

WAIVER

Supreme Court of the United States

No. 25-862

Supreme Court, U.S. FILED
FEB 19 2026
OFFICE OF THE CLERK

Michael Jerome Newberry
(Petitioner)

v.

Texas
(Respondent)

I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of certiorari unless one is requested by the Court.

Please check the appropriate box:

- I am filing this waiver on behalf of all respondents.
- I only represent some respondents. I am filing this waiver on behalf of the following respondent(s):

Please check the appropriate box:

- I am a member of the Bar of the Supreme Court of the United States. (Filing Instructions: File a signed Waiver in the Supreme Court Electronic Filing System. The system will prompt you to enter your appearance first.)
- I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member. (Filing Instructions: Mail the original signed form to: Supreme Court, Attn: Clerk's Office, 1 First Street, NE, Washington, D.C. 20543).

Signature John D. Warren

Date: 2/17/26

(Type or print) Name John D. Warren
 Mr. Ms. Mrs. Miss

Firm Cooke County District Attorney's Office

Address 101 South Dixon Street #309

City & State Gainesville Texas Zip 76240

Phone 940-668-5475 Email john.warren@co.cooke.tx.us

A COPY OF THIS FORM MUST BE SENT TO PETITIONER'S COUNSEL OR TO PETITIONER IF PRO SE. PLEASE INDICATE BELOW THE NAME(S) OF THE RECIPIENT(S) OF A COPY OF THIS FORM. NO ADDITIONAL CERTIFICATE OF SERVICE OR COVER LETTER IS REQUIRED.

cc:

RECEIVED
MAR - 4 2026
OFFICE OF THE CLERK SUPREME COURT, U.S.

Supreme Court of the United States

Michael Jerome Newberry
(Petitioner)

v.

No. 25-862

Texas
(Respondent)

To John Warren Counsel for Respondent:

NOTICE IS HEREBY GIVEN pursuant to Rule 12.3 that a petition for a writ of certiorari in the above-entitled case was filed in the Supreme Court of the United States on January 15, 2026, and placed on the docket January 20, 2026. Pursuant to Rule 15.3, the due date for a brief in opposition is Thursday, February 19, 2026. If the due date is a Saturday, Sunday, or federal legal holiday, the brief is due on the next day that is not a Saturday, Sunday or federal legal holiday.

Beginning November 13, 2017, parties represented by counsel must submit filings through the Supreme Court's electronic filing system. Paper remains the official form of filing, and electronic filing is in addition to the existing paper submission requirement. Attorneys must register for the system in advance, and the registration process may take several days. Further information about the system can be found at <https://www.supremecourt.gov/filingandrules/electronicfiling.aspx>.

Unless the Solicitor General of the United States represents the respondent, a waiver form is enclosed and should be sent to the Clerk only in the event you do not intend to file a response to the petition.

Only counsel of record will receive notification of the Court's action in this case. Counsel of record must be a member of the Bar of this Court.

Mr. Mark T. Lassiter
Mark T. Lassiter, P.C.
3300 Oak Lawn Ave
Suite 700
Dallas, TX 75219
2148457007

NOTE: This notice is for notification purposes only, and neither the original nor a copy should be filed in the Supreme Court.