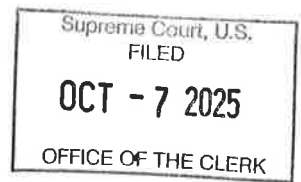


25A417

No. 25-5782



In re RAMSEY E. CLAYTER,
Petitioner.

Application For Emergency Stay of State Court Proceedings
pursuant to 28 U.S.C. § 2251, Sup. Ct. R. 22 And 23.

To: Justice Ketanji Brown Jackson, Circuit Justice For The First Circuit

Petitioner:

Ramsey E. Clayter, pro se

8 Nichols St., Apt. 2F

Gardner, MA 01440

(978) 894-4598

ramseyclayter10@gmail.com

Nature of Case:

Habeas petition challenging custody and probation terms due to void judgment.

Relief Requested:

Stay of state court proceedings and enforcement of probation conditions pending
disposition of filed petition for writ of habeas corpus pursuant to 28 U.S.C. § 2251,
Supreme Court Rule 22, and Rule 23.

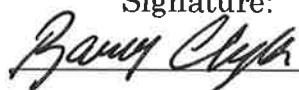
Citation of Relevant Rules:

28 U.S.C. § 2251; Sup. Ct. R. 22; R. 23; and R. 29.

Date:

October 8, 2025

Signature:



Ramsey E. Clayter, pro se



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No. 25-5782

IN THE

SUPREME COURT OF THE UNITED STATES

In Re RAMSEY E. CLAYTER,

Petitioner.

**APPLICATION FOR EMERGENCY STAY OF STATE COURT
PROCEEDINGS PURSUANT TO 28 U.S.C. § 2251, SUP. CT. R. 22 AND 23**

**To: The Honorable Ketanji Brown Jackson, Associate Justice of the
Supreme Court of the United States and Circuit Justice for the First
Circuit.**

Petitioner, Ramsey E. Clayter, appearing pro se respectfully applies for a stay of state court proceedings pursuant to 28 U.S.C. § 2251, to stop the enforcement of the judgment entered against him in the Gardner District Court of Massachusetts on May 5, 2020, and subsequently modified on October 19, 2023. A Certified Docket, and SJC denial is attached for review of this judgment.

Petitioner's has filed a writ of habeas corpus pursuant to 28 U.S.C. § 2241 and Sup. Ct. R. 20 invoking federal jurisdiction over the matter. The petition is "properly pending" before the Court. It was docketed on October 2, 2025, No. 25-5782, establishing a live case controversy exist between the Petitioner and State. The Court has authority to grant the requested stay under 28 U.S.C. § 2251. A stay will allow the Court to preserve its federal jurisdiction to review Petitioner's constitutional claims. See *Lonchar v. Thomas*, 517 U.S. 314 (1996):

“Section 2251 provides that a federal judge ‘before whom a habeas corpus proceeding is pending may ... stay any proceeding’ in state court. Such a stay is the mechanism by which the federal court preserves its jurisdiction to review constitutional claims without the interference of an impending execution.”— 517 U.S. at 320. and “In the context of capital habeas petitions, a stay of execution under § 2251 is not a matter of discretion once a first petition presenting substantial constitutional claims is properly filed.” — Id. at 321;

- *Evans v. Bennett*, 440 U.S. 1301 (1979) (Rehnquist, J., in chambers) “Because a federal habeas corpus petition was pending before the Court of Appeals, the District Judge’s issuance of a stay of execution under 28 U.S.C. § 2251 was within the scope of his authority.” — 440 U.S. at 1303, and;
- *Zagorski v. Mays*, 6th Cir. No. 18-6052 (Oct. 10 2018) (order) “The court GRANTS a stay of execution under 28 U.S.C. § 2251(a)(1) pending final disposition of Zagorski’s petition for writ of habeas corpus and related motions.”— 6th Cir. Order, Oct. 10, 2018 (slip op.);

Petitioner is eligible despite an active arrest warrant, as fugitive disentitlement cannot attach to a void judgment. The equitable doctrine of fugitive disentitlement applies only where a valid judgment exists for the petitioner to evade. See *Ortega-Rodriguez v. United States*, 507 U.S. 234, 239–40 (1993).

II. STATEMENT OF EMERGENCY CIRCUMSTANCES

Petitioner submits this statement pursuant to Supreme Court Rule 22. The state court has issued an arrest warrant on an alleged probation violation that it lacks jurisdiction to enforce. See *Jones v. Cunningham*, 371 U.S. 236 (1963). This places petitioner under immediate threat of arrest, compels him to remain in hiding, and prevents him from caring for his family or maintaining ordinary life activities. Law enforcement continues to appear at petitioner’s residence with guns

drawn. Absent immediate intervention, petitioner will suffer irreparable harm to liberty and bodily autonomy. Current probation conditions are being enforced without proper jurisdiction, including compelled psychological and medical treatment, deprivation of bodily autonomy, loss of professional and driver licenses, and reputational harm that cannot be undone by any later appellate decision. See *Cruzan v. Director, Missouri Dep't of Health*, 497 U.S. 261 (1990) (constitutional right to refuse unwanted medical treatment); *Washington v. Harper*, 494 U.S. 210 (1990).

