

IN THE
SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2022

NO._____

JESUS MAYA ZAPATA, Petitioner

vs.

STATE OF CALIFORNIA, Respondent

**MOTION FOR LEAVE TO FILE
IN FORMA PAUPERIS**

KIERAN D. C. MANJARREZ
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Santa Rosa, CA 95405
Tel: 415 / 520-0440
[CBN: 62000]

Attorney for Petitioner

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JESUS MAYA ZAPATA, Petitioner

vs.

STATE OF CALIFORNIA, Respondent

TO THE HONORABLE CHIEF JUSTICE AND ASSOCIATE JUSTICES OF THE
SUPREME COURT OF THE UNITED STATES:

Pursuant to rule 39 of the Rules of the Supreme Court of the United States,
petitioner, JESUS MAYA ZAPATA, by and through counsel, respectfully requests
leave to file a petition for writ of certiorari in *forma pauperis*.

Counsel's affidavit in support of this motion is attached hereto.

Dated: 20* July 2022

Respectfully submitted,



Kieran D. C. Manjarrez
Attorney for Petitioner

JESUS MAYA ZAPATA,
Petitioner

vs.

STATE OF CALIFORNIA.
Respondent

**AFFIDAVIT OF COUNSEL
IN SUPPORT OF
MOTION TO PROCEED
IN FORMA PAUPERIS**
[Rule 39]

I, KIERAN D. C. MANJARREZ, declare under penalty of perjury as follows:

1. I am an attorney licensed to practice in the State of California and a member of this Court's bar.
2. On 15 May 2019, I was appointed by the First District Court of Appeal, in San Francisco, California, to provide indigent, appellate representation to petitioner herein, JESUS MAYA ZAPATA. Said appointment included the filing of a petition for review in the California Supreme Court. A copy of said appointment order is attached hereto as Exhibit A and incorporated herein by reference.
3. Petitioner's notice of appeal was accompanied by appointed trial counsel's declaration of petitioner's indigence and motion for appointment of counsel on appeal. A copy of said motion is attached hereto as Exhibit B and incorporated herein by reference.

4. At all relevant times, petitioner has remained in custody of the California Department of Corrections and is currently incarcerated at Chuckawala Valley State Prison at Blythe, California, with inmate number BJ0127.

5. On the basis of allegations 2 through 4, I am informed and do believe that petitioner is without funds to hire legal representation and is unable to pay the costs of or give security for my petition for a writ of certiorari.

6. I have prepared the instant petition for certiorari *pro bono publico* without compensation from petitioner or any source.

I state that all of the foregoing is true and correct to the best of my knowledge and belief and that, as to any matter stated on information or belief, I believe said matter to be true and correct.

Sworn this 20th day of July 2022 at, Santa Rosa, California.



Kieran D. C. Manjarrez
Attorney at Law

EXHIBIT A

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION 5

THE PEOPLE,

Plaintiff and Respondent,

v.

Jesus Maya-Zapata,

Defendant and Appellant.

A156982
(Contra Costa County
Super. Ct. No. 51715069)

Order Appointing Counsel

By the Court:

Upon the recommendation of the First District Appellate Project, Kieran Manjarrez (State Bar No. 62000) is appointed to represent appellant Jesus Maya-Zapata in this Court on an independent basis.

If the record has not yet been transmitted, the Clerk of the Superior Court is directed to send the record on appeal to:

Kieran Manjarrez
1535 Farmer's Lane
#133
Santa Rosa, CA 95405.

Appellant's Opening Brief shall be filed forty (40) days from either the date of the filing of the record or from the date of this order, whichever is later.

Appellant:

Jesus Maya-Zapata (BJ0127)
San Quentin State Prison
San Quentin, CA 94974

Appointed Counsel:

Kieran Manjarrez
1535 Farmer's Lane
#133
Santa Rosa, CA 95405

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1st Appellate District

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Case Summary	Docket	Briefs	Scheduled Actions
Disposition	Parties and Attorneys	Trial Court	

Docket (Register of Actions)

The People v. Maya-Zapata
Division 5
Case Number A156982

Date	Description	Notes
04/16/2019	Notice of appeal lodged/received (criminal).	
05/15/2019	Counsel appointment order filed.	Kieran Manjarrez / Independent / 40 days
05/15/2019	Filed document entitled:	Application for Appointment of Counsel
06/19/2019	County clerk extension requested.	County Clerk R. Kruger to 7/3/19

