

**FILED**

**AUG 09 2018**

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

Clerk, U.S. District Court  
Texas Eastern

Cause No.: 4:18-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 Special Pro Se Litigant Rights**

Comes now Petitioner, Rustin P. Wright, respectfully providing the Court and all parties a sample collection of federal case law regarding certain special respect to and for *pro se* rights:

*Pro se* pleadings are always to be construed liberally and expansively, affording them all opportunity in obtaining substance of justice, over technicality of form. Maty v. Grasselli Chemical Co., 303 U.S. 197 (1938); Picking v. Pennsylvania Railroad Co., 151 F.2d 240 (3rd Cir. 1945); Jenkins v. McKeithen, 395 U.S. 411, 421 (1959); Haines v. Kerner, 404 U.S. 519, 520-21, 92 S.Ct. 594, 596, 30 L.Ed.2d 652 (1972); Cruz v. Beto, 405 U.S. 319, 322, 92 S.Ct. 1079, 1081, 31 L.Ed.2d 263 (1972); Puckett v. Cox, 456 F. 2d 233 (6th Cir. 1972); and, etc., etc., etc., practically *ad infinitum*.

If the court can reasonably read the submissions, it should do so despite failure to cite proper legal authority, confusion of legal theories, poor syntax or sentence construction, or a litigant’s unfamiliarity with particular rule requirements. Boag v. MacDougall, 454 U.S. 364, 102 S.Ct. 700, 70 L.Ed.2d 551 (1982); Estelle v. Gamble, 429 U.S. 97, 106, 97 S.Ct. 285, 50 L.Ed.2d 251

(1976) (quoting Conley v. Gibson, 355 U.S. 41, 45-46, 78 S.Ct. 99, 2 L.Ed.2d 80 (1957)); Haines v. Kerner, 404 U.S. 519, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972); McDowell v. Delaware State Police, 88 F.3d 188, 189 (3rd Cir. 1996); United States v. Day, 969 F.2d 39, 42 (3rd Cir. 1992); Then v. I.N.S., 58 F.Supp.2d 422, 429 (D.N.J. 1999); and, etc., along with numerous similar rulings.

When interpreting *pro se* papers, this Court is required to use its own common sense to determine what relief that party either desires, or is otherwise entitled to. S.E.C. v. Elliott, 953 F.2d 1560, 1582 (11th Cir. 1992). See also, United States v. Miller, 197 F.3d 644, 648 (3rd Cir. 1999) (court has a special obligation to construe *pro se* litigants' pleadings liberally); Poling v. K. Hovnanian Enterprises, 99 F.Supp.2d 502, 506-07 (D.N.J. 2000); and, etc.

Indeed, the courts will even go to particular pains to **protect** *pro se* litigants against consequences of technical errors if injustice would otherwise result. U.S. v. Sanchez, 88 F.3d 1243 (D.C.Cir. 1996).

Moreover, "*the court is under a duty to examine the complaint to determine if the allegations provide for relief on **\*any\*** possible theory.*" (emphasis added) See, e.g., Bonner v. Circuit Court of St. Louis, 526 F.2d 1331, 1334 (8th Cir. 1975) (quoting Bramlet v. Wilson, 495 F.2d 714, 716 (8th Cir. 1974)), and etc.

Respectfully submitted,



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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 special pro se rights*, 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

  
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Rustin P. Wright