

No.

IN THE SUPREME COURT OF THE UNITED STATES

MARY CUMMINS

Petitioner,

v.

AMANDA LOLLAR, BAT WORLD SANCTUARY

Respondents.

On Petition for a Writ of Certiorari to the Supreme Court of Texas

PETITION FOR A WRIT OF CERTIORARI

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QUESTIONS PRESENTED

Texas Courts allow “visiting Judges” when the sitting Judge is ill or wants to take time off. The sitting Judge chooses which specific Judge they want as their replacement. The Judicial Judge for that District then assigns the requested Judge as the visiting Judge for the specific case and time. In almost every other court in the nation the Judges are chosen in an unbiased random manner by an administrative district Justice to assure a fair trial by an unbiased Judge. Defendant was deprived of an impartial tribunal.

- 1) Is a trial by a visiting Judge according to Texas regulations a fair trial?
- 2) Has Mary Cummins been deprived of due process by use of a retired Texas visiting Judge who was the longtime friend of the sitting Judge Bonnie Sudderth, Plaintiffs’ attorney, Randall Turner and Plaintiffs’ attorney’s wife, Patti Gearhart-Turner?
- 3) Has Mary Cummins been deprived of a fair trial based on a judgment in a case made by a visiting Judge?

LIST OF PARTIES

A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

Mary Cummins, Defendant Pro se

Amanda Lollar, Plaintiff

Bat World Sanctuary, Plaintiff

Represented by attorney

Randall E. Turner

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OPINIONS BELOW

The decision by the 7th Court of Appeals of Texas denying Ms. Cummins’ motion to rehear was denied May 29, 2018 case # 07-16-00337-CV West Publishing. The Texas Supreme Court denied Ms. Cummins’ petition for review case # 18-0635 on August 24, 2018 West Publishing.

JURISDICTION

Ms. Cummins' petition for hearing to the Texas Supreme Court was denied on August 24, 2018. Ms. Cummins invokes this Court's jurisdiction under 28 U.S.C. § 1257, having timely filed this petition for a writ of certiorari within ninety days of the Texas Supreme Court's judgment.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Fourteenth Amendment provides: "No State shall . . . deprive any person of life, liberty, or property, without due process of law . . ." U.S. Const. amend. XIV, § 1. The United States Supreme Court has recognized that the lack of an impartial judge is violative of the due process clause of the 14th amendment. See, e.g., *Aetna Life Ins. Co. v. Lavoie*, 475 U.S. 813 (1986) *Ward v. Village of Monroe* 409 U.S. 57 (1972); *in re Murchison*, 349 U.S. 133 (1955); *Tumey v. Ohio*, 273 U.S. 510 (1927).

The Texas Constitution Article 5 § 1 (a): "RETIREMENT, COMPENSATION, DISCIPLINE, AND REMOVAL OF JUSTICES AND JUDGES; STATE COMMISSION ON JUDICIAL CONDUCT. (1) Subject to the further provisions of this Section, the Legislature shall provide for the retirement and compensation of Justices and Judges of the Appellate Courts and District and Criminal District Courts on account of length of service, age and disability, and for their reassignment to active duty where and when needed. The office of every such Justice and Judge shall become vacant on the expiration of the term during which the incumbent reaches the age of seventy-five (75) years or such earlier age, not less than seventy (70) years, as the Legislature may prescribe, except that if a Justice or Judge elected to serve or fill the remainder of a six-year term reaches the age of seventy-five (75) years during the first four years of the term, the office of that Justice or Judge shall become vacant on December 31 of the fourth year of the term to which the Justice or Judge was elected."

INTRODUCTION

The right to due process and a fair trial conducted by an impartial judge is a fundamental component of the American system of Justice¹. To ensure achievement of this fundamental goal, most states, as well as the federal government, developed fair and random mechanisms by which judges are assigned to individual cases as sitting Judges and visiting Judges. In Texas sitting Judges are allowed to choose

¹ The United States Supreme Court has recognized that the lack of an impartial judge is violative of the due process clause of the 14th amendment. See, e.g., *Aetna Life Ins. Co. v. Lavoie*, 475 U.S. 813 (1986) *Ward v. Village of Monroe* 409 U.S. 57 (1972); *in re Murchison*, 349 U.S. 133 (1955); *Tumey v. Ohio*, 273 U.S. 510 (1927).

which specific visiting Judge will be their replacement when they take a day or even just an hour off from certain cases for certain hearings and even the trial. This is unconstitutional.