EXHIBIT B

DIVISION FIVE

A156982

CR-120

ATTORNEY OR PARTY WITHOUT ATTORNEY: NAME: Jennifer Welch	STATE BAR NO.: 233427
FIRM NAME: Contra Costa County Public Defender's Office	
STREET ADDRESS: 3811 Bissell Avenue	
CITY: Richmond	STATE: CA ZIP CODE: 94805
TELEPHONE NO.: 510-412-4900	FAX NO.: 510-412-4901
E-MAIL ADDRESS: Jennifer.Welch@pd.cccounty.us	
ATTORNEY FOR (name): Jesus Maya-Zapata	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF CONTRA COSTA	
PEOPLE OF THE STATE OF CALIFORNIA vs. Defendant: JESUS MAYA-ZAPATA	
Date of birth: 1/13/81	
Cal. Dept. of Corrections and Rehabilitation No. (if any): UNKNOWN	
NOTICE OF APPEAL—FELONY (DEFENDANT) (Pen. Code, §§ 1237, 1237.5, 1538.5(m); Cal. Rules of Court, rule 8.304)	
CASE NUMBER: 5-171506-9	

FOR COURT USE ONLY

FILED
APR - 8 2019K. BIEKER CLERK OF THE COURT
SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA
By _____
R. KRUGER

NOTICE

- You must file this form in the SUPERIOR COURT WITHIN 60 DAYS after the court rendered the judgment or made the order you are appealing.
- IMPORTANT:** If your appeal challenges the validity of a guilty plea, a no-contest plea, or an admission of a probation violation, you must also complete the Request for Certificate of Probable Cause on page 2 of this form. (Pen. Code, § 1237.5.)

1. Defendant appeals from a judgment rendered or an order made by the superior court.
 NAME of defendant: JESUS MAYA-ZAPATA
 DATE of the order or judgment: MARCH 29, 2019

2. Complete either item a. or item b. Do not complete both.

a. If this appeal is after entry of a plea of guilty or no contest or an admission of a probation violation, check all that apply:

- This appeal is based on the sentence or other matters occurring after the plea that do not affect the validity of the plea. (Cal. Rules of Court, rule 8.304(b).)
- This appeal is based on the denial of a motion to suppress evidence under Penal Code section 1538.5.
- This appeal challenges the validity of the plea or admission. (You must complete the Request for Certificate of Probable Cause on page 2 of this form and submit it to the court for its signature.)
- Other basis for this appeal (you must complete the Request for Certificate of Probable Cause on page 2 of this form and submit it to the court for its signature) (specify):

FILED
APR 16 2019
Charles D. Johnson, Clerk
Deputy Clerk

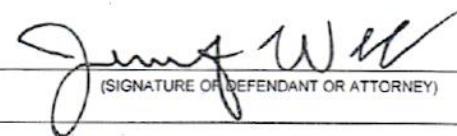
b. For all other appeals, check one:

- This appeal is after a jury or court trial. (Pen. Code, § 1237(a).)
- This appeal is after a contested violation of probation. (Pen. Code, § 1237(b).)
- Other (specify):

3. Defendant requests that the court appoint an attorney for this appeal. Defendant was was not represented by an appointed attorney in the superior court.

4. Defendant's mailing address is: same as in attorney box above.
 as follows:
 California Department of Corrections and Rehabilitation

Date: April 8, 2019

Jennifer Welch, Deputy Public Defender
(TYPE OR PRINT NAME)► 
(SIGNATURE OF DEFENDANT OR ATTORNEY)

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PEOPLE OF THE STATE OF CALIFORNIA vs. Defendant: JESUS MAYA-ZAPATA	CASE NUMBER: 5-171506-9
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REQUEST FOR CERTIFICATE OF PROBABLE CAUSE

I request a certificate of probable cause. The reasonable constitutional, jurisdictional, or other grounds going to the legality of the guilty plea, no-contest plea, or probation violation admission proceeding are (specify):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF DEFENDANT OR ATTORNEY)**COURT ORDER**

This Request for Certificate of Probable Cause is (check one): granted denied.

Date:

JUDGE