III. CONTENTS OF APPLICATION (Sup. Ct. R. 23)

(An application for a stay shall set out with particularity why the relief sought is not available from any other court or judge.)

A. Federal Courts

Petitioner has diligently pursued relief in lower courts, but conventional routes have yielded only threshold dismissals while custody persists and the record remains incomplete. Petitioner has filed three habeas petitions and several motions in the District Court of Massachusetts, all dismissed on threshold grounds, with the court declining to conduct review *de novo* of the structural-voidness claim or the Petitioner's federal question, despite providing the certified docket. See *Cone v. Bell*, 556 U.S. 449, 472 (2009).

B. State Trial Court

Petitioner has diligently pursued relief at the source. Filing eight Rule 30 post-conviction motions for a new trial. The court refused to address Petitioner's

assertions despite ongoing constitutional deprivations, and jurisdictional voidness. Confirming, relief is not available in the trial court. See *Cheney v. U.S. Dist. Court*, 542 U.S. 367 (2004) (Reinforces that the Court will only exercise its discretionary power to grant extraordinary relief in truly unusual or exceptional cases.)

C. Massachusetts Appeals Court

Ordinary appellate channels cannot supply adequate relief because the indispensable jurisdictional record is missing or suspect. Docket irregularities confirm manual alterations undermining confidence in the record. Seen on the docket forward to the appeals court with the Petitioner's assembly of the record, Petitioner's initiating charges under Mass. Gen. Laws ch. 265, § 23A(b) do not appear. On January 22, 2020, the case was opened; the next day, January 23, 2020, Petitioner was held on \$50,000 cash bail. On February 5, 2020, Superior Court conducted a bail review and reduced cash bail to \$25,000, all done absent initiating criminal charges. Charges do not appear on the docket until May 5, 2020. Additionally, Petitioner's identifying information is absent, verifying state induced *cause*.

The altered docket was produced with the assembly of the record and forwarded to the Appeals Court for use in his appeal, resulting in the denial a new trial. This undermine confidence, making appellate review for relief futile. Where indispensable jurisdictional records are absent, appellate courts cannot test jurisdiction or constitutional predicates. The return with a motion for relief would constitute post-hoc fabrication, and in itself be fraud on the court. See

Throckmorton v. United States, 98 U.S. 61 (1878) (Extrinsic fraud forcing a party to face a corrupted tribunal justifies equitable relief from a judgment.) Appellate review confined to an incomplete record risks affirmance of a void judgment. See *Hardy v. United States*, 375 U.S. 277, 279–82 (1964). “Appellate counsel cannot discharge their duty without a transcript of the evidence and charge.” That inadequacy confirms appeal is not an adequate remedy. See *Roche v. Evaporated Milk Ass’n*, 319 U.S. 21, 26 (1943). “extraordinary writs issue only when “appeal is not an adequate remedy.”

In a subsequent motion, Petitioner squarely present the void judgment to the court filing a motion with the certified docket which mandates the court to vacate or set aside the judgment. See *El-Kareh v. Texas Alcoholic Beverage Comm’n*, 874 S.W.2d 192 (Tex. App.—Houston [14th Dist.] 1994): “The court held that when an appeal is taken from a void judgment, the appellate court must declare the judgment void, as it is a nullity and cannot support an appeal.” The panel went off the provided record. As a result, Petitioner was *prejudiced* when the appeals court affirmed the void judgment. See *United States v. Frady*, 456 U.S. 152 (1982) (This case clarified that the cause and prejudice standard applies in federal habeas proceedings.) Moreover, “Where a lower court has itself been corrupted by fraud, this Court has recognized that confidence in that tribunal is fatally undermined.” See *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238, 246 (1944) (fraud ‘corrupts the judicial process’). Confirming, relief is not available in appeals court.

D. The Massachusetts Supreme Judicial Court

The SJC mirrored this refusal. Denying Petitioners Application for Direct Appellate review (DAR), and dismissing his petition under Mass. Gen. Laws ch. 211, § 3, which invoked the court's supervisory powers to review the structural defects in the case including, the lack of probable-cause hearing, and void judgment due to subject-matter jurisdiction. See attached SJC denial. Petitioner's assertions are not subject to harmless error review. See *Arizona v. Fulminante*, 499 U.S. 279, 309–10 (1991). Confirming, relief is not available in the state's highest court. See *Ex parte Bollman*, 8 U.S. 75 (1807) "Petitioners can obtain habeas relief in cases of unlawful restraint where no other adequate remedy exists, exceptional circumstances warrant federal intervention."