In Texas lawyers can manage the subject matter of a case to make sure their case will be overseen by a specific favored Judge. That sitting Judge can then manage their schedule so that they will take a vacation for one specific hearing or trial without even having to give notice to Defendant. In Texas the Constitution requires Judges to be elected as well as in twenty-nine other states. “Not elected, not accountable.” Visiting Judges are not elected. “From the visiting Judge’s viewpoint his customers are the law firms and the lawyers with whom he has a relationship – not the public who he is ostensibly serving. When one considers this one is not surprised by their behavior – only surprised that their employment which is unconstitutional in Texas is allowed in the first place”².

Sitting Judges in Texas are allowed to request and have appointed a specific visiting Judge to take their place when they are ill or go on vacation³. Sometimes they will request a visiting Judge when they don’t want to rule on a specific case because a just ruling would hurt their friend and an unjust ruling would hurt their reputation and ability to be re-elected (footnote 3).

The visiting Judge is generally a retired Judge. The sitting Judge appoints a specific visiting Judge who will give favorable results to one party over another (footnote 3). Visiting Judges make at least \$400 per day not including per diem expenses which are paid by the state. The more favorable rulings a visiting Judge makes to certain parties, the more likely they will be requested again via the sitting Judge. Sometimes the sitting Judge will have their clerk fill out the request for a visiting Judge. The request still comes from the sitting Judge.

In Texas no Judge may serve over the age of 75 per the Texas Constitution. The only exception is if they are elected before the age of 75, they may serve out their term. While the Texas Constitution states that is the law for “all” Judges some visiting Judges are appointed, assigned cases over the age of 75 as in this case.

This case presents the question of whether a hearing or trial by a visiting Judge specifically appointed by the sitting Judge who is a longtime friend of the visiting Judge, Plaintiffs’ attorney and Plaintiffs’ attorney’s wife who is also an attorney, is

² Legal Reform Now. Eliminate Visiting Judges.

http://web.archive.org/web/20110110030653/http://www.legalreform-now.org/menu2_4.htm

³ Request for specific visiting Judge <http://www.txcourts.gov/media/1437460/request-for-attorney-assignment-8th-ajr.pdf>

a fair trial. This case asks if a judgment made by such a visiting Judge is constitutional and valid. It further asks is a ruling made by another court on the basis of said judgment constitutional.

STATEMENT OF THE CASE

June 2010 Defendant Cummins went to Texas to learn more about bats. Instead Defendant witnessed animal cruelty and other violations. Defendant left early and filed fair and privileged reports to authorities. Plaintiffs were investigated. Violations were found. Plaintiff lost their USDA permit.

September 2010 Defendant Cummins was sued for defamation and breach of contract by Amanda Lollar and Bat World Sanctuary in Texas case #352-148169-10. Plaintiffs claimed the reports to authorities were defamation. Defendant never defamed Plaintiffs or breached a contract. Defendant lives in California. The then sitting Judge of 352nd District in Tarrant County, Texas was Judge Bonnie Sudderth.

May 2011 there was a motion for temporary injunction. In the court room Plaintiffs' attorney Randall Turner stated to Defendant "I've known this judge for many years. He'll sign anything I put in front of him." Defendant was never given a copy of the motion or exhibits before Defendant showed up in Texas for the hearing. There was a visiting Judge that day then 83 year old Judge William Brigham now deceased. Judge Sudderth had specifically requested Judge Brigham for this short hearing.

Defendant had no chance to review the motion or exhibits and objected. Judge Brigham over ruled every objection made by Defendant. Defendant didn't write most of the items. Some were in Chinese which Defendant doesn't speak. Judge Brigham ruled for Plaintiffs. Defendant was ordered to remove other people's posts from other people's websites whom Defendant didn't even know and hadn't even seen. Plaintiffs' attorney Randall Turner handed the Judge a six page single spaced court order. Judge flipped to the last page and signed it unread in front of Defendant.

June 2012 Defendant showed up for the trial in Texas. Again, no notice of different Judge was given. Defendant even called the day before. Now 84 year old Judge Brigham heard the trial. Plaintiffs did not show even one element of defamation. They never even stated what they felt was defamatory. They showed no evidence of who wrote anything. They admitted they had no evidence of even one penny of damages.

