

No. 19-8714

ORIGINAL

Supreme Court, U.S.
FILED

APR 30 2020

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Bodhi Tree

— PETITIONER

(Your Name)

Jim Robertson

vs.

~~United States Court of Appeals for the Ninth Circuit~~
~~et al.~~

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

P.O. Box 193939 San Francisco, CA 94119

United States Court of Appeals for the Ninth Circuit

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Bodhi Tree

(Your Name)

P.O. Box 290066 Represa, CA

(Address)

Sacramento California 95671

(City, State, Zip Code)

N/A

(Phone Number)

RECEIVED

JUN - 8 2020

OFFICE OF THE CLERK
SUPREME COURT, U.S.

resubmit #

USCA9 NO. 19-15683

QUESTION(S) PRESENTED

~~most all the issues I want to bring~~
~~up are on page (1) to (4) Reasons~~
~~for granting the petition see page~~
~~1 to 4~~

5/28/2020 resubmit to the
supreme court of the united states
office Washington, DC 20543

I consented to the Magistrate
Judge when I filed my habeas
corpus for not approving my appeal
and the magistrate Judge got my
case in her court and she was taking
my side so they asked for a new
Judge because that one was on my
side and got a new Judge and he

did not approve my case I appealed for SB 620
Gov enhancement that did not approve it the Law passed
in 2018 that hit me with 75 years for Gov enhancement
to my life term I should of got the time off
Judge Richard Seeborg got's his facts wrong on my
case when he denied my Habeas corpus he put down
that I lived in a boarding house that I shared with the
people that got killed in Arcata during my case I did not
kill them or did I live in a boarding house with them
I lived in Evick Hall all in the
legal paper work was false

LIST OF PARTIES

☒ All parties appear in the caption of the case on the cover page.

☒ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

CLERK U.S. COURT OF APPEALS for the
Ninth Circuit P.O. Box 193939 San Francisco CA
94119 case # NO 19-15623 D.C. NO. 3:18-cv-01470-RS
Denied on February 11th 2020 U.S. district court
Northern district of CA 450 Golden Gate Avenue
San Francisco, CA 94102 case # NO. 3:18-cv-01470-
JSC

RELATED CASES

I filed a appeal with my county Humboldt county
on SB 620 It did not get approved the court hit
with me enhancement of 25 years to my 112 life term
for firearm enhancements I filed when my
habeas corpus was still in the court
back when that part the Law in 2018
for SB 620 Related case

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	
STATEMENT OF THE CASE	
REASONS FOR GRANTING THE WRIT	
CONCLUSION.....	

INDEX TO APPENDICES

APPENDIX A

APPENDIX B

APPENDIX C

APPENDIX D

APPENDIX E

APPENDIX F

4/28/2020

Index to Appendices

Appendix (A) Federal courts

Appendix (A)-(B)-(C)-(D)

I filed a Petition for a writ of Habeas corpus for not approving my appeal to the US district court northern district of CA 450 Golden gate Avenue case No 3:18-CV-01470-JSC I consented to the Magistrate Judge the court declined consent to the Magistrate Judge so it got order to reassigned to Richard Seeborg and he denied it on this date March ~~20th~~ 20th 2019 so Then I sent my case to the court of Appeals for the ninth circuit PO Box 193939 San Francisco CA 94119 my case # was NO.19-15683 D.C. No. 3:18-CV-01470-RS It got denied on this date February 11th 2020

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

☒ reported at United States District Court; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix A to the petition and is

☒ reported at United States District Court; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix A to the petition and is

☒ reported at United States District Court, denied; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States District court appears at Appendix A to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was April 19 2019.

☐ No petition for rehearing was timely filed in my case.