E. Emergency Actions

The Petitioner's final option in the lower courts was an emergency motion in the First Circuit. This emergency motion has a \$600 filing fee payable to the district clerks. Petitioner asserts he already paid the district clerks a \$405 filing fee for his civil rights complaint in good faith, and they returned undeliverable summonses. This caused monetary harm that Petitioner and his family cannot bear again. Practicing diligence, Petitioner inquired about paying the First Circuit directly to file the emergency motion. Petitioner was informed that this wasn't an available option. At this point, the Petitioner exhausted all options for relief in the lower courts.

IV. MOST EXTRAORDINARY CIRCUMSTANCES.

Petitioner asserts exceptional circumstances warrant the Court's discretion

under 28 U.S.C. § 2251, and Sup. Ct. R. 23. Based on available case law, the odds of a case being fully exhausted twice in the state courts and three habeas petitions dismissed without merits review are approximately *one in 400 million*, establishing a rare, and most exceptional circumstances exist.

i. Petitioner Faces No Bar to Relief

The Petitioner faces no bar in his application for stay of state court proceedings. The Certified Docket confirms that the judgment entered on May 5, 2020, and subsequently modified/reimposed on October 19, 2023, is void on its face for want of subject-matter jurisdiction. Petitioner's three initiating charges were under Mass. Gen. Laws ch. 265, § 23A(b), with final jurisdiction in Superior Court. On May 5, 2020, these charges were amended to Mass. Gen. Laws ch. 265, § 13H, with District Court jurisdiction. Mass. Gen. Laws ch. 263, § 4A requires a probable-cause hearing upon waiver of the right to proceed against indictment. The District Court failed to hold this hearing, depriving itself of subject-matter jurisdiction. The proceedings were *coram non judice*, and the judgment is *void ab initio*. See *Vallely v. Northern Fire & Marine Ins. Co.*, 254 U.S. 348, 353–54 (1920). “If a court is without authority, its judgments and orders are regarded as nullities. They are not voidable, but simply void, and form no bar to recovery sought, even prior to a reversal, in opposition to them.”

In totality, the facts and circumstances of this case are so irregular and egregious as to offend due process and undermine confidence in the judicial process. Coupled with ongoing constitutional deprivations, the lack of fundamental

safeguards, an outstanding arrest warrant, and the imminent sixth sentencing pending without a judicial probable-cause determination or evidence of criminality ‘shocks the conscience.’ Undoubtedly, confirming the most extraordinary circumstances. See *Ex parte Merryman*, 17 F. Cas. 144 (C.C.D. Md. 1861) (Lincoln-era case showing the writ of habeas corpus may issue in extraordinary circumstances when fundamental liberty is threatened.) Moreover, the aforementioned corroborate a fundamental miscarriage of justice has taken place. See *Murray v. Carrier*, 477 U.S. 478 (1986). “In an extraordinary case, where a constitutional violation has probably resulted in the conviction of one who is actually innocent, a federal habeas court may grant the writ even in the absence of a showing of cause....”

V. SPECIFIC REASONS WHY A STAY IS JUSTIFIED

(Federal Standard. See *Nken v. Holder*, 556 U.S. 418 (2009))

1. Likelihood of Success on The Merits.

The judgment at issue is *void ab initio* because it was entered without jurisdiction and in violation of controlling law. It is a well-established principle that a void judgment is a nullity and may be attacked at anytime, anywhere, and by any court, without limitation. Likelihood of success on the merits is certain. This is not a matter of judicial discretion, it’s a matter of law. See *United States v. Boch Oldsmobile, Inc.*, 909 F.2d 657, 661. See also *Ex parte Siebold*, 100 U.S. 371, 376 (1879): “A judgment rendered by a court without jurisdiction over the subject-matter is void, and a court is without authority to enforce it.”

2. Irreparable Harm

Absent a stay, Petitioner will suffer ongoing and irreparable harm that cannot be remedied by a latter appellate win. Enforcement of a void judgment subjects Petitioner to continued deprivation of liberty, including mandatory probation restrictions, reporting requirements, and surveillance, despite the original sentence having already been served.

In addition, Petitioner faces irreparable reputational injury stemming from his wrongful inclusion on the Massachusetts Sex Offender Registry (SORB) as a Level 3 offender. Such registration imposes lifelong consequences, including severe limitations on housing, employment, travel, and public perception. These harms are concrete, ongoing, and cannot be fully compensated by damages or later judicial relief, meeting the standard of irreparable harm. See *Hollingsworth v. Perry*, 558 U.S. 183, 190 (2010) (irreparable harm includes consequences that cannot be undone if relief is denied); *Nken v. Holder*, 556 U.S. 418, 434 (2009) (“The first two factors—likelihood of success and irreparable harm—are the most critical”).

3. Balance of Equities

In weighing the respective harms, the equities strongly favor Petitioner. Enforcement of a void judgment imposes ongoing, irreparable injury, including continued deprivation of liberty and reputational damage stemming from wrongful inclusion on the Massachusetts Sex Offender Registry as a Level 3 offender. These harms are immediate, concrete, and cannot be undone, even if relief is ultimately granted.