Judge Brigham gave Plaintiffs what they requested, \$3,000,000 compensatory damages, \$3,000,000 exemplary damages, \$176,000 in legal fees and \$10,000 liquidated damages. The judgment doesn't include the word "defamation" or "malice." It's a takedown order only with monetary damages. Most of the items ordered to be taken down were made by Plaintiff, government agencies and others. The current judgment has swelled to well over \$10,000,000 even after Plaintiff took every asset and penny from Defendant.

Defendant appealed to the Second Court of Appeals of Texas case # 02-12-00285-CV⁴. All claims for breach of contract, legal fees and liquidated damages were reversed April 9, 2015. The defamation claim was affirmed. The judgement was found to be unconstitutional as it included prior restraint. Defendant was allowed to repost the items taken down but didn't.

Days after the opinion was released Plaintiff Amanda Lollar sued Defendant again for the exact same things in a copy/paste filing case #2015-002259-3/# 2015-002259-2. One Judge another personal friend of Plaintiff's attorney recused herself after hearing the motion to dismiss without ruling. Plaintiff falsely stated the items were reposted.

Since the first case was filed the Texas Defamation Mitigation Act and the Texas Citizen Participation Act were passed into law to try to cut down on the huge number of frivolous defamation lawsuits in Texas. Defendant filed a Motion to Dismiss per the two Texas acts, statute of limitations and the fact that Plaintiff forged almost every single exhibit. Because Defendant never defamed Plaintiff, Plaintiff had to fabricate defamation against Plaintiff. Plaintiff then submitted a perjured declaration stating all exhibits are exact copies of the originals which are still publicly available online. They are very poor quality forgeries as if made by a child. Plaintiff committed the crimes of multiple forgeries and perjury. Plaintiff in exhibits defamed Plaintiff using Defendant's name in their exhibits. Those comments are just barely within the statute of limitation for defamation in Texas. The comments don't exist online in the actual articles which are still public. Defendant did not write those original articles or comments. No actual comments are within the statute of limitations for defamation of one year in Texas.

Defendant lost the motion to dismiss in County Court 3. Defendant appealed to the Appeals Court case # 07-16-00337-CV⁵. The 7th Court of Appeals affirmed the lower court's decision May 3, 2018. Their decision is based on the original 2012 judgment by Judge Brigham. The Court ruled that the 2012 judgment stated the items were

⁴ Mary Cummins v Bat World et al <http://www.search.txcourts.gov/Case.aspx?cn=02-12-00285-CV&coa=coa02>

⁵ Mary Cummins v Amanda Lollar <http://www.search.txcourts.gov/Case.aspx?cn=07-16-00337-CV&coa=coa07>

defamatory even though the word “defamation” and “defamatory” are not in the judgment and Defendant didn’t write most of the items. Defendant appealed to the Supreme Court of Texas case #18-0635⁶ who refused to hear the case. Defendant now files this Writ for Centiorari.

REASONS WHY CENTIORARI SHOULD BE GRANTED

The court should grant this petition for the following reasons:

To avoid the erroneous deprivations of the right to a fair trial by an unbiased Judge and proper due process. The use of visiting Judges is unconstitutional because in Texas the sitting Judge gets to select a specific Judge. Judge William Brigham didn’t just rule in civil cases. He was used to game many court rulings in criminal cases. Judge Brigham sent people to prison who are still in prison. Many people have been and will continue to be adversely affected by the manipulative use of visiting Judges to game the Judicial system in Texas. Many non-profit justice organizations have tried to reform the use of visiting Judges for many years. None have been successful as Texas will not eliminate the use of specifically chosen visiting Judges as it benefits certain people in Texas. It is especially harmful to pro se parties and parties with public defenders. The only way to eliminate the use of specifically requested visiting Judges is by a ruling by the Supreme Court of the United States stating it is unconstitutional.

CONCLUSION

For the foregoing reasons, Ms. Cummins respectfully requests that this Court grant the Petition for Writ of Certiorari.

Respectfully submitted,

Mary Cummins
Pro se

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⁶ Mary Cummins v Amanda Lollar <http://www.search.txcourts.gov/Case.aspx?cn=18-0635&coa=cossup>

CAUSE NO. 352-248169-10

BAT WORLD SANCTUARY and
AMANDA LOLLAR
Plaintiffs,

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§

IN THE DISTRICT COURT

v.

OF TARRANT COUNTY, TEXAS

MARY CUMMINS,
Defendant

352ND JUDICIAL DISTRICT

JUDGMENT

ON the 11th day of June this cause came on to be heard. Amanda Lollar, Plaintiff whose last three digits of her Texas driver's license number are 000, appeared in person and by her attorney and announced ready for trial. Bat World Sanctuary, Plaintiff, appeared by and through its attorney and announced ready for trial. Mary Cummins, Defendant whose last three digits of her California driver's license number are 781 appeared *pro se* and announced ready for trial. No jury having been demanded, all questions of fact were submitted to the Court.

