

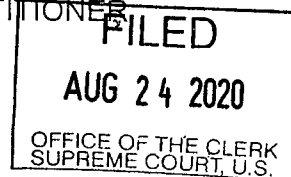
~~20-5634~~

IN THE  
SUPREME COURT OF THE UNITED STATES

**ORIGINAL**

STEPHEN F. SNOW,  
(Your Name)

— PETITIONER



VS.

Ralph M. DIAZ, SECRETARY, — RESPONDENT(S)  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION.

ON PETITION FOR A WRIT OF CERTIORARI TO

THE SUPREME COURT OF THE STATE OF CALIFORNIA  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

STEPHEN F. SNOW K-20414  
(Your Name)

MULE CREEK STATE PRISON  
(Address)

P.O. BOX 409090  
(City, State, Zip Code)

YONE, CA. 95640

(Phone Number)

1 QUESTION(S) PRESENTED  
2  
3

4 1. WHETHER THE PRINCIPLES OF  
5 STATUTORY CONSTRUCTION DEMONSTRATES  
6 THAT PETITIONER'S RIGHT TO DUE  
7 PROCESS OF LAW AND RIGHT TO  
8 EQUAL PROTECTION OF THE LAW  
9 WERE VIOLATED BY RESPONDENT  
10 EXCLUDING NON-VIOLENT THREE STRIKERS,  
11 WHO ARE REQUIRED TO REGISTER AS  
12 A SEX-OFFENDER FOR PRIOR MAD  
13 ACTS, FROM "PAROLE CONSIDERATION"  
14 UNDER ARTICLE I, SECTION 32 OF  
15 THE CALIFORNIA CONSTITUTION?  
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## 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:

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20	ORDER BY THE CALIFORNIA
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22	PETITION FOR WRIT OF HABEAS
23	CORPUS, FILED MAY 27, 2020
24	CASE NO. S259807.
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26	PETITION FOR WRIT OF HABEAS
27	CORPUS, FILED DECEMBER 30,
28	2019, CASE NO. S259807.
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5 Appendix C: EXHIBITS "A" TO "O" FILED  
6 WITH THE PETITION FOR WRIT OF  
7 HABEAS CORPUS ON DECEMBER  
8 20, 2015, CASE NO. S259807.  
9 (SEE TABLE OF EXHIBITS IN  
10 STATE HABEAS PETITION, S259807.)  
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TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

PETITIONER INCORPORATES THE PETITION FOR WRIT OF HABEAS CORPUS ATTACHED HERETO AS APPENDIX "B" BY REFERENCE AS DULY SET FORTH HEREIN, AT PAGES 3-37. (SEE DYE V. HOFFBAUER, 546 US 1, 4 (2005).)

STATUTES AND RULES

(Ibid.)

OTHER

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 \_\_\_\_\_ to the petition and is

- reported at \_\_\_\_\_; 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 \_\_\_\_\_ to the petition and is

- reported at \_\_\_\_\_; 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 \_\_\_\_\_; or,  
 has been designated for publication but is not yet reported; or,  
 is unpublished.

The opinion of the \_\_\_\_\_ court appears at Appendix \_\_\_\_\_ 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 \_\_\_\_\_.

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: \_\_\_\_\_, 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 MAY 27, 2020.  
A copy of that decision appears at Appendix   A  .

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

THE FOURTEENTH AMENDMENT TO THE UNITED STATES CONSTITUTION PROVIDES:

"... NO STATE SHALL MAKE OR ENFORCE ANY LAW WHICH SHALL ABRIDGE THE PRIVILEGES OR IMMUNITIES OF CITIZENS OF THE UNITED STATES; NOR SHALL ANY STATE DEPRIVE ANY PERSON OF LIFE, LIBERTY, OR PROPERTY, WITHOUT DUE PROCESS OF LAW; NOR DENY TO ANY PERSON WITHIN ITS JURISDICTION THE EQUAL PROTECTION OF THE LAWS."  
(U.S. CONST., AMEND. XIV.)