By contrast, staying state enforcement imposes no harm on the respondents. In fact, it lessens their work load. Probation officers, district attorneys, or courts will experience only a temporary pause in enforcement while the Supreme Court considers the habeas petition. There is no risk of prejudice or loss of legal rights to any respondent because the judgment is *void ab initio* and has no legal force or effect to begin with. Courts routinely recognize that when the petitioner faces unlawful restraint or deprivation and the respondent suffers no substantive harm, the equities weigh decisively in favor of a stay. See *Winter v. Natural Resources Defense Council*, 555 U.S. 7 (2008). (For injunctions, the Court emphasized that equitable relief is justified when irreparable harm to the plaintiff outweighs harm to the defendant.); *Hollingsworth v. Perry*, 558 U.S. 183 (2010) (Reinforced Nken's four-factor framework for stays. Highlighted that temporary relief to prevent ongoing harm often outweighs minimal administrative inconvenience to respondents.)

4. Public Interest

The public interest strongly favors granting a stay in this case. First, it is always in the public interest to uphold constitutional rights and to ensure that courts act within their lawful jurisdiction. Enforcement of a void judgment contravenes these foundational principles, undermining confidence in the judicial system and exposing the public to the harms of unlawful restraint and erroneous legal classification.

Second, the Commonwealth of Massachusetts has no legitimate interest in

enforcing a judgment that is void ab initio. Continuing enforcement of a legally null sentence imposes unnecessary burdens on the courts, law enforcement, and probation authorities, while causing irreparable harm to the individual. Finally, granting a stay promotes the broader societal goal of preventing miscarriages of justice, ensuring that public institutions do not perpetuate the enforcement of legally invalid judgments. Courts have consistently recognized that preserving the rule of law and protecting individual rights serves the public interest. Granting a stay wouldn't impose any unfair burdens or risks to any respondents or the public at large, versus the petitioner's need to avoid irreparable harm. See *Mazurek v. Armstrong*, 520 U.S. 968 (1997) (Stays and injunctions are discretionary. Courts must consider whether granting the stay would impose unfair burdens or risks on third parties or the public, versus the petitioner's need to avoid irreparable harm.)

VI. ONGOING CONSEQUENCES AND MOOTNESS

Petitioner's habeas petition is not moot. Although physical incarceration may be absent, petitioner continues to face active enforcement of an unlawful probation warrant, including restrictions on travel, residence, family life, professional licensure, and the State attempting to sentence him to an additional 30 months on top of the 45 already served, as well as compelled psychological and medical treatment. These constitute continuing, concrete legal and practical consequences directly tied to the challenged conviction and probation order, satisfying the "custody or continuing restraint" requirement for habeas standing. See *Carafas v.*

LaVallee, 391 U.S. 234 (1968).

VII. BOND

Pursuant to Supreme Court Rule 23.4, a stay may be conditioned upon the filing of a supersedeas bond. However, no monetary judgment, costs, or damages are at issue here. The only relief sought is to stay state enforcement of a void criminal judgment that imposes unlawful custody restraints. Accordingly, no bond should be required.

VIII. RELIEF REQUESTED

Petitioner asks the Court to stay state court proceedings. Including the enforcement of the unlawful probation warrant and all associated conditions, including compelled medical or psychological treatment, and the imposed driver's license restrictions pending review of his filed petition for writ of habeas corpus, to prevent further irreparable harm and preserve petitioner's fundamental liberty interests. Without a stay, petitioner faces immediate risk to personal safety, family stability, and liberty. Pursuant to 28 U.S.C. § 1746,

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

Executed on October 8, 2025, at Gardner, Massachusetts.

Respectfully submitted,



Ramsey E. Clayter, pro se

8 Nichols St., Apt. 2F

Gardner, MA 01440

(978) 894-4598

ramseyclayter10@gmail.com

October 8, 2025

No. 25-5782

IN THE

SUPREME COURT OF THE UNITED STATES

In Re RAMSEY E. CLAYTER,
Petitioner

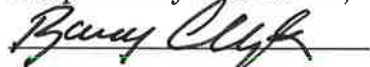
CERTIFICATE OF SERVICE

Pursuant to 28 U.S.C. § 1746 and Sup. Ct. R. 29, I Ramsey E. Clayter, pro se, hereby declare that the foregoing Application For Emergency Stay of Court Proceedings pursuant To 28 U.S.C. § 2251; Sup. Ct. Rule 22, and Rule 23, and Certified Docket was served on each party to the proceeding in the United States mail, first-class postage prepaid. All documents were deposited in an envelope properly addressed to each of them within 3 calendar days. The names and addresses of those served are as follows:

- Andrea J. Campbell, in her official capacity as Attorney General of Massachusetts, (*Counsel for respondent*) Office of the Attorney General One Ashburton Place, Floor 20. Boston, MA 02108 (617) 727-2200.
- Diane Massouh Chief Probation Officer, Gardner District Court. 108 Matthews Street. Gardner, MA 01440.

I declare under penalty of perjury that the foregoing is true and correct.
Executed on October 8, 2025, at Gardner, Massachusetts.

