

I regret to inform you that the California Supreme Court has denied the petition for review.

You now have up to 90 days to file a petition for writ of certiorari in the United States Supreme Court. Like the petition for review, it is an entirely discretionary proceeding, and the U.S. Supreme Court grants a hearing only in a limited number of cases — only those presenting major, controversial federal issues with national significance. I do not see our case as presenting those issues, so I will not be filing a certiorari petition. But if you decide to try, you can write to the court clerk; they have a packet of information for prisoners:

U.S. Supreme Court
Clerk of the Court
1 First St., N.E.
Washington, DC 20543

If you decide not to file a certiorari petition, or if you file such a petition and it is denied, you will have up to one more year to file a habeas petition (a petition for writ of habeas corpus) in federal court. The federal rules are very strict about this deadline and there are no extensions.

I will not be filing a habeas petition in federal court. You can hire a private attorney to file a petition, or you can file the petition yourself. The federal court will not appoint an attorney to prepare a petition, but you can request that one be appointed at the time you file the petition.

There are forms for prisoners to file themselves — a petition, and an application for in forma pauperis status; that means you will not need to pay any filing fees. Those documents should be available in the prison. If not, you can write to the federal district court clerk, and request the current forms:

Clerk, U.S. District Court
Eastern District of California
501 "I" Street
Sacramento, CA 95814

The issues in a federal petition must be presented as based upon the U.S. Constitution. You can rely on arguments made in the appeal (including the petition for review), emphasizing the federal aspects of each claim. Some prisoners even attach the legal arguments from state court as an exhibit to the petition.

Good luck.

Kuv tu siab los qhia koj tias lub Xam Loj hauv Kaslisfausnias (California Supreme Court) tsis pom zoo rau koj daim ntawv thov los saib koj rooj lus dua.

Zaum no koj muaj 90 hnuv los tso daim ntawv thov hu ua writ of certiorari (daim thov los saib koj rooj lus dua) hauv lub Xam Loj rau Teb Chaws Asmesliskas (United States Supreme Court). Xws li daim ntawv thov los saib dua hauv lub Xam Loj hauv Kaslisfausnias, nws yog ib yam uas poob rau lub xam txoj kev txiav txim siab lawm, thiab lub Xam Loj rau Teb Chaw Asmesliskas tsuas tso cai los saib dua rau tej rooj lus xwb — cov uas muaj yam teeb meem sib nyom loj rau tag nrho lub teb chaw uas yuav raug rau tag nrho lub teb chaw. Kuv tsis pom tias wb rooj lus no yuav muaj yam teeb meem zoo li no, ces kuv yuav tsis tso daim ntawv thov hu ua certiorari no. Tiamsis yog koj xav sim, koj sau ntawv mus rau lub xam tus neeg sau ntawv; lawv muaj ib pob ntawv uas qhia txog qho no rau cov neeg nyob hauv nkuaj:

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1 First St., N.E.
Washington, DC 20543

Yog koj ho txiav txim siab tsis tso daim ntawv thov hu ua certiorari no, lossis yog koj ho tau tso daim ntawv thov no tiamsis ho raug lawv tsis pom zoo rau, koj yuav muaj ntev li ib xyoo los tso daim ntawv thov hu ua habeas (yog daim writ of habeas corpus uas siv los saib xyuas seb cov nom tswv puas muaj lus txaus los cia koj nyob hauv nkuaj) hauv lub xam rau teb chaw. Cov cai ntawm lub teb chaw nruj heev txog lub sij hawm no thiab yuav tsis muaj txoj kev los ncuu lub sij hawm ntxiv.

Kuv yuav tsis los tso daim ntawv thov hu ua habeas no hauv lub xam rau teb chaw. Koj mus ntiav tau koj ib tug kws lijchoj los tso daim ntawv thov no, lossis koj mus tso daim ntawv no koj tus kheej los tau. Lub xam rau teb chaw yuav tsis tso ib tug kws lijchoj los npaj daim ntawv thov no, tiamsis koj thov kom lawv tso ib tug tau thaum lub sij hawm koj mus tso daim ntawv thov no.

Kuj muaj ib co ntawv rau cov neeg raug txim siv kom lawv muab tuaj tso tau lawv tus kheej — ib daim ntawv thov, thiab ib daim ntawv thov kom thwm tias yog qhov hu ua forma pauperis; qhov no txhais tau tias koj yuav tsis tau them cov nqe thaum mus tso ntawv. Cov ntawv no yuav tsum muaj nyob hauv lub tsev nkuaj. Yog tias tsis muaj, koj sau tau ntawv mus rau tus neeg sau ntawv hauv lub tsev xam rau lub teb chaw, thiab los thov cov ntawv uas yog cov tshiab:

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Cov ntsiab lus hauv daim ntawv thov mus rau cov nom tswv teb chaw yuav tsum tso tuaj kom raws li tsab cai loj hu ua U.S. Constitution. Koj hais tau raws li cov lus uas tau hais yav tas hauv koj rooj lus uas nyom xub ntxiv (ntxiv nrog daim ntawv thov kom rov los saib dua), los hais tseeb rau cov ntsiab lus ntawm txhua nqe koj yuav hais kom phim rau lub teb chaw. Ib txhia neeg hauv nkuaj yeej cia li lo cov lus hais raws cai hauv lub xam rau lub xeev los ua ib yam khoom piv saib nrog rau daim ntawv thov.

Foom koob hmoov rau koj.