ARTICLE I, SECTION 32, SUBDIVISION (a)(1), OF THE CALIFORNIA CONSTITUTION PROVIDES:

"(1) PAROLE CONSIDERATION: ANY PERSON CONVICTED OF A NONVIOLENT FELONY OFFENSE AND SENTENCED TO STATE PRISON SHALL BE ELIGIBLE FOR PAROLE CONSIDERATION AFTER COMPLETING THE FULL TERM FOR HIS OR HER PRIMARY OFFENSE."

"(A) FOR PURPOSES OF THIS SECTION

1 CONSTITUTIONAL AND STATUTORY  
2 PROVISIONS INVOLVED (cont.)  
3

4 ONLY, THE FULL TERM FOR THE PRIMARY  
5 OFFENSE MEANS THE LONGEST TERM OF  
6 IMPRISONMENT IMPOSED BY THE COURT  
7 FOR ANY OFFENSE, EXCLUDING THE  
8 IMPOSITION OF AN ENHANCEMENT,  
9 CONSECUTIVE SENTENCE, OR ALTERNATIVE  
10 SENTENCE." (ART. I, § 32, Subdivision  
11 (a)(1), (A), CALIFORNIA CONSTITUTION.)  
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STATEMENT OF THE CASE

PETITIONER INCORPORATES THE PETITION FOR WRIT OF HABEAS CORPUS ATTACHED HERETO AS APPENDIX "B" BY REFERENCE AS DULY SET FORTH HEREIN, AT PAGES 7-37. (SEE DYE V. HOFFBAUER, SUPRA, 546 US AT 4.)

1 REASONS FOR GRANTING THE PETITION.  
2

3 1. Applying THE PRINCIPLES OF STATUTORY  
4 CONSTRUCTION TO CALIFORNIA PROPOSITION 57,  
5 ARTICLE I, SECTION 32 OF THE CALIFORNIA  
6 CONSTITUTION, SHOWS THAT RESPONDENT LACKED,  
7 AND/OR ACTED IN EXCESS OF HIS, JURISDICTION  
8 TO, DRAFT, ISSUE, IMPLEMENT AND ENFORCE THE  
9 REGULATIONS UNDER PROPOSITION 57 FOR  
10 DETERMINING "ELIGIBILITY" OF PETITIONER FOR  
11 "PAROLE CONSIDERATION." (Appendix B at pp. 22-  
12 30.)  
13

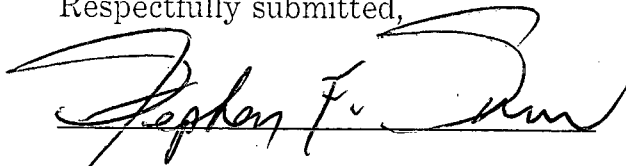
14 2. ON NOVEMBER 8, 2016, IF CALIFORNIA  
15 VOTERS, WHEN OVER-WHELMING APPROVING "THE  
16 PUBLIC SAFETY AND REHABILITATIVE ACT OF  
17 2016" (PROP. 57), HAD INTENDED TO PRECLUDE  
18 "PAROLE CONSIDERATION" FOR A NONVIOLENT  
19 OFFENDER, SUCH AS PETITIONER, (WHO HAS  
20 TO REGISTER AS A SEX OFFENDER FOR A PRIOR  
21 BAD ACT), THEN THE VOTERS EASILY COULD  
22 HAVE STATED SO. (Id. at pp. 27-28.)  
23

24 3. THE ISSUE DESERVES CONSIDERATION  
25 BY THE SUPREME COURT TO RESOLVE  
26 WHETHER PETITIONER'S FEDERALLY PROTECTED  
27 RIGHTS WERE VIOLATED BY RESPONDENT.  
28

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Stephen F. Dunne". The signature is written in black ink and is positioned above a horizontal line.

Date: August 18<sup>th</sup>, 2020