☒ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: March 20th 2019, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A _____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was Feb 11th 2020.
A copy of that decision appears at Appendix Denial.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A _____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

4/28/2020

statement of the case

Hi my name is Bodhi Tree
I am from Humboldt county
I am in prison for two counts
of murder second degree and
one count of Premeditated attempted
murder I got a sentence of
112 to life with Parole I got
locked up in 2013 and sentence
in 10/10/2014 I did not do it
I plead not guilty I never got
on the stand at court and my
Attorney did all the talking
I lost my case in 10/10/2014
my Attorney name was Heidi
Holmquist she appealed my case
when we lost then my Attorney
Peter Gold Appealed it got not
approved so I filed a writ
of habeas corpus for not
approving my appeal that got
not approve so I sent my case
to the to the Ninth circuit of
Appeals and that got not approved
so now here I am in Supreme court Washington

STATEMENT OF THE CASE

Page(1)

Reasons for granting the Petition

Hi: my name is Bodhi Tree
I am from Humboldt county I am
in Prison for two counts of murder
Second degree and one count of premeditated
and attempted murder I did
not do it I plead not Guilty and
never got on the stand I got
sentence to 112 to life on 10/10/2014
I ~~can~~^{would like to} bring up the same claims
on this Petition that I Petition
for Relief on my Petition for a
Writ of Habeas corpus for not
approving my appeal claim one
Prosecution withheld material
evidence from the defense the trial
court erred in not granting new trial
motion supporting facts: The Prosecutions
failure to disclose material evidence
which would have impeached Deborah
Stonebarger requires reversal of
conviction claim two Trial court
erred in allowing prosecution to
introduce evidence from Jailhouse
informants

Page (2)

Reasons for granting the Petition

Supporting facts: Tyrel Brannon testified that he had sent a couple of notes to the district attorney's office informing them that they were wasting time housing him in county jail because he did not know nothing about my case but got on the stand and told the court a different statement Claim Three:

Trial court erroneously refused to exclude critical DNA evidence

Supporting facts: The trial court erroneously refused to exclude the evidence of my DNA on a meekes 40oz bottle in light of the prosecution's egregious discovery violation and failure to preserve a portion of the DNA sample for testing by the defense I would also like to bring up that when my Habeas corpus got denied that I filed for not approving my appeal the United States district Judge put down 14

Page (3)

Reasons for granting the Petition

the order denying Petition for writ of habeas corpus He put down that I was living at a Arcata boarding house that I shared with the Victims in this case I never lived at that house in Arcata I was living at a House in Eureka a clean and sober house in 2013 that say where I was living when I was going to trial in 10/10/2014 Judge Richard Seeborg got's his order denying Petition wrong the information in it is wrong and I told the Ninth Circuit this but they still denied my case my Parole officer how's I was living in Eureka because she had been to my house in 2013 and I was on Parole so I had to give her a Address where I was living I was getting SST because I got a history of mental health Problems in the past in 2013.

Page(4)

Reasons for granting the Petition

I was at a friends house when the cops locked me up on this case I did not do any of these murders or attempted murder that are just going off of what people are telling them. In this case they got no gun no gun shells no DNA on me I was at a friends house when the people got killed drinking I appreciate all your help in this case Thank you for looking at it for me.

Sincerely: Bodhi Tree
C.D.C # A.V.011.6

USCA9 NO. 19-15682
resubmitted

REASONS FOR GRANTING THE PETITION

5/28/2020

Judge Richard Seeborg gets his
information wrong he put down that I lived
in a boarding house in Arcata with the people
that got killed in my case I never lived
in that house or did I kill them people
I lived in a house in Eureka I consented to the
Magistrate Judge and it was in that court and
the Magistrate Judge was taking my side so that
got it in Judge Richard Seeborg court and
he gets his information wrong I am in prison
for a crime I did not do and people in this
prison are getting the coronavirus so it
is putting me at risk of getting it I do
not want to get the coronavirus so I have been
staying in from yard when I can I have a
history of mental health problems and been to
3 mental hospitals I was getting SSRI for it
in 2013 and was taking medication from my
mental health Dr. I appreciate all your help
I did not do any of these murders or
attempted murder Thank you for looking at
my case

Sincerely Bodhi Tree

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

To Supreme Court of the United States
Washington D.C. 20543-0001

Date: 4/29/2020