PD-1268-13

RAMON RAMOS
Appellant

vs.

THE STATE OF TEXAS
Appellee

§ COURT OF CRIMINAL APPEALS
§ OF TEXAS
§ P.O. BOX 12308, CAPITOL
§ STATION
§ AUSTIN, TEXAS 78711

FILED IN
COURT OF CRIMINAL APPEALS
FEB 27 2015
Abel Acosta, Clerk

COA CASE No. 12-13-00226-CR; Tr. Ct. No. 114-1467-06(-A)
"MOTION TO SHOW CAUSE"

On or about the 20th of August of 2013, Appellant filed a Motion for Leave to File a Petition for Writ of Mandamus, pursuant to Alvarez v. Eighth Court of Appeals of Texas (Cr App. 1998) 977 S.W.2d 590; Haines v. Kerner [92 S.Ct. 594, 595; In Re: Me Tee 213 S.W.3d 405 Tex.App.-Houston (1st Dist.) 2006, requesting review on denial to Statement of Facts not completed regarding to notice of appeal by certain court officials; Trial Court Reporter, Clerk of Court, and Mr. Austin R. Jackson Court Appointed Attorney defense Attorney for Appellant all for the 114th District Court of Smith County, Texas. Furthermore, whether the 12th Court of Appeals, refused, and why? to handdown a "written opinion" to which is mandatory in addressing every issue being raised necessary for final disposition to appeal, according to T.R.A.P. Rule 47.1 Light v. State (Cr. App 2000) 15 S.W.3d 104 on remand and is mandatory.

In Appellants Writ of Mandamus he quotes from his attorneys written correspondense saying "included in the letter he enclosed a copy of the notice of appeal he filed" and "I am very interested in hearing your side of the case and your version of what happened at trial", and "I want to explain I will do everything possible to help overturn your conviction." Upon correspondence from the 12th court of appeals revolving a docket statement to be filed, appellant notified his attorney of the requirement, and motions appellant had already filed with the district court prior to his attorneys appointing and reason for raising his notice of appeal. Appellant complied with the court of appeals in regards to designating the Clerks and Reporters records, with motion to bench warrant and all motions filed for the record. Upon appellants request for attorney to supply copies of all records in his company, attorney refuses request and later sides with the 12th court of appeals to dismiss appellants appeal for no jurisdiction. August 5th of 2013 appellant receives letter from attorney, a copy of "opinion" and informs appellant he can file a P.D.R. if he wishes to pursue his appeal pro-se.

RECEIVED IN
COURT OF CRIMINAL APPEALS
FEB 25 2015
Abel Acosta, Clerk

As stated above this Motion for Leave to File a Petition for Writ of Mandamus was filed on the 20th of August of 2013 by the appellant to the 12th Court of Appeals, and finally filed with the Texas Court of Criminal Appeals of Texas, on January 05th of 2015, according to notice by card received by Ramon Ramos, Tr. Ct. No. 114-1467-06(-A), WR-70,723-15 on the card stating received and presented to the COurt, by Abel Acosta, Clerk. This is Writ of Mandamus # 11.07 is still Missing Appellant followed instruction given by the Rep. Attorney, but first filed a Writ of Mandamus, requesting the higher Court order trial Court to have a final disposition on all Post-Conviction Motions submitted to their Court, and any available disclosure of discovery required under Brady law, to be given to Applicant to be used in the P.D.R. as a Supplemental Record, to his original Record in which his current claim is Actual innocence under Newly Discovered Available Information. This Mandamus went unresponsed to by the 12th Court of Appeals for some 17 months, and just recently has been submitted to the Court of Criminal Appeals by the Court of Appeals, whom fully was aware of Applicants request for disclosure, what it was needed for, and what stage Applicant was in with this Appeal process to the above number. They (Trial Court) Appointed Counsel, was aware of his advising Applicant to resume P.D.R., and was aware of Applicants AEDPA statue of limitation concerning his habeas application and they intentionally held the Mandamus for a significant amount of time, and disregarded information needed to do the P.D.R. affective, as well as, his Pending 11.07 Application sitting in the Court of Criminal Appeals [redacted]70,723 -15. ← Mandamus #, to 11.07 Application