Respectfully submitted,



Ramsey E. Clayter, pro se

8 Nichols St., Apt. 2F

Gardner, MA 01440

(978) 894-4598

ramseyclayter10@gmail.com

2063CR000084 Commonwealth vs. Clayter, Ramsey E

- Case Type:
- Criminal
- File Date
- 01/22/2020
- Initiating Action:
- INDECENT A&B ON PERSON 14 OR OVER c265 §13H
- Case Judge:

All Information Party Charge Event Docket Disposition

Party Information

Clayter, Ramsey E
- Defendant

Alias

Party Attorney

[More Party Information](#)

Party Charge Information

- **Clayter, Ramsey E**
- - Defendant
- 265/13H-3 - Felony INDECENT A&B ON PERSON 14 OR OVER c265 §13H
- Counts:

- Original Charge
- 265/23A/B-1 RAPE OF CHILD, AGGRAVATED, TEN YEAR AGE DIFFERENCE c265 §23A (Felony)
- Amended Charge
- 265/13H-3 INDECENT A&B ON PERSON 14 OR OVER c265 §13H (Felony)
- Jurisdiction
- Gardner
- Date of Offense
- 07/22/2019

Charge Disposition

Disposition Date
Disposition
05/05/2020
Guilty - Plea

- **Clayter, Ramsey E**
- - Defendant
- 265/13H-3 - Felony INDECENT A&B ON PERSON 14 OR OVER c265 §13H
- Counts:

- Original Charge
- 265/23A/B-1 RAPE OF CHILD, AGGRAVATED, TEN YEAR AGE DIFFERENCE c265 §23A (Felony)
- Amended Charge
- 265/13H-3 INDECENT A&B ON PERSON 14 OR OVER c265 §13H (Felony)
- Jurisdiction
- Gardner
- Date of Offense
- 08/01/2019

Charge Disposition

Disposition Date
Disposition
05/05/2020
Guilty - Plea

- **Clayter, Ramsey E**
- - Defendant
- 265/13H-3 - Felony INDECENT A&B ON PERSON 14 OR OVER c265 §13H
- Counts:

- Original Charge
- 265/23A/B-1 RAPE OF CHILD, AGGRAVATED, TEN YEAR AGE DIFFERENCE c265 §23A (Felony)
- Amended Charge
- 265/13H-3 INDECENT A&B ON PERSON 14 OR OVER c265 §13H (Felony)
- Jurisdiction
- Gardner
- Date of Offense
- 08/01/2019

Charge Disposition

Disposition Date
Disposition
05/05/2020
Guilty - Plea

A TRUE COPY
Shirley C. Harrington
ATTEST:
Clerk-Magistrate/Asst. Clerk

- Clayter, Ramsey E
- - Defendant

272/28/A-1 - Felony OBSCENE MATTER TO MINOR c272 §28

Counts:

- Original Charge
- 272/28/A-1 OBSCENE MATTER TO MINOR c272 §28 (Felony)
- Amended Charge

- Jurisdiction
- Gardner
- Date of Offense
- 08/01/2019

Charge Disposition

Disposition

Disposition Date

05/05/2020

Guilty - Plea

Events

Date	Session	Location	Type	Event Judge	Result
01/23/2020 11:30 AM	Administrative Session		Arraignment		Held - Bail or Conditions of Release ordered
02/14/2020 09:00 AM	Administrative Session		Pretrial Hearing		Reschedule of Hearing
03/13/2020 09:00 AM	Administrative Session		Probable Cause Hearing		Reschedule of Hearing
04/17/2020 09:00 AM	Administrative Session		Probable Cause Hearing		Not Held
05/01/2020 11:30 AM	Administrative Session		Probable Disposition		Reschedule of Hearing
05/04/2020 11:30 AM	Video Conference Session		Probable Disposition		Rescheduled-Covid-19 emergency
05/05/2020 11:30 AM	Video Conference Session		Probable Disposition		Held - Disposed by Plea
09/01/2020 09:00 AM	Administrative Session		Motion Hearing (CR)		Not Held
10/19/2023 09:00 AM	Administrative Session		Hearing to Review Status		Review Completed
11/19/2024 09:00 AM	Administrative Session		Motion Hearing (CR)		Held - Motion denied
09/29/2025 09:00 AM	Administrative Session		Probation Until		
05/03/2027 09:00 AM	Administrative Session		Probation Until		Reschedule of Hearing

Docket Information

Docket Date	Docket Text
01/22/2020	Complaint issued with arrest warrant.
01/22/2020	Warrant Issued: Straight Warrant issued on 01/22/2020 for Clayter, Ramsey E
01/23/2020	Served: Straight Warrant served on 01/23/2020 for Clayter, Ramsey E
01/23/2020	Defendant notified of right to a bail review before the Superior Court (C276 §58). Judge: Haddad, Hon. James G
01/23/2020	Event Resulted: Arraignment scheduled on: 01/23/2020 11:30 AM Has been: Held - Bail or Conditions of Release ordered Hon. James G Haddad, Presiding
01/23/2020	Defendant arraigned before Court, advised of right to counsel. Judge: Haddad, Hon. James G

A TRUE COPY:

ATTEST:

Clerk-Magistrate/ Assistant Clerk
Owed Avail.

