

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

JULIA ANN POFF,
Petitioner

vs.

UNITED STATES OF AMERICA,
Respondent

ON WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

APPLICATION TO JUSTICE ALITO FOR BAIL

RELIEF SOUGHT:

Applicant, Julia Ann Poff, pro se applies to Justice Alito, the Honorable Circuit Court Justice, pursuant to Rule 22 of the United States Supreme Court Rules for an order granting Applicant's release on bail and whatever other conditions are deemed appropriate.

JUDGMENT BEING APPEALED:

1. On or about October 3, 2016 someone mailed three (3) potentially explosive devices/packages to: 1) Former

President Barack Obama; 2) Governor of Texas Greg Abbott; and 3) Acting Commissioner of Social Security Carolyn Colvin.

2. Since the first raid on their home on October 7, 2016 the Poff family has adamantly maintained their innocence. As agents returned seized items they stated, "Mrs. Poff, we know ya'll had nothing to do with this but we have to get a conviction or we lose our job." The Poff family never believed they would lie and fabricate evidence to get that conviction but they did.

3. The family cooperated in full with all law enforcement officers and thirteen (13) months later, Mrs. Poff was indicted by fraud and perjury. She was arrested on November 9, 2017 and has been incarcerated ever since.

4. Mrs. Poff was punished every time she pled, "Not Guilty." She was denied mail from her family, she was denied her medication for Lupus for 315 days, and then she was denied visitation with her family. She was told, "if you want to see your family again then you have to plead guilty."

5. In November 2018 she filed a "Petition for Writ of Habeas Corpus," seeking dismissal of her indictments. The Government wanted it dismissed and Mrs. Poff refused so they retaliated against her and filed a Second

Superseding indictment making their threats a reality by adding her husband to the indictment but only under the petty charge of "False Statement in Bankruptcy." The Judge assigned to the Habeas Corpus ignored the filing for 175 days violating Art. I Sect. 9 of the U.S. Constitution, also known as the Suspension Clause. He finally sent out an "Order to Answer," giving the Respondent 60 days to answer, violating 28 U.S.C. § 2243. Then after 60 days, the Court realized they made an error and didn't perfect service so a "Supplemental Order" was issued giving another 60 days. All while Mrs. Poff continued fighting and standing on her rights, and being punished for doing so.

6. Mrs. Poff was forced to plead guilty to one count of 18 U.S.C. Section 844(d) on July 1, 2019 if she wanted to see her family again and to save her fingers from amputation due to the harsh conditions of confinement. She was verbally told that the sentence shouldn't be over five (5) years because the guidelines were 27-46 months, and that the charges against her husband would be dismissed.

7. On November 18, 2019 due to a fraudulent video, she was sentenced to the statutory maximum of 10 years. After watching the video, the probation officer in error cross-referenced the crime with "attempted murder," which doubled the guidelines. The Honorable Vanessa

Gilmore called Mrs. Poff a "living monster." She refused to listen to anything Mrs. Poff or her attorney said. Mrs. Poff feared racism in the Judge and it was clearly displayed that day.

8. Mrs. Poff filed a "Notice of Appeal," and went to the Fifth Circuit, she received a sua sponte dismissal on November 23, 2020. The previous filed Writ of Habeas Corpus was dismissed as moot on November 19, 2020 almost two (2) years after filing and is currently pending in the Fifth Circuit under case no. 20-20647. Mrs. Poff never got the right to have a trial or a meaningful opportunity to challenge anything.

9. Justice is supposed to be based upon facts, evidence, and the truth; not perjury, fraud, and threats.

APPLICANT SHOULD BE RELEASED:

1. The applicant is not a bail risk and has always made any court appearances she knows about. When she was previously on probation for a deferred adjudication, it was completed satisfactorily with no violations and ahead of the time schedule.

