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November 3, 2020

TIME SENSITIVE

The Honorable Clarence Thomas
c/o Office of the Clerk
United States Supreme Court
1 First Street NE, Room 30
Washington, DC 20543-0002

Re: Application for Emergency Stay in Case No. 20A79

Dear Justice Thomas:

Pursuant to Supreme Court Rules 22.4 and 23, I have requested that my above-referenced Application for Emergency Stay be submitted to Your Honor, following Justice Kagan's denial yesterday.

While I fully appreciate that repeat stay submissions are not favored, so too are egregious state court violations of federal due process of law similarly not favored by this Court.

My life is now in your hands. I have literally, as the age of 82, been sentenced to a death penalty, disbarment, with the termination of my livelihood following a 57-year highly distinguished career in law and with an otherwise unblemished ethical record.

Anyone reading my Application could come to no other conclusion. If you do not have time personally to read my entire Application, I urge you to read the Declaration of former Governor John Waihee submitted with my Application who was an eye-witness to all of the due process violations that occurred.

I am the only member of my family to go to college. My Father was born on a refugee boat headed to Ellis Island from Europe in 1901. My family was on welfare the first 13 years of my life. I worked hard in school, finishing first in my class in high school, in college, and in my section in law school. I had scholarships my entire academic career, including scholarship offers from every major law school in the United States to which I applied. I sat for and passed the Hawaii Bar Examination, earning my right to practice law in the Courts of the State of Hawaii, without the arbitrary and capacious loss of my livelihood, to continue to practice law and by reciprocity in all other jurisdictions as well, including as a Member of this Court's Bar since 1974.

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The Honorable Clarence Thomas, November 3, 2020

I believe in and I have defended the Constitution of the United States throughout my life. This Court has jurisdiction to grant the relief requested, unless the Due Process Clause of the Fifth and Fourteenth Amendments is to be read and amended, with the following words in brackets added, to say that "nor shall any person [except attorneys in disciplinary proceedings] be deprived of life, liberty, or property, without due process of law."

I have an overwhelmingly meritorious case. Unfortunately, as a result of the present *Rooker-Feldman* federal case law, one in my situation has no other remedy than to apply to your Court for a stay, and now at a time that your Court is extremely busy with election related and other matters.

That absence of federal district court access is another issue presented in my case.

Thank you for whatever attention Your Honor and your staff can give to my Application, which for me a stay as a practical matter literally means life or death.

Very truly yours,

/s/ Gary Victor Dubin

GVD/o

Gary Victor Dubin