

STATE OF TEXAS
COUNTY OF DALLAS
JULY 28th, 2021

10 the Supreme Court of the United States
1 First Street, N. E. Washington, DC 20543
and
Department of Justice
950 Pennsylvania Avenue, N. W.
Washington, DC 20543

PETITIONERS
EXHIBIT

CASE NO. 2010025 / 10/30/20 si!

Petitioner: Billy John Roberson
2405 Elmhurst Street, Texas 75088

VS.

CASE NO. 3-20CV3578-C
Northern District of Dallas, Texas

The State of Texas Government:
Rowlett Police Department

Petitioner's Petition for COA Application with brief, Seeks Relief From A Felony Judgement Imposing A Texas Penal Code Section 22.01, Section 22.02, and Section 2.01 An Offense Charged with Aggravated Assault with a firearm(s) or deadly weapon. Petitioner Authorize Provision of Law: Title 5 United States Code Section 701-708, and request evidential hearing in 30 days.

PETITIONER'S REQUEST OF FACT AND CONCLUSION OF LAW

1. Petitioner Billy John Roberson hereby requests that the U.S.A. Court of Appeals For The Fifth Circuit's Judge to prepare and file Findings of Fact and Conclusion of Law as provided in Title 5 United States Code Section 701-708, 28 U.S.C. Section 2253 (A) (B) (C) (1) (A) (B) (2) (3) and Cited in McQuiginas V. Perkins 133 S.Ct. 1924 (2013), the U.S. Supreme Court held that "Actual innocence" and the Federal Rules: 52(A)(1); 58(2)(3)(4)(5)(6)(C) of Civil Procedure with Fifth Circuit Court of Appeals to overturn Texas' Judgement of conviction for Mr. Billy John Roberson, Case No. F0345525 in the 292nd Judicial District Court, Dallas, Texas.

2. Petitioner's Actual Innocence Beyond Reasonable Doubt based on, that the trial Judge Henry Wade , Dallas Assistant Criminal District Attorney: Mr. Keith Roberson has presented no physical evidence of a firearm(s) or deadly weapon against petitioner Billy John Roberson in the criminal prosecutions on April 28, 2005. To the AntiTerrorism Bill and Effective Death Penalty Act of AEDPA in the U.S. Court of Appeals Fifth Circuit. Combined with Section 1, Section 2, and Section 3 (A) (B) (C) (D) of Code of Criminal Procedure. Immediate Action Requested by this presiding court which has jurisdiction.

AFFIDAVIT

X. Billy John Roberson
Petitioner Billy John Roberson
2405 Elmhurst Street, Texas 75088

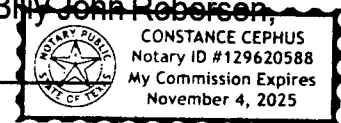
State of Texas
County of Dallas

Subscribed and Sworn To before me, the undersigned Notary, by Billy John Roberson,

this 8 day of November, 2021

Expiration Date: 11/04/2025

X. [Signature]



Signature of Notary Public

#1) Wherefore: Mr. Billy John Roberson, Plaintiff's request for finding of facts and conclusion of law under Title 5 United States Code Section 701-708, and the Federal Rules:

52(A)(1); 58(2)(3)(4)(5)(6)(C) of Civil Procedure with Fifth Circuit Court of Appeals to overturn Texas' Judgement of conviction for Mr. Billy John Roberson, Case No. F03455201 in the 292nd Judicial District Court, Dallas, Texas.

#2) Wherefore: Question(s) and Fact(s) presented to the Fifth Circuit Court.

1. Petitioner He is innocence beyond reasonable doubt in the criminal prosecutions. (April, 28, 2005)
2. Petitioner He is innocent beyond reasonable doubt in the criminal prosecutions. (April 28, 2005)
3. Petitioner He is actual innocence beyond reasonable doubt in the criminal prosecutions. (April 28, 2005)
4. Petitioner He Legal Innocence Beyond reasonable doubt in the criminal prosecutions. (April 28, 2005)

Question(s)

1. How could I receive a Guilty Verdict of aggravated assault with a deadly weapon at the time of this supposed incident without the prosecution presenting no physical evidence of a firearm(s) or deadly weapon against Mr. Billy John Roberson.
2. How could the Presiding Judge over the original trial did not step aside when there was a previous conflict.
3. I am questioning the procedures of the Code of Criminal Procedure, Title 1, Chapter 21 was not followed by the guidelines.
4. How could I be charged with a crime when I was not present in the area or around the victim when this supposedly transpired.
5. How could the Lower Courts not render an decision based upon using the Texas Penal Code 22.01 (assault) that key elements was not present during the investigation.
6. How could the Lower Courts not see the under the same code 22.01 of the Texas Penal code 22.02 (aggravated assault) was also not present in any element.

7. How could they render Punishment, under Title 3 Chapter 12 Linder the Penal Code when certain Elements was not Present during the Trial.

8. Linder the Punishment Phase what gives the rights to Strip my 2nd amendment Rights to bear arms, In the State of Texas, after I was wrongfully convicted and seeking a remedy and have not gotten into any legal trouble since.

CLOSING STATEMENT:

That the State Prosecution has presented no physical evidence of a firearm(s) or deadly weapon against Petitioner Billy John Roberson. April 28th, 2005.

Requesting the court to overturn judgement of conviction for Petitioner Billy John Roberson of CASE NO. F0345525.

X. 

Signature of Billy John Roberson

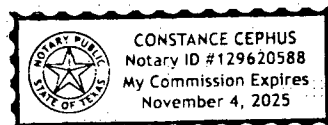
2405 Elmhurst Street

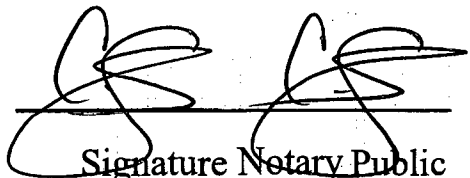
Rowlett, Texas 75088

THE STATE OF TEXAS

COUNTY OF DALLAS

SUBSCRIBED AND SWORN to before me, the undersigned notary,
Billy John Roberson, this 8 of November 2021.




Signature Notary Public

State of Texas