After hearing the evidence and arguments of counsel and the defendant the Court finds that the plaintiffs, Amanda Lollar and Bat World Sanctuary, are entitled to recover from the defendant, Mary Cummins.

IT IS THEREFORE ORDERED that Amanda Lollar recover from Mary Cummins actual damages in the amount of THREE MILLION DOLLARS (\$3,000,000.00).

IT IS FURTHER ORDERED that Amanda Lollar recover from Mary Cummins exemplary damages in the amount of THREE MILLION DOLLARS (\$3,000,000.00).

IT IS FURTHER ORDERED that Bat World Sanctuary recover from Mary Cummins actual damages in the amount of TEN THOUSAND DOLLARS (\$10,000.00).

IT IS FURTHER ORDERED that Bat World Sanctuary recover from Mary Cummins attorney's fees in the amount of ONE HUNDRED SEVENTY SIX THOUSAND SEVEN HUNDRED DOLLARS (\$176,700.00).

IT IS ORDERED that Mary Cummins be permanently enjoined and she is ORDERED to immediately and permanently remove from the internet the following statements which currently appear at <http://www.animaladvocates.us/batWorldLawsuit/>:

1. They breed animals in the facility.

2. Pretty ironic for this group to certify Bat World Sanctuary when the health department told her to leave town and they had to gut the building and remove her belongings.
3. Vet recommended blood and stool tests. Lollar declined. She just wants empirical therapy. If that doesn't work, she wants to euth the dog. She refused treatment. When I was at Bat World June 19, 2010 to June 28, 2010 I saw her use her fingers to pull out one of the dog's teeth, i.e. oral surgery on dogs.
4. The current method she suggests is also inhumane. The bats die of suffocation. She also forgets to mention that the drugs she suggests must be used under the direction of a veterinarian. She doesn't even administer the gas legally, humanely, or safely.
5. He should not be working for free for someone who commits animal cruelty.
6. I doubt he'll be speaking about this embarrassing little case where he is actually representing someone who commits animal cruelty and neglect.
7. She took the money that came from the dissolution of Bonnie Bradshaw's group and bought a new silver Honda Eclipse. That money was supposed to go for animals. This is what Lollar does with money that is given to Bat World.
8. Lollar never even washed her hands before surgery, you can see dirty finger nails in the photos, no surgical garments, no mask, hat, nothing. Night and day.
9. Just confirmed that Amanda Lollar of Bat World Sanctuary is illegally obtaining human and animal rabies vaccinations. ...Again, breaking the law. I'm amazed she admitted to having the vaccine and buying it when she is doing it illegally.
10. She does not state that it died from neglect of care. She also chose to euth it instead of treating it as her vet suggested. She'd previously turned down care which her vet suggested.
11. When I was at Bat World she told me the place where she buys her rabies vaccine thinks she's a doctor.
12. Earlier in the year the vet noted the dog had major dental issues yet she didn't have the vet treat them. You know how painful it would be to have a mouth full of rotten teeth? That's animal neglect.
13. BREAKING NEWS!!! Amanda Lollar of Bat World Sanctuary admits in writing that she and Bat World Sanctuary are being forced to leave Mineral Wells because of all the complaints to the City and Health Department.
14. The dogs rear claws are super long. There is no way she could stand. ... She has to drag herself on cement.
15. She tells people to use Isoflurane illegally, inhumanely and unsafely in her book.