<u>Docket Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
01/23/2020	Defendant before Court on Warrant, Warrant recalled as served. Judge: Haddad, Hon. James G		
01/23/2020	Reasons for ordering bail. Judge: Haddad, Hon. James G		
01/23/2020	Bail ordered: \$ \$500,000.00 surety bond or \$ \$50,000.00 cash.		
01/23/2020	Defendant is ordered committed to Worcester County House of Correction in lieu of having posted bail in the amount ordered: (\$500,000.00 Bond; \$50,000.00 Cash), returnable for 02/14/2020 09:00 AM Pretrial Hearing; mittimus issued. Court location of next event (if not your court): Further Orders: ***BAIL TO BE POSTED AT GARDNER DISTRICT COURT FOR GPS HOOKUP***		
01/23/2020	Appearance filed On this date Max Burwick, Esq. added as Appointed - Indigent Defendant for Defendant Ramsey E Clayter Appearance filed for the purpose of Case in Chief by Judge Hon. Arthur F Haley, III.		
01/23/2020	Legal Counsel Fee Waived. Judge: Haley, III, Hon. Arthur F		
01/23/2020	Order of pretrial conditions of release under G.L. c. 276 § 58 filed. Order of GPS Supervision Conditions filed by probation.		
02/03/2020	Petition for review of bail filed Originating Court: Gardner District Court Receiving Court: Worcester County Case Number: 2085BP00027		
02/05/2020	Finding of the Superior Court on Bail Review Petition under G.L. c.276, §58. Judge: Reardon, Jr., Hon. James G		
02/05/2020	Defendant is ordered committed to Worcester County House of Correction in lieu of having posted bail in the amount ordered: (\$250,000.00 Bond; \$25,000.00 Cash), returnable for 02/14/2020 09:00 AM Pretrial Hearing; mittimus issued. Court location of next event (if not your court): Further Orders: ***BAIL TO BE POSTED AT GARDNER DISTRICT COURT FOR GPS HOOKUP*** Judge: Haley, III, Hon. Arthur F		
02/12/2020	Defendant's Criminal motion to affidavit in support of motion orally presented to the court		
02/12/2020	Motion to EXCUSE DEFT'S PRESENCE ALLOWED.		
02/14/2020	Event Resulted: Pretrial Hearing scheduled on: 02/14/2020 09:00 AM Has been: Reschedule of Hearing For the following reason: On Order of the Court Hon. Arthur F Haley, III, Presiding		
02/14/2020	Defendant is ordered committed to Worcester County House of Correction in lieu of having posted bail in the amount ordered: (\$250,000.00 Bond; \$25,000.00 Cash), returnable for 03/13/2020 09:00 AM. Probable Cause Hearing; mittimus issued. Court location of next event (if not your court): Further Orders: ***BAIL TO BE POSTED @ GARDNER DISTRICT COURT FOR GPS HOOKUP *** Judge: Haley, III, Hon. Arthur F		
03/13/2020	Event Resulted: Probable Cause Hearing scheduled on: 03/13/2020 09:00 AM Has been: Reschedule of Hearing For the following reason: On Order of the Court Hon. Arthur F Haley, III, Presiding		
03/13/2020	Defendant is ordered committed to Worcester County House of Correction in lieu of having posted bail in the amount ordered: (\$250,000.00 Bond; \$25,000.00 Cash), returnable for 04/17/2020 09:00 AM Probable Cause Hearing; mittimus issued. Court location of next event (if not your court): Further Orders: ***BAIL TO BE POSTED @ GARDNER DISTRICT COURT FOR GPS HOOKUP*** Judge: Haley, III, Hon. Arthur F		

