

File No. _____

Supreme Court of the United States

Henry Clifford Byrd, Sr.
Petitioner,

v.

Appendix

Edward Basden, Warden of
Pender Correctional Inst.,
And State of North Carolina
Respondents,

RECEIVED

JUN 10 2026

OFFICE OF THE CLERK
SUPREME COURT, U.S.

[Appendix-A] Is the May 29th, 2025, Habeas Corpus Denial Order of the Supreme Court of North Carolina.

[Appendix-B] Is the December 10th, 2025, Rehearing En Banc Summary Dismissal Order of North Carolina Supreme Court.

[Appendix-C] Is the April 7th, 2026, Extension Order Time to File Petition of certiorari.

[Appendix-D] May 1st, 2014, Waiver of Counsel Proceedings Hearing Transcript, Referred to in the certiorari Petition as [Exhibit No. #1], And in the Petition Filed in the Supreme Court of North Carolina as [App.-L]

~~In~~ This Court.

[Appendix-E] Is the May 1st, 2014, Written Waiver of Counsel Form, Referred to ~~In~~ This Certiorari Petition as [Exhibit No. #2], As the Submitted Petition for the Writ of Habeas corpus Ad Subjiciendum That was Filed ~~In~~ the Supreme Court of North Carolina, And Submitted As [Appendix-L] to This Petition.

[Appendix-F] Is the March 19th, 2015, Reverse Waiver of Counsel Transcript, As much of IT They Provided me with, And Is Referred to ~~In~~ This Certiorari Petition As [Exhibit No. #3], As In the Submitted Habeas Corpus Petition Filed ~~In~~ the Supreme Court of North Carolina; And As [Appendix-L] to This Petition.

[Appendix-G] Is the Proposed Anders Brief That was Filed By Appellate Defender [Green] to the N.C. Court of Appeals, who Refused to File a Merit Brief, And to Challenge the May 1st, 2014, Incomplete Waiver of Counsel Proceeding, And the Imposing of the Three Active Prison Sentences, And the Hybrid Representation, And Reverse Waiver,

[Appendix-H] Is As much of the Direct Appeal Opinion That was Provided to me That I could Find, Since the Prison Officials made me send A Lot of my legal Papers Home, Before my wife Died, And I Am working with the best I Have,

[Appendix-I] Is A copy of The North Carolina Supreme Court Denial of The Petition For A Petition of Discretionary Review of N.C. Court of Appeals Direct, Special Decision No TO Scrutinize The Validity of The May 1st, 2014, Waiver of Counsel Proceedings Perils, Since The Court of Appeal Adopted The March 19th, 2015, Reversed Waiver, As Having completed The May 1st, 2014, Incomplete Waiver of Counsel Proceedings None At One.

[Appendix-J] Is A letter Send TO me By [Attorney Anthony] Asking me TO Represent myself, And TO Allow Him TO Serve A my Stand By counsel who Did Even Know That The May 1st, 2014, Waiver of Counsel was Hybrid And conceal IT From This Petitioner, Even Though He Did Tell The May 1st, 2014, Trial Court That This Petitioner Did NOT Want TO Represent Himself As Setout In The May 1st, 2014, In The Hearing Transcript [Appendix-D].

[Appendix-K] Is A Hearing Being Held Before Superior Judge Cromer Where I Informed Him As TO [Atty Anthony's] Recommending me TO Represent myself, Hoping That He Could Help me, I was 67-years old Then, Now I Am Now 78 or 79,

[Appendix-L] Is A copy of The Petition For leave TO Be Allowed TO Prosecute A Writ of Habeas Ad Subjiciendum Filed In The Supreme Court of North Carolina

Setting Forth most of my Questions, Set out as
Being Presented to This Supreme Court

[Appendix - M] Is A copy of the Prosecuting Attorney Filing
of A Section 15A-100(a) of N.C. General Statutes
mental Health Objection As The Petitioner Being
Incapacitated, And to the May 1st, 2014, Trial Court
making This Petitioner His own Lawyer, Incapaci-
tated,

[Appendix - N] Is A copy of 7-Pro se Critical Pretrial Hearing
that This Petitioner Had conducted Pro se Even
though the May 1st, 2014, Waiver Proceeding was
Hybrid, From May 1st, 2014, Throughout March 19th,
2015.