16. He didn't care that she admitted to illegally having the human rabies vaccination, admitted to using drugs not according to the label or that she "proudly" admitted to performing surgery.
17. In the video Lollar takes tweezers and just pulls out the molars of a conscious bat that is fighting and biting her while it bleeds. Lollar is proud of this and posted this video in her book and online. Bat experts know that bats must be unconscious and intubated to remove molars. Can you imagine the pain that bat felt?
18. Pulling molars out of conscious bats is not "cutting-edge" though cutting open conscious bats might fall into that "category." Operating on bats using the drop anesthesia technique or amputating wings instead of pinning them is also not cutting edge but cave man veterinary practice.
19. Lollar is exposing people to rabies by not checking their cards.
20. Her recent story about the episiotomy at the depo was that, that was not the bat's vagina and uterus being pulled out. It was the "placenta separating." It clearly was not.
21. She'd already yanked out the placenta which is what helped cause the prolapse, besides cutting way too much and pulling too hard. She really needs to get her vision checked. Someone with very bad vision is the last person who should be slicing into microbats.
22. Yeah, I look like crap in the videos but at least there are no videos of me hacking an animal to death.
23. She's been breeding her bats illegally. She's committing fraud asking for money for a project she cannot and will not do.
24. She said she would use the bag for the trip then return it to Walmart for a refund. She admitted to me with an evil laugh that she does this frequently.
25. Rabies complaint against Bat World Sanctuary. General sanitation laws, harboring high risk rabies animals, allowing them in downtown.
26. Amanda Lollar and her buildings have been written up so many times for building violations, safety issues, rabies, histoplasmosis, no address, unsightly building, build up of guano 6-8 feet... People have been reporting her smelly building and rabid bats for over 15 years.
27. She's basically experimenting on bats. The bats are dying because she doesn't take them to the vet. That's okay because she can just go get more bats.
28. Amanda Lollar of Bat World Sanctuary found guilty of illegally breeding bats at her facility. It is a violation of her permit.

29. Amanda Lollar of Bat World Sanctuary is now sending threats of extortion from Mineral Wells, Texas. Because she's sending it over the computer it's a Federal crime.
30. She has violated the following regulations listed on her permit. "15 a. Permit holder is prohibited from a. Propagating, selling or bartering animals or animal remains received or held under authority of this permit." She is allowing the bats to breed.
31. The complaints going back 18 years were about alleged animal cruelty, animal neglect, violations of the health code and building and safety regulations.
32. The complaints stretching back 18 years were about animal cruelty, animal neglect, violations of the health code, violations of Texas Parks & Wildlife regulations, violations of the Animal Welfare Act, building violations and a report about a rabid bat biting a toddler directly next door to Bat World Sanctuary.
33. Here is the disgusting photo of my face which they photoshopped semen onto. They then added the caption "Yep, screw you too, Mmmmary!" They named the file "mmmm." This is how disgusting and childish these people are.

IT IS FURTHER ORDERED that Mary Cummins be permanently enjoined and she is ordered to immediately and permanently remove from the following URL's in their entirety:

1. http://www.animaladvocates.us/batWorldLawsuit/Amanda_Lollar_Bat_World_Sanctuary_Breeding_Bats.pdf
2. http://www.animaladvocates.us/batWorldLawsuit/amanda_lollar_1994_manual_original.pdf
3. <http://www.animaladvocates.us/batWorldLawsuit/mmmm.jpg>

IT IS FURTHER ORDERED that Mary Cummins be permanently enjoined and she is ORDERED to immediately and permanently remove from the internet the following statements which currently appear at http://www.animaladvocates.us/mary_cummins_sues_amanda_lollar_bat_world_sanctuary

1. She's the one who handles rabid bats with her bare hands.

IT IS FURTHER ORDERED that Mary Cummins be permanently enjoined and she is ORDERED to immediately and permanently remove from the internet the following statements which currently appear at <https://www.facebook.com/marycummins>:

1. Update: Health Dept. forced Bat World Sanctuary to leave town. In January they gutted the building, cleaned it and removed her property.

2. Amanda who runs bat sanctuary just uses her bare hands. The rabid bats even bite her.

IT IS FURTHER ORDERED that Mary Cummins be permanently enjoined and she is ORDERED to immediately and permanently remove from the internet the following statements which currently appear at <https://www.facebook.com/AnimalAdvocatesUSA>:

1. Update: Health Dept. forced Bat World Sanctuary to leave town. In January they gutted the building, cleaned it and removed her property.

IT IS FURTHER ORDERED that Mary Cummins be permanently enjoined and she is ORDERED to immediately and permanently remove from the internet the following statements which currently appear at <https://plus.google.com/107575973456452472889>:

1. Bat World Sanctuary admits in writing they are being forced to leave the City because of all the complaints to the City and Health Dept.