ATTEST: *Shirley D. Harrington*
Clerk-Magistrate/Asst. Clerk

<u>Docket Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
04/17/2020	Event Resulted: Probable Cause Hearing scheduled on: 04/17/2020 09:00 AM Has been: Not Held For the following reason: COVID Emergency-Hearing held by video Hon. Mark A Goldstein, Presiding		
04/17/2020	Defendant is ordered committed to Worcester County House of Correction in lieu of having posted bail in the amount ordered: (\$250,000.00 Bond; \$25,000.00 Cash), returnable for 05/01/2020 11:30 AM Probable Disposition; mittimus issued. Court location of next event (if not your court): Further Orders: ***VIA VIDEO CONFERENCE*** BAIL TO BE POSTED AT GARDNER DISTRICT COURT FOR GPS HOOKUP***		
05/01/2020	Event Resulted: Probable Disposition scheduled on: 05/01/2020 11:30 AM Has been: Reschedule of Hearing For the following reason: On Order of the Court Comments: Court Closed Due to Covid Emergency Whitney J Brown, Presiding		
05/01/2020	Defendant is ordered committed to Worcester County House of Correction in lieu of having posted bail in the amount ordered: (\$250,000.00 Bond; \$25,000.00 Cash), returnable for 05/04/2020 09:00 AM Probable Disposition; mittimus issued. Court location of next event (if not your court): Further Orders: ***VIA VIDEO CONFERENCE *** DEFENDANT TO BE BAILED AT GARNDER COURT ONLY FOR GPS HOOKUP		
05/04/2020	Event Resulted: Probable Disposition scheduled on: 05/04/2020 09:00 AM Has been: Reschedule of Hearing For the following reason: On Order of the Court Hon. Mark E Noonan, Presiding		
05/04/2020	Defendant is ordered committed to Worcester County House of Correction in lieu of having posted bail in the amount ordered: (\$250,000.00 Bond; \$25,000.00 Cash), returnable for 05/04/2020 11:30 AM Probable Disposition; mittimus issued. Court location of next event (if not your court): Gardner District Court Further Orders: Attorney: Burwick, Esq., Max		
05/04/2020	Defendant is ordered committed to Worcester County House of Correction in lieu of having posted bail in the amount ordered: (\$250,000.00 Bond; \$25,000.00 Cash), returnable for 05/05/2020 11:30 AM Probable Disposition; mittimus issued. Court location of next event (if not your court): Further Orders: ***Video Conference***BAIL TO BE POSTED AT GARDNER DISTRICT COURT FOR GPS HOOKUP***		
05/05/2020	Event Resulted: Probable Disposition scheduled on: 05/05/2020 11:30 AM Has been: Held - Disposed by Plea Hon. Arthur F Haley, III, Presiding		
05/05/2020	Charges Disposed:: Charge # 1 INDECENT A&B ON PERSON 14 OR OVER c265 §13H On: 05/05/2020 Judge: Hon. Arthur F Haley, III Guilty - Plea Charge # 2 INDECENT A&B ON PERSON 14 OR OVER c265 §13H On: 05/05/2020 Judge: Hon. Arthur F Haley, III Guilty - Plea Charge # 3 INDECENT A&B ON PERSON 14 OR OVER c265 §13H On: 05/05/2020 Judge: Hon. Arthur F Haley, III Guilty - Plea Charge # 4 OBSCENE MATTER TO MINOR c272 §28 On: 05/05/2020 Judge: Hon. Arthur F Haley, III Guilty - Plea		
05/05/2020	One or more charges disposed by tender of plea. Judge: Haley, III, Hon. Arthur F		
05/05/2020	Tender of plea filed and accepted by the Court. Judge: Haley, III, Hon. Arthur F		

A TRUE COPY

ATTEST:

Clerk-Magistrate/Asst. Clerk

<u>Docket Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
05/05/2020	Correction Date: 05/05/2020 Judge: Hon. Arthur F Haley, III Charge #: 1 INDECENT A&B ON PERSON 14 OR OVER c265 §13H Committed to HOC Term: 2 Years, 5 Months, 0 Days To Serve: 2 Years, 5 Months, 0 Days Charge #: 2 INDECENT A&B ON PERSON 14 OR OVER c265 §13H Committed to HOC Term: 2 Years, 5 Months, 0 Days To Serve: 2 Years, 5 Months, 0 Days Served Concurrent Charge # 1 Case 2063CR0084 Committed to Worcester County House of Correction Credits 104 Days		
05/05/2020	Correction Date: 05/05/2020 Judge: Hon. Arthur F Haley, III Charge #: 3 INDECENT A&B ON PERSON 14 OR OVER c265 §13H Committed to HOC Term: 2 Years, 5 Months, 0 Days To Serve: 2 Years, 5 Months, 0 Days Served Consecutive Charge # 1 Case Consecutive with count 1&2 on 2063CR0084 Committed to Worcester County House of Correction		
05/05/2020	Sentence Imposed:: Sentence Date: 05/05/2020 Judge: Hon. Arthur F Haley, III Charge #: 4 OBSCENE MATTER TO MINOR c272 §28 Probation: Risk/Need Probation Duration: 7 Years, 0 Months, 0 Days Start Date: 05/05/2020 End Date: 05/03/2027		
05/05/2020	Commonwealth's motion to Amend counts One, Two and Three filed and ALLOWED.		
08/26/2020	Defendant's motion to Modify/Clarify Terms of Probation filed with the following, if any, supporting documents:		
09/01/2020	Event Resulted: Motion Hearing (CR) scheduled on: 09/01/2020 09:00 AM Has been: Not Held Hon. Arthur F Haley, III, Presiding		
10/19/2023	Probation Officer's motion to modify conditions to 2 years probation from release date 9/29/2023 filed with the following, if any, supporting documents:		
10/19/2023	Event Resulted: Hearing to Review Status scheduled on: 10/19/2023 09:00 AM Has been: Review Completed Comments: probation extended for two years Hon. Mark A Goldstein, Presiding		
10/19/2023	Event Resulted: Probation Until scheduled on: 05/03/2027 09:00 AM Has been: Reschedule of Hearing For the following reason: Brought forward Hon. Mark A Goldstein, Presiding		
10/19/2023	Sentence Imposed:: Revision Date: 10/19/2023 Judge: Hon. Mark A Goldstein Charge #: 4 OBSCENE MATTER TO MINOR c272 §28 Probation: Risk/Need Probation Duration: 2 Years, 0 Months, 0 Days Start Date: 10/19/2023 End Date: 09/29/2025		
10/19/2023	Probation Officer's motion to revise probation end date filed and ALLOWED.		
10/19/2023	Probation order of conditions imposed or revised modified 10/19/23 Judge: Goldstein, Hon. Mark A		
10/19/2023	Appearance filed On this date Max Burwick, Esq. dismissed/withdrawn as Appointed - Indigent Defendant for Defendant Ramsey E Clayter		
06/07/2024	Defendant's motion to Vacate Convictions and Motion to Vacate Convictions Due to Ineffective Assistance of Counsel filed with the following, if any, supporting documents: memorandum of law, affidavit in support of motion		
06/11/2024	Defendant's motion to Vacate convictions and Discharge Defendant *Emergency* filed with the following, if any, supporting documents: memorandum of law, affidavit in support of motion		
10/15/2024	Defendant's motion to withdraw and to vacate conviction filed and ALLOWED.		

