

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2018 MAY 22 PM 12:30

Cause No.: 318 - CV 1300 - L

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KURNICUS HAYES, Petitioner,)	In a removal from the 302nd District Court of Dallas County, Texas
)	
v.)	State case number: DF-10-17403 ("In the Interest of J.I.H. and J.N.H.")
)	Judge Maurice Aguilar, presiding
STATE OF TEXAS, ALECIA STANLEY a.k.a. ALECIA HAYES, and KENDRA S. HOOD, Respondents.)	CONSTITUTIONAL QUESTIONS INJUNCTIVE RELIEF SOUGHT DEMAND FOR JURY TRIAL

Notice of Special Pro Se Litigant Rights

Comes now Petitioner, Kurnicus Hayes, 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.

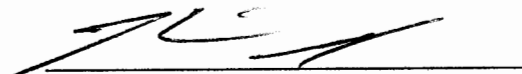
700, 70 L.Ed.2d 551 (1982); Estelle v. Gamble, 429 U.S. 97, 106, 97 S.Ct. 285, 50 L.Ed.2d 251 (1976) (quoting Conley v. Gibson, 355 U.S. 41, 45-46, 78 S.Ct. 99, 2 L.Ed.2d 80 (1957)); Haines v. Kerner, 404 U.S. 519, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972); McDowell v. Delaware State Police, 88 F.3d 188, 189 (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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Pro Se Petitioner Party of Record

CERTIFICATE OF SERVICE

I hereby certify: that on this _____ day of May, 2018, a true and complete copy of the above *notice of pro se rights*, by depositing the same via first class postage prepaid mail, USPS or equivalent postal carrier, has been duly served upon the following:

(United States Attorney General)
Attorney General Jeff Sessions
c/o U.S. Department of Justice
950 Pennsylvania Avenue, NW
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(Respondent State of Texas)
State of Texas
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Kurnicus Hayes