2. The average sentence for the crime without the fraud and illegal cross-reference is 51 months. Mrs. Poff has already completed 42 months for a crime she didn't

Commit. With the appropriate good-time credits awarded, she has done roughly 60 months. Furthermore, Mrs. Poff has been in no trouble while incarcerated, has been a role model inmate helping both staff and other inmates when she could and has completed over 600 hours of classes and earned in excess of 50 certificates. With the additional time credits awarded under the First Step Act for participating in courses, she has actually done over 70 months of the 120 month statutory maximum.

8. All of Mrs. Poff's incarceration has been completed in pain and agony. The denial of her lupus medication for 315 days as a form of punishment to force her to plead guilty has left her with permanent damage. She was diagnosed with Raynaud's Syndrome in 2018 and still fights the cold conditions of confinement to keep her fingers. Recently, she was also diagnosed with Stage 1 heart disease, again from not receiving her medication. Due to the deterioration of her health and continued inadequate medical care she now walks using a cane. Mrs. Poff's PATTERN score results in a negative number, so therefore she poses no risk or danger to the society and never has.

9. When Mrs. Poff is released she will reside with her husband William Poff of 25 years and their youngest son J.P. who is 10 years old in Willis, Texas.

10. As explained in detail in the motion previously filed, the appeal is likely to result in an reversal. The Court of Appeals obviously has not even bothered to consider the question of the merits and choosing not to follow precedents set by this Court has shown prejudice to a Pro se appellant.

11. The appeal presents substantial questions of law and is not taken frivolously or for delay. Applicant has already served over 100% of the guidelines sentence.

CONCLUSION:

For over four (4) years now, the Poff family has maintained their innocence in this crime. Mrs. Poff's actions that led to all of this was filing legal lawsuits against her vindictive landlord and after receiving a \$304,000 default judgment against him, he sought revenge and retaliation.

The words written in the statutes, rules, and even the United States Constitution no longer mean anything. A Judge can plainly ignore a cry from help inside and a prosecutor can continue punishing and threatening someone until they get what they want ... A CONVICTION!

Mrs. Poff utilized the writ of habeas corpus to stop the miscarriage of justice and preserve constitutional issues. She continues to seek reversal of her conviction based on a coerced/forced guilty plea and dismissal of her indictments with prejudice for all the constitutional

violations she and her family have suffered. Unfortunately, she has already been forced to do the time without ever having due process of law and their life will never be the same again.

Justice delayed is justice denied.

Thus, for the reasons stated, the applicant is entitled to her right of immediate bail or release with conditions.

Dated: May 18, 2021

Respectfully Submitted,

Julia Ann Poff

Julia Poff, Pro Se

Reg.# 30835-479

F.M.C. Carswell

P.O. Box 27137

Ft. Worth, Tx 76127

CERTIFICATE OF SERVICE

I certify that on May 19, 2021, I placed in the prison mailbox a true and correct copy of the foregoing to: Solicitor General of the United States, Room 5616, Department of Justice, 950 Pennsylvania Ave. N.W., Washington, D.C. 20530-0001.

Julia Ann Poff

Julia Ann Poff

May 19, 2021

Supreme Court of the United States
1 First Street N.E.
Washington, D.C. 20543

Re: Julia Ann Poff

Dear Sir or Mam:

Pursuant to my recent phone call with Ms. Frimpong,
and her answering my many questions, please find
enclosed:

1. Motion For Leave to Proceed In Forma Pauperis;
2. Application to Justice Alito for Bail

Thank you for your prompt attention to this matter
and please let me know if you need anything else from
me. Please note as well both of these documents have been
sent to the Solicitor General as well.

Sincerely,

Julia Ann Poff
Julia Poff

Reg.# 30835-479

F.M.C. Carswell - 3 South

P.O. Box 27137

Ft. Worth, Tx 76127

RECEIVED

MAY 26 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

In re: JULIA ANN POFF

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The petitioner asks leave to file the attached petition for Writ of Habeas Corpus without payment of costs and to proceed in forma pauperis.

Petitioner has previously been granted leave to proceed in forma pauperis in the following courts:

1. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS
2. UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Julia Ann Poff

Julia Poff, Pro Se

Reg.# 30835-479

FMC Carswell

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