Procedure 7(c)(1), where drug quantity was later used to enhance punishment.
- Whether ineffective assistance of both trial and appellate counsel—compounded by the court's acceptance of a deficient *Anders* brief—constitutes structural error requiring reversal.
- Whether denial of meaningful appellate review violates Due Process under the Fifth Amendment and the historic guarantees of Magna Carta and the Bill of Rights.

LIST OF PARTIES

[X] All parties appear in the caption of the case on the cover page

RELATED CASES

As required by Supreme Court Rule 14.1(b)(i), the following are the proceedings in state or federal courts that are directly related to the case in this Court:

- United States v. Anthony Wayne Mangram, No. 4:22-CR-77-1, United States District Court for the Eastern District of Texas. Judgment entered April 22, 2024.
- United States v. Anthony Wayne Mangram, No. 24-40330, United States Court of Appeals for the Fifth Circuit. Judgment entered October 24, 2025; Petition for rehearing denied October 3, 2025.

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- Appendix A: Opinion of the U.S. Court of Appeals (5th Cir.)
- Appendix B: Order of the U.S. District Court (E.D. Tex.)
- Appendix C: Order Denying Rehearing

TABLE OF AUTHORITIES CITED

CASES	Page Number
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Apprendi v. New Jersey, 530 U.S. 466 (2000)	5
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IN THE SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgement below

OPINIONS BELOW

☒ For cases from federal courts:

The opinion of the United States Court of Appeals appears at Appendix A to the petition and is:

☒ is unpublished. (Fifth Circuit Case No. 24-40330, entered Oct. 24, 2025).

The opinion of the United States District Court appears at Appendix B to the petition and is:

☒ is unpublished. (Eastern District of Texas Case No. 4:22-CR-77-1).

JURISDICTION

☒ For cases from federal courts:

The date on which the United States Court of Appeals decided my case was October 24, 2025.

☒ A timely petition for rehearing was thereafter denied on the following date: October 3, 2025, and a copy of the order denying rehearing appears at Appendix C.

The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

U.S. Const. amend. V

"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury... nor be deprived of life, liberty, or property, without due process of law."

U.S. Const. amend. VI

"In all criminal prosecutions, the accused shall enjoy the right... to have the Assistance of Counsel for his defence."

Federal Rule of Criminal Procedure 7(c)(1)

"The indictment or information must be a plain, concise, and definite written statement of the essential facts constituting the offense charged."

28 U.S.C. § 1254(1)

- "Cases in the courts of appeals may be reviewed by the Supreme Court... By writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree."

STATEMENT OF THE CASE

Petitioner was indicted in the United States District Court for the Eastern District of Texas. The indictment failed to allege any specific drug quantity, a fact that is an essential element for sentencing enhancements under the Fifth Amendment. Despite this defect, the government relied on drug quantity to enhance Petitioner's punishment.

Trial Proceedings:

Trial counsel, Roger Haynes, failed to litigate the facially defective indictment, the court's lack of jurisdiction to impose an enhanced sentence, and the absence of a knowing and voluntary waiver of rights by the Petitioner.

Appellate Proceedings:

On appeal to the Fifth Circuit (No. 24-40330), appointed counsel Amy R. Blalock filed a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967), asserting that no non-frivolous issues existed. This assertion ignored clearly preserved constitutional errors regarding the indictment and ineffective assistance of counsel. The Fifth Circuit granted counsel's motion to withdraw and dismissed the appeal.