RELIEF

Applicant Ramon Ramos, request this Court to re-evaluate his P.D.R. decision, filed to the Court of Criminal Appeals, and order Court of Appeals to Show Cause why the delay for the submitting of the Writ of Mandamus lapsed an extensive amount of time, well after the P.D.R. was filed, and 11.07. Knowing the disclosure request by Applicant from the trial Court was needed. Applicant is requesting from this Court to order a re-drawing of a P.D.R., and, a hearing be done as to these matters, and appoint counsel to Applicant to assist him.

Respectfully Submitted,

Ramon Ramos

Ramon Ramos #1384334
Beto Unit / 1391 FM 3328
Tennessee Colony, TX 75880

CERTIFICATE OF SERVICE

This is a true and correct copy from Member of "Texas Courts/Conspiracy Against The People" RAMON RAMOS, as to this Document being mailed to the COURT OF CRIMINAL APPEALS OF TEXAS, P.O. BOX 12308, CAPITOL STATION - AUSTIN, TEXAS 78711, Abel Acosta, Clerk, and is to be shared a copy with all Parties of involvement to this Civil Rights Violation, dated February 19, 2015.

District Attorney office
Smith County:

Matt Bingham
April Sikes
4th Fl. Courthouse
100 North Broadway
Tyler, Texas 75702

Kenneth McGidson & Ruben Perez
U.S. Department of Justice
United States Attorney's Office
Southern District of Texas
1000 Louisiana, Ste. 2300
Houston, Texas 77002

Thomas W. Bailey, Unit Chief
Federal Bureau Investigation
Investigative Services Section
1000 Custer Hollow Rd.
Clarksburg, WV 26306

Received Certified Complaint
March 17, 2014

Melissa Mattingly
U.S. Court of Appeals
5TH Circuit Clerk
600 S. Maestri Place
New Orleans, LA 70130

Civil Rights Department of Investgation
U.S. Dept. of Justice
900 Pennsylvania Ave.
Washington, DC 20530-0001

Received Certified Complaint
March 21, 2013
Tracking Number:
70123460000211903889

Edward R. Quinta
Michael McCrum
United States Attorney
Western District of Texas
United States Courthouse
501 W. 5th St. Ste. 1100
Austin, Texas 78711

Certified Documents
Tracking Number:
70100290000092096933

Respectfully Submitted,

Ramon Ramos

Ramon Ramos #1384334
Beto Unit / 1391 FM 3328
Tennessee Colony, TX 75880

Shawn L. Dunn

Shawn L. Dunn #1686724
Class Rep.
Case No. 14-50387

SUBJECT: *State briefly the problem on which you desire assistance.*

Please I could use your help on this it's important.

Shawn Dunn

Ma'am I was referred to you by my Class Rep. of a Civil Rights Violation Case (Shawn Dunn) whom said you've been very helpful in the past. Mrs. Powell I just received a letter from my trial Court claiming they didn't receive my most recent 11.07, Application I mailed out Sept. 8, 2014. I know I put it in the mail box. I'm hoping you can give me a update of all legal letters to the 114th Judicial District Clerk Lois Rogers, 100 Broadway - Tyler, Texas in the month of September & October to confirm your office followed Policy. I know sometimes things take time to confirm, but your time is greatly appreciated.

Name: Ramon Ramos No: 1384334 Unit: Beto

Living Quarters: N-118 Work Assignment: O/S Med Sq 06:06:00 - 14:00 hrs

DISPOSITION: (Inmate will not write in this space)

Went Out: 9/8/14 - 114th
10/14/14 - Lois Rogers
10/2[illegible]14 - Dist. Clerk Smith Co.
10/29/14 - L. Rogers

COPY OF I-60 SENT TO MAILROOM

REPLY FROM MRS. POWELL FROM THE GEORGE BETO MAILROOM ON OR ABOUT THE 10/28/14.

☆I-60 (Rev. 11-90)