

**FILED**

**AUG 09 2018**

Clerk, U.S. District Court  
Texas Eastern

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

Cause No.: 4:16-cv-567

RUSTIN P. WRIGHT,	)	In a removal from the Sixth Judicial
Petitioner,	)	District Court of Lamar County, Texas
	)	TX state case number: 73540 (“ <i>In the</i>
v.	)	<i>Interest of A.G.F.W., a Minor Child</i> ”)
	)	TX Judge William Baird, presiding
STATE OF TEXAS, and	)	*CONSTITUTIONAL QUESTIONS
ASHLEY B. WOMACK,	)	*INJUNCTIVE RELIEF SOUGHT
Respondents.	)	*DEMAND FOR JURY TRIAL

**Notice of Constitutional Question to EDTX Local Rule CV-81**

Comes now Petitioner, Rustin P. Wright, providing notice to the Court and all parties in regards to formal raising of his challenge to the unconstitutionality of EDTX L.R. CV-81, thusly:

CONSTITUTIONAL QUESTION:

Because out of the eight (8) different statutory authorities for removal of state court cases into the federal courts, 28 USC § 1443 also being the only one never concerned with either comity or federalism regarding whatever subject matter was filed within the state court originally, and also being wholly opposite of – indeed, even generally *mutually exclusive* of – all other seven (7) removal types in literally *all* substantive and *all* procedural respects, and existing for a wholly different purpose than all of the other seven (7) types of removal, the following question of alleged unconstitutionality is here and now being formally raised for full briefing to follow:

- Is EDTX L.R. CV-81 directly unconstitutional on its face, for completely neglecting and ignoring the wholly inapposite substantive and procedural issues under 28 USC § 1443, as being clear obstruction of justice against the fundamentally different natures, parameters,

intents and purposes of 28 USC § 1443, i.e., vis-à-vis wrongfully forcing a repeat of state court party styling, needlessly requesting the original state court pleadings, and so forth?

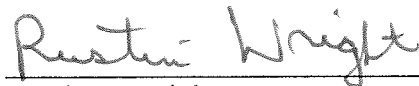
RELEVANT FILINGS LISTING:

The required listing of papers herein relevant to the discussion of this issue include at least:

- a) the filing entitled, Notice Distinguishing Between the Two Basic Types of Removal;
- b) the filing entitled, Notice of Pre-Emptive Constitutional Challenge to the Unlawful Discrimination of Separate Racial Classes via Georgia v. Rachel;
- c) the filing entitled, Memorandum of Law Clarifying Established Federal Jurisdiction;
- d) the filing entitled, Notice of Petition; and, Verified Petition for Warrant of Removal, and the same as may be amended;
- e) and also, the filing entitled, Notice of Constitutional Questions to Federal Statute 28 USC § 1443.

**WHEREFORE**, the undersigned Petitioner hereby notifies the Court and all parties of his constitutional challenge to EDTX L.R. CV-81, similar in spirit to process pursuant to F.R.Cv.P. Rule 5.1(b) and 28 USC § 2403(a), but actually in process pursuant to 28 USC 332(d)(4), moves to UPDATE/CORRECT said Rule, and prays for all further relief true and just in the premises.

Respectfully submitted,



---

Rustin P. Wright  
10603 Memphis Drive  
Frisco, TX 75035  
Tel: (469) 569-2435  
Email: rustinwright@gmail.com  
*Pro Se Petitioner Party of Record*

CERTIFICATE OF SERVICE

I hereby certify: that on this   9th   day of August, 2018, a true and complete copy of the above *notice of constitutional questions*, by depositing the same via first class postage prepaid mail, USPS or equivalent postal carrier, has been duly served upon each of the following:

*(Statutory party United States)*  
Attorney General Jeff Sessions  
c/o U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

*(Respondent State of Texas)*  
State of Texas  
c/o Attorney General Kenneth Paxton  
P.O. Box 12548  
Austin, TX 78711-2548

*(Respondent Ashley)*  
Ashley B. Womack  
150 Carter Road  
Springtown, TX 76082-6577

*(state court counsel of Respondent Ashley)*  
Jennifer M. Gibo, #24032343  
Law Office of Jennifer Gibo  
109 1st Street SE  
Paris, TX 75460

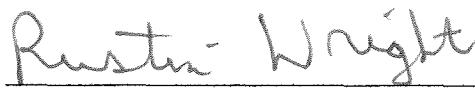
*(Statutory party United States)*  
U.S. Attorney Joseph D. Brown  
Office of the U.S. Attorney  
350 Magnolia Avenue, Suite 150  
Beaumont, TX 77701

Linda A. Acevedo  
Chief Disciplinary Counsel  
State Bar of Texas  
14651 N. Dallas Parkway, Suite 925  
Dallas, TX 75254

State Commission on Judicial Conduct  
P.O. Box 12265  
Austin, TX 78711-2265

and, I further certify that a true and complete copy of the same notice of constitutional questions, by depositing the same via first class postage prepaid certified mail, USPS or equivalent postal carrier, has also been duly served upon the following:

Fifth Circuit Executive Paul Benjamin (“Ben”) Anderson, Jr.  
Office of the Circuit Executive  
United States Court of Appeals for the Fifth Circuit  
John Minor Wisdom United States Court of Appeals Building  
600 Camp Street  
New Orleans, LA 70130

  
Rustin P. Wright