[Appendix - O] Is The Proposed Prosecuting Attorneys Intro-
ducing DNA Evidence Results to A Superior
Court Judge And Announcing This Petitioner's
DNA Evidence Results, Exoneration on January
31st, of 2014, [4 months] Before the May 1st
2014 Incomplete Waiver of Counsel Proceeding,

[Appendix - P] Is Record No. #132 On Direct Appeal, via
Anders Brief Asking The Court of Appeals
By [Proposed Issue on Appeal No. #2] of
The Record, to Determine, Did The Trial Court
on May 1st, 2014, Err In Accepting Defendant's
Waiver of Counsel And Allowing Him to
Represent Himself At Trial. The Court of

Appeals Refused To Address The Proposed Issue on Appeal No. #2, In Reviewing The Record on Appeal, It Excluded Record on Appeal No. #132, And Proposed Issue on Appeal No. #2, Contain on The Face of That Record on Appeal.

[Appendix-Q] Is Record No. #132 on Direct Appeal, Via Anding Appeal Brief, Asking The Court of Appeals By [Proposed Is on Appeal No. #14] of The Record on Appeal To Determine, Did The Trial Court Err In Sentencing The Defendant, With This Supreme Court's Controlling Precedent of Argersinger v. Hamlin, 407 U.S. 25, At 37-40, In mind, The Court of Appeal Applied Section 15A-1340.16A, And Did Not Address matter under Argersinger.

Since The Court of Appeals Did Not Address neither of Those Two Proposed Issues on Appeal Petitioner Raised Both Questions In A Petition For A Writ of Habeas To North Carolina Supreme Court, In [Appendix-L],

Appendix A



North Carolina Court of Appeals

Phone: (919) 831-3600
Web: <https://www.nccourts.gov>

EUGENE H. SOAR, Clerk
Court of Appeals Building
One West Morgan Street
Raleigh, NC 27601

Mailing Address:
P. O. Box 2779
Raleigh, NC 27602

No. COA17-288-1

STATE OF NORTH CAROLINA

v.

HENRY CLIFFORD BYRD, SR.

From Forsyth
13CRS53133 13CRS61214

ORDER

PETITION FOR WRIT OF HABEAS CORPUS filed on the 28th day of April 2025 was Denied by order of the North Carolina Supreme Court on the 29th day of May 2025, and same has been certified to the North Carolina Court of Appeals.

IT IS THEREFORE CERTIFIED to the Clerk of Superior Court, Forsyth County, North Carolina that the North Carolina Supreme Court has Denied the PETITION FOR WRIT OF HABEAS CORPUS filed by the Petitioner in this cause.

WITNESS my hand and official seal this the 19th day of June 2025.

Eugene H. Soar
Clerk, North Carolina Court of Appeals

Copy to:

Mr. Paul M. Green, Attorney at Law, For Byrd, Henry Clifford (Sr.)
Ms. Sherri Horner Lawrence, Special Deputy Attorney General, For State of North Carolina
Mr. Henry Clifford Byrd, Pro Se, For Byrd, Henry Clifford (Sr.)

Appendix B



Supreme Court of North Carolina

GRANT E. BUCKNER, Clerk
Justice Building, 2 E. Morgan Street
Raleigh, NC 27601

Mailing Address:
PO Box 2170
Raleigh, NC 27602

From Forsyth
(13CRS51214)
From N.C. Court of Appeals
(17-288,P13-424)
From Forsyth
(13CR053133)

15 December 2025

Mr. Henry Clifford Byrd, Sr.
Pro Se
Pender Correctional Institution
P.O. Box 1058
Burgaw, NC 28425

RE: Byrd v State of NC, et al. - 412P13-11

Dear Mr. Byrd:

The following order has been entered on the motion filed on the 13th day of June 2025 by Petitioner for Petition for Rehearing:

Motion dismissed.

By order of the Court this the 10th day of December 2025.

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 15th day of December 2025.

Grant E. Buckner
Clerk, Supreme Court of North Carolina


M. C. Hackney
Assistant Clerk, Supreme Court Of North Carolina

Copy to:
North Carolina Court of Appeals
Ms. Sherri Horner Lawrence, Special Deputy Attorney General, For State of N.C., et al. - (By Email)
Mr. Henry Clifford Byrd, Sr., For Byrd, Henry Clifford (Sr.)
The Honorable Clerk of Superior Court, Forsyth County
West Publishing - (By Email)
Lexis-Nexis - (By Email)

**Additional material
from this filing is
available in the
Clerk's Office.**