

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

MICHAEL JOHN ALCOCER-ROA -- PETITIONER

VS.

UNITED STATES OF AMERICA -- RESPONDENT

DECLARATION OF MICHAEL JOHN ALCOCER-ROA (AFFIDAVIT)

I, the Petitioner Michael John Alcocer-Roa, make the following declaration (affidavit) in accordance with 28 U.S.C. §1746. I am aware that this declaration (affidavit) will be used in the Supreme Court of the United States, and that this declaration (affidavit) is the legal equivalent to a statement under oath.

1. The Petitioner Michael John Alcocer-Roa ("Alcocer-Roa") is a federal prisoner serving a total sentence of 210 months' imprisonment after being **unconstitutionally** and **illegally** convicted to five counts of wire fraud, in violation of 18 U.S.C. §1343. See U.S.D.C. S.D. Fla., United States v. Michael John Alcocer-Roa, Case No. 1:15-CR-20709-PAS, DE:193.

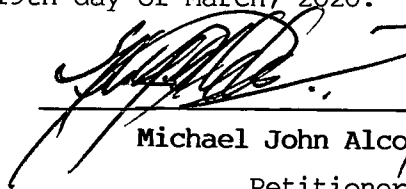
2. Mr. Alcocer-Roa presents the following **substantial** and **novel** issues of law:

- (1) Does an interlocutory appeal is a critical stage? If yes, does a denial of counsel during an interlocutory appeal constitutes a violation of Sixth Amendment under United States v. Cronin, 466 U.S. 648, 659 (1984)?
- (2) Do pretrial detainees have a constitutional right to get benefit from the prison mailbox rule?
- (3) Does the wire fraud statute (18 U.S.C. §1343) apply extraterritorially to extraterritorial violations of the Commodity Exchange Act (7 U.S.C. et seq.)?

I have read the foregoing declaration (affidavit) and I certify under penalty

of perjury that it is true and correct.

Executed on this 19th day of March, 2020.

 *March 19th, 2020*

Michael John Alcocer-Roa

Petitioner

Reg. No. 63126-018

Federal Correctional Complex

Coleman Low / Unit C-2

P.O. Box 1031

Coleman, Florida 33521