

SUPREME COURT OF THE UNITED STATES

Felder v. Texas

Felder · No. WR-35,031-04 · Decided January 20, 2015

SUMMARY

The document is a pro se correspondence from Nathan Felder concerning Texas habeas corpus proceeding WR-35,031-04. Felder requests copies of the lower-court and Texas Court of Criminal Appeals opinions to correct and resubmit a petition for writ of certiorari in Felder v. Texas, following a deficiency notice from the Clerk of the United States Supreme Court. The document also includes certificates of service and declarations under penalty of perjury.

CASE DETAILS

COURT	Supreme Court of the United States
JURISDICTION	Texas
DECIDED	January 20, 2015
DOCKET	WR-35,031-04
DISPOSITION	other
PROCEDURAL POSTURE	The source is a pro se request concerning a petition for writ of certiorari that had been returned by the Clerk of the Supreme Court of the United States because required lower-court opinions were missing from the appendix.
PRECEDENTIAL VALUE	none
PARTIES	Nathan Felder v. Texas

TOPICS

- appellate procedure
- state post-conviction relief
- post-conviction relief
- criminal procedure

PRACTICE AREAS

- appellate procedure
- state post-conviction relief
- criminal procedure

KEY QUOTATIONS

“The lower court opinion(s) must be appended from the Texas Court of Criminal Appeals and the Texas Court of Appeals”

“Unless the petition is submitted to this Office in corrected form within 60 days of the date of this letter, the petition will not be filed.”

FACTUAL BACKGROUND

The source contains no merits-level factual findings concerning the underlying criminal case. It shows that Nathan Felder, who identified himself as incarcerated, submitted or attempted to submit a petition for certiorari and later requested copies of lower-court opinions. The Supreme Court Clerk returned the petition because the required opinions were not included in the appendix.

PROCEDURAL HISTORY

Nathan Felder sought review of a Texas post-conviction proceeding identified as WR-35,031-04. The Supreme Court Clerk's December 2, 2014 letter stated that the petition had been returned and would not be filed unless corrected within sixty days to include the opinions of the Texas Court of Criminal Appeals and the Texas Court of Appeals, as required by Supreme Court Rule 14.1(i). The document contains no judicial merits decision.

DISPOSITION

other

OPINION

PER CURIAM.

8S'03l-oH Terri Banks Dallam County & District Clerk, ©©UFO" OF CRIMINAL APPEALS Clerk Abel Acosta Court' of Criminal Appeals, The Honorable Judge Ronald E. (Ron) P.- Enns, 20 2?r The Honorable Judge Sharon Keller. Re: Writ #WR-35,031-04 Felder Nathan Abel Acosta, Cterk Clerk of records, Find for filing one original and one copy of my letter with the following request:.

The United States Supreme Court clerk has requested for the lower court's opinion from the denial of the above cause number writ that was denied under article 11.07 section 4,a,c. See Appendix 7. This is applicant's second request.

To; The Honorable Judges: I am in hopes that I will receive a response, before the deadline mention in the notice appendix. Respectfully Submitted, CC: /a/j\^j^_iLiiAtL. Nathan Felder #1163298 Ellis Unit 1697 FM 980 Huntsville, Texas 77343 Certificate Of Service I, Nathan Felder certify that I placed one copy of my letter for the lower court opinion and the court of criminal appeals opinion with attached Appendix 7, was placed in the prison mail box located on the Ellis Unit postage pre-paid and addressed to: The Honorable Judge Ronald E. (Ron) R. Enns, 715 Dumas Ave. #302, Dumas, Texas 79029; Court of Criminal Appeals,.Sharon Keller Judge, 201 W. 14th Street, Austin, Texas 78711-2308.

I Nathan Felder further certify that I requested each clerk to file one original and one copy of my letter for the lower court opinion and the court of criminal appeals opinion with attached Appendix 7, was placed in the prison mail box located on the Ellis Unit postage pre-paid and addressed to: Terri Banks, Dallam County & District Clerk, P.O. Box 1352, Dalhart, Texas 79022; Clerk Abel Acosta, of The Court of Criminal Appeals of Texas, P.O.

Box 12308 Capitol Station, Austin, Texas 78711. ' Executed on the 11th day of January 2015. /s/ Nathan I, Nathan Felder being presently incarcerated, declare under penalty of perjury that I have read this letter and the foregoing motion for the lower court opinion and the court of criminal appeals opinion with attached Appendix 7 are true and correct. Executed on the 11th day of January, 2015. /s/ Terri Banks Dallam County & District Clerk, Clerk Abel Acosta Court of Criminal Appeals, The Honorable Judge Ronald E. (Ron) R. Enns, The Honorable Judge Sharon Keller.

Res Writ #WR-35,031-04 Felder Nathan Clerk of records, Find for filing one original and one copy of my letter with the following request: The United States Supreme Court clerk has requested for the lower court's opinion from the denial of the above cause number writ that was denied under article 11.07 section 4(a,c). See Appendix 7. This is applicant's second request: To; The Honorable Judges?

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UNITED STATES OFFICE OF THE CLERK WASHINGTON, DC 20543-0001 December 2, 2014: Nathan Felder •••! (tTvH'i'ii/i! i' #1163298 1697 FM980 Huntsville, TX 77343 lU:l!';?'

PJikliii'ii- hi |-.!ii!!U'. 'iHwi';Vlt 1' •N; i Ij '•V#. iH "hi. •W.UU-I; i, ',.... If' ,... RE: Felder v. Texas I' -i? i! -li 1!- • ft'.M •;t t I'U) *>• li * ii I l H if' • ' I'l'V'Jl". ill' l.:!';!^.- O^i Dear Mr. Felder: llllll!!(':- 'The above-entitled petition for writ of certiorari was originally post-marked 'Aufesti il H! '. • • '. • T;•, • 2014 and received again on October 23, 2014.

The papers are returned for the following reasons: '?,i 'U-f reason(s);,, ') r^tf•;i;...;H'!V! I •*' The appendix to the petition does not contain the following documents, required by: • ' •; ' Rule 14.1(i): ' *i;};" ' /;•;:-'^.!!|./"/';. ' The lower court opinion(s) must be appended from the Texas Court of Criminal Appeals and the Texas Court of Appeals. \ ' [" •'? " •.,|I T ••,""•' Please correct and resubmit as soon as possible.

Unless the petition is submitted to this Office in corrected form within 60 days of the date of this letter, the petition will not be filed. Rule 14.5. i-h I •,: A copy of the corrected petition must be served on opposing counsel!';, ' • ". r\i.!! -.;•.' \j!,. When making the required corrections to a petition, no change to the substance of the petition may be made..r Sincerely, Scott S. Harris, Clerk By: A jkH^li Clayton R. Higgins, JrX (202)479-3019 \ Enclosures