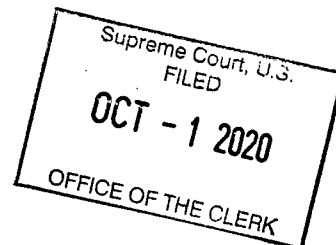


No. 20-5979

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



Steven Dwayne Bailey I — PETITIONER
(Your Name)

VS.

Steward Sherman — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Court of Appeals For the Ninth Circuit

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

PETITION FOR WRIT OF CERTIORARI

Steven Dwayne Bailey I

(Your Name)

P.O. Box 5248

(Address)

Corcoran, California, 93212 ...

(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

Assembly Bill 2942 allows the Court to recall and/or resentence the defendant upon recommendation of the district Attorney of the County in which the defendant was sentenced: Due to Change in circumstances since the inmates original Sentencing, so that the inmates Continual incarceration is no longer in the interest of Justice.

The inmate is not violent or dangerous nor a threat to anyone, and he has been wheelChair bound For Years

and a Model inmate and soon to be 60 Years of age COM 12-2-2020

Is due process being denied to Mr. Bailey because is physical inabilities makes a bona fide disabled Mobility impaired individual. And no threat to the Public

By denying him early release is is a denial of A.B 2942's protections...

Correct?

Refer to ALL Exhibits A-D...

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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TABLE OF AUTHORITIES CITED

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STATUTES AND RULES	Refer to petition and its Exhibits
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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☒ is unpublished.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 _____ 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 Superior 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 6-26-2019.

☐ 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: _____, 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 9-14-2020.
A copy of that decision appears at Appendix _____.

☐ 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

5th 6th 14th and 8th Amendments...

STATEMENT OF THE CASE

A.B. 2942 allows resentencing to those individuals who are eligible. I'm a prime candidate for being resentenced pursuant to 2942. Because my circumstances are my physical disabilities make it impossible to do what I was wrongfully convicted of. I plead not guilty to every untrue charges. I am not a violent nor dangerous and never have I been and the facts of my circumstances speak for it self.

The Court is very bias and could have recalled my unconstitutional conviction. Resentencing me would not be a threat upon the safety of the public my conduct proves that and being a Model inmate proves that as well. Evidence reflect that circumstances have changed since my unconstitutional conviction so that it is no longer in the interest of justice for my continual incarceration. Plus being almost 60 yrs of age come 12-2-2020. I'm very vulnerable of COVID-19 which would be a death sentence if infected. COVID-19 is a death sentence and has spread in all CDC's prison and there is no cure. So releasing me to home confinement would not imposed a threat to the public's safety.

REASONS FOR GRANTING THE PETITION

I AM NOT A THREAT TO THE PUBLIC
I AM NOT VIOLENT OR DANGEROUS
I WOULD NOT POSE A THREAT
TO THE SAFETY TO THE PUBLIC...

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Mr. Steven D Wayne Bailey II

Date: 2020