ATTEST: *Shirley C. Harrington*
Clerk-Magistrate/Asst. Clerk

<u>Docket Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
10/15/2024	Defendant's motion to return property filed with the following, if any, supporting documents: affidavit in support of motion		
10/15/2024	Defendant's motion to vacate conditions and discharge defendant filed with the following, if any, supporting documents: affidavit in support of motion		
10/30/2024	Form generated: A Notice to the Parties was generated and sent to: Defendant: Ramsey E Clayter 8 Nichols St, #2F, Gardner, MA 01440		
11/07/2024	Defendant's motion to Dismiss complaint with prejudice filed with the following, if any, supporting documents: affidavit in support of motion		
11/12/2024	Defendant's motion to Withdraw Motion to Vacate Conviction filed with the following, if any, supporting documents:		
11/12/2024	Defendant's motion to Vacate Convictions and Discharge Defendant due to ineffective Assistance of Counsel filed with the following, if any, supporting documents: affidavit in support of motion		
11/19/2024	Document and/or notice received and filed on criminal case to wit Comm. Miscellaneous correspondence Commonwealth's Response to Defendant's "Motion to Vacate Convictions and Discharge Defendant due to Ineffective Assistance of Counsel" filed in Open Court		
11/19/2024	Event Resulted: Motion Hearing (CR) scheduled on: 11/19/2024 09:00 AM Has been: Held - Motion denied Hon. Andrew Abdella, Presiding		
11/19/2024	Motion to Vacate Convictions and Discharge Defendant Due to Ineffective Assistance of Counsel DENIED.		
11/21/2024	Defendant's motion to To Vacate Convictions and Discharge Defendant Due Brady Rule Violation filed with the following, if any, supporting documents: affidavit in support of motion *EMERGENCY*		
11/25/2024	Notice of appeal to the Appeals Court filed by the Defendant		
11/26/2024	FTR MA30369 produced		
12/10/2024	Transcript received for November 19, 2024 Motion Hearing		
12/11/2024	Notice of entry of Appeal received from Appeals Court		

Case Disposition

<u>Disposition</u>	<u>Date</u>
Disposed by Plea	05/05/2020

ATTEST: *Shirley C. Harrington*
Clerk-Magistrate/Asst. Clerk

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY
No. SJ-2025-0335

Gardner District Court
No. 2063CR000084

COMMONWEALTH

v.

RAMSEY E. CLAYTER

JUDGMENT

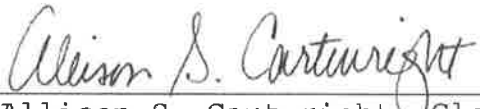
This matter came before the court, Kafker, J., on the defendant's petition, filed pursuant to G. L. c. 211, § 3, seeking relief from an order of the Gardner District Court denying the defendant's motion to vacate conviction, dated August 12, 2025.

Having reviewed the defendant's petition and appended materials and the Commonwealth's opposition, the court concludes that the petitioner has not demonstrated "the type of exceptional matter that requires the court's extraordinary intervention." Commonwealth v. Fontanez, 482 Mass. 22, 25 (2019). It is well established that relief pursuant to G. L. c. 211, § 3, is extraordinary and exercised only in "the most exceptional circumstances" and when "there is no other adequate,

alternative remedy." McMenimen v. Passatempo, 452 Mass. 178, 184-85 (2008). Here, the court finds adequate alternative remedies exist. See id.

It is **ORDERED** that the petition for extraordinary relief under G. L. c. 211, § 3, shall be, and hereby is, **DENIED** without hearing.

By the Court, (Kafker, J.)


Allison S. Cartwright, Clerk

Dated: September 9, 2025