IT IS FURTHER ORDERED that Mary Cummins be permanently enjoined and she is ORDERED to immediately and permanently remove from the internet the following statements which currently appear at <http://twitter.com/MMMARYinLA>:

1. Bat World Sanctuary admits in writing that they are being forced to leave the City because of all the complaints to the City and Health Dept.
2. Update: Health Dept. forced Bat World Sanctuary to leave town. They gutted her building, cleaned it and removed her property.
3. Amanda Lollar commits animal cruelty at Bat World Sanctuary <http://goo.gl/fb/ufv4x>

IT IS FURTHER ORDERED that Mary Cummins be permanently enjoined and she is ORDERED to immediately and permanently remove from the internet the following statements which currently appear at <http://www.myspace.com/mmmaryinla>:

1. Health Dept. forced Bat World Sanctuary to leave town. They gutted her building, cleaned it and removed her property.
2. Bat World Sanctuary admits in writing they are being forced to leave the City because of all the complaints to the City and Health Dept.

IT IS FURTHER ORDERED that Mary Cummins be permanently enjoined and prohibited from posting on the internet or publishing to any person any video recording of any episiotomy that was recorded or made at Bat World Sanctuary.

IT IS FURTHER ORDERED that the total amount of the judgment here rendered will bear interest at the rate of five percent (5%) per year from the date of this judgment until paid.

All costs of court spent or incurred in this cause are adjudged against Mary Cummins, defendant.

All writs and processes for the enforcement and collection of this judgment or the costs of court may issue as necessary.

All other relief not expressly granted in this judgment is denied.

SIGNED this 27 day of August, 2012.


JUDGE PRESIDING

CAUSE NO. 2015-002259-2

AMANDA LOLLAR

§

IN THE COUNTY COURT AT LAW

v.

§

NUMBER 2

MARY CUMMINS

§

§

§

TARRANT COUNTY, TEXAS

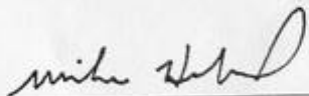
ORDER DENYING MOTION TO DISMISS

On the 17th day of May 2016 came on to be heard the "Unopposed Motion to Dismiss Plaintiff's Petition Pursuant to the Texas Citizen Participation Act, Defamation Mitigation Act" filed by the defendant, Mary Cummins. The plaintiff, Amanda Lollar, appeared by and through her attorney of record. The defendant, Mary Cummins, appeared by telephone.

After considering the motion and the arguments of the parties the Court finds that the motion should be denied.

IT IS THEREFORE ORDERED that the defendant's "Unopposed Motion to Dismiss Plaintiff's Petition Pursuant to the Texas Citizen Participation Act, Defamation Mitigation Act" be, and the same is hereby, DENIED.

SIGNED this 31 day of May, 2016.



JUDGE PRESIDING



Court of Appeals

BRIAN QUINN
Chief Justice

JAMES T. CAMPBELL
Justice

PATRICK A. PIRTLE
Justice

JUDY C. PARKER
Justice

Seventh District of Texas
Potter County Courts Building
501 S. Hillmore, Suite 2-A
Amarillo, Texas 79101-2449
www.txcourts.gov/7thcoa.aspx

VIVIAN LONG
Clerk

MAILING ADDRESS:
P. O. Box 9540
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(806) 342-2650

May 29, 2018

Mary Cummins
645 West 9th Street, #110-140
Los Angeles, CA 90015
* DELIVERED VIA E-MAIL *

Randall E. Turner
LAW OFFICES OF RANDALL E.
TURNER, PLLC
4255 Bryant Irvin Road, Suite 210
Fort Worth, TX 76109
* DELIVERED VIA E-MAIL *

RE: Case Number: 07-16-00337-CV
Trial Court Case Number: 2015-002259-3

Style: Mary Cummins v. Amanda Lollar

Dear Ms. Cummins and Mr. Turner:

By Order of the Court, Appellant's Motion for Rehearing is this day denied.

Very truly yours,

Vivian Long

VIVIAN LONG, CLERK

xc: Honorable Mike Hrabal (DELIVERED VIA E-MAIL)
Mary Louise Garcia (DELIVERED VIA E-MAIL)

FILE COPY

RE: Case No. 18-0635
COA #: 07-16-00337-CV
STYLE: CUMMINS v. LOLLAR

DATE: 8/24/2018
TC#: 2015-002259-3

Today the Supreme Court of Texas denied the petition for review in the above-referenced case.

MS. MARY CUMMINS

* DELIVERED VIA E-MAIL *

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Mary Cummins — PETITIONER

VS.

Amanda Lollar, Bat World Sanctuary — RESPONDENT(S)

PROOF OF SERVICE

I, Mary Cummins, do swear or declare that on this date, 11/20/2018, 20__, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

Amanda Lollar, Bat World Sanctuary in care of their attorney Randall Turner

5017 El Campo Ave, Fort Worth, Texas 76107

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 11/20/2018, 20__