

JAMES MICHAEL FAYED (PRO-SE)
#AK 3340, C.S.P. - SAN QUENTIN
SAN QUENTIN, CALIF. 94964

CASE NO: "22-6594"

• SUPREME COURT OF THE UNITED STATES •
OF AMERICA.

JAMES MICHAEL FAYED
(petitioner)

CASE NO:
22-6594

VS.

• "REPLY TO:"
ATTORNEYS GENERAL,
BRIEF IN
OPPOSITION.
20 APRIL, 2023

WARDEN - SAN QUENTIN
C.S.P. - SAN QUENTIN
CALIF. 94964
(Respondant)

• ET AL •

1) COMES NOW PETITIONER JAMES MICHAEL FAYED, A PRO-SE LITIGANT IN THIS MATTER BEFORE THIS ESTEEMED BODY WITH THIS "REPLY TO BRIEF IN OPPOSITION."

RECEIVED
MAY 16 2023
OFFICE OF THE CLERK
SUPREME COURT, U.S.

#01/#14

1 JAMES MICHAEL FAYED (PRO-SE)
2 #AK3340, C.S.P. - SAN QUENTIN,
3 SAN QUENTIN, CALIF. 94969

4
5 CASE NO: "22-694"

6
7 2) Petitioner takes issue with certain
8 statements and MIS-REPRESENTATIONS
9 PRESENTED "AS-FACT" in the Attorney
10 GENERAL'S "BRIEF IN OPPOSITION."
11 These statements have often
12 been REPEATED - THROUGHOUT - the
13 Respondent's Briefs in this MATTER,
14 LEAVING Petitioner to question the
15 ACTUAL Motives behind these
16 actions.

17
18 3) Petitioner attempts to keep this
19 NOTION as brief as possibly CAN
20 be, to NOT burden the Court's
21 hectic schedule (and) heavy work-
22 LOAD..

23
24 4) Petitioner submits this "Reply to
25 BRIEF IN OPPOSITION" IN A SHORT BUT
26 CONCISE FORMAT, MOST respectfully
27 and humbly before this BODY..

28 [CONT'D]

#02/#14

JAMES MICHAEL FAYED (PRO-SE)
AK3340, C.S.P. - SAN QUENTIN, 94964

CASE NO.: "22-6594"

* IN RE PAGE ONE, TWO, BRIEF IN
OPPOSITION:

5) RESPONDENT'S STATEMENT: "That FAYED
began divorce proceedings and banned
Pamela from the office" is not supported
by the record, and is twisted out of
context..

a) The record shows [that] in-fact,
a FAMILY LAW JUDGE OF VENTURA COUNTY,
CALIF., ordered and supported Pamela's
removal from the businesses due to
complications that resulted from Pamela's
embezzlement of \$800,000.00 from
CORPORATE BANK ACCOUNTS..

6) Respondent's STATEMENT: "That
Pamela wanted to cooperate and testify
against FAYED" IS A MIS-STATEMENT OF
FACT WHOLLY UNSUPPORTED BY THE
FULL RECORD..

[CONT'D]

#03/#14

1 JAMES MICHAEL FAYED (PRO-SE)
2 #AK 3340, C.S.P. - SAN QUENTIN.
3 SAN QUENTIN, CALIF. 94969

4
5 CASE NO: "22-6594"

6
7 a) IN FACT, NO SUCH CONVERSATION (AS
8 RECITED BY THE ATTORNEY GENERAL) EVER
9 OCCURRED. The full record and the
10 TRIAC TESTIMONY OF PAMELA'S DEFENSE
11 ATTORNEY WILL CONFIRM THIS.

12
13 b) AND FURTHER, FAYED AND HIS WIFE
14 HAD ENTERED INTO A "JOINT DEFENSE
15 AGREEMENT" AND RETAINED PERSONAL
16 AND CORPORATE ATTORNEYS TO DEFEND
17 AGAINST POSSIBLE FEDERAL CHARGES.

18
19 7) RESPONDENT'S STATEMENT: "That a
20 SUSPECT VEHICLE IN A HOMICIDE HAD
21 BEEN RENTED BY FAYED" IS AGAIN,
22 NOT SUPPORTED BY THE RECORDS AND A
23 MIS-STATEMENT OF FACT(S) TWISTED
24 OUT OF CONTEXT.

25
26 a) THE VEHICLE REFERRED WAS IN FACT
27 DRAWN FROM AN "AVIS RENT-A-CAR"
28 CORPORATE ACCOUNT. [CONT'D]

#04/#14

1 JAMES MICHAEL FAYED (PRO-SE)

2 #AK3340, C.S.P. - SAN QUENTIN.

3 SAN QUENTIN, CALIF. 94969

4
5 CASE NO: "22-0594"

6
7 a) This "AVIS RENT-A-CAR" CORPORATE Account
8 allowed ANY CORPORATE Employee to
9 check-out Rental cars Worldwide.

10 The Billing for this account and the
11 required Account Deposit was secured
12 by Petitioner's CORPORATE A.M.E.X.

13 CARD. All CORPORATE A.M.E.X. CARDS
14 ARE ISSUED to the CORPORATION (AND)

15 the ASSIGNED CARD HOLDER, All key
16 employee's were assigned CORPORATE
17 A.M.E.X. CARDS to support Petitioner's
18 WORLDWIDE BUSINESS Interests.

19
20 B) Respondent's statement: "That FAYED
21 RENTED the suspect vehicle" is wholly
22 UNSUPPORTED by the full Record on Appeal.

23
24 * IN RE PAGE THREE, BRIEF IN OPPOSITION.

25 " " SIX " "

26 " " SEVEN " "

27 " " EIGHT, " "

28 [CONT'D]

#05/#14

JAMES MICHAEL FAYED (PRO-SE)
#AK3340, C.S.P. - SAN QUENTIN
SAN QUENTIN, CALIF. 94969

CASE NO: "22-6594"

8) Respondent, via successive briefs in this matter, has repeatedly mis-stated the law, as it relates to:

- 18 USC § 3142
- 18 USC § 3142 (c)(e)(f)

a) Respondent either 1) MISUNDERSTANDS the law and the requirements for pre-trial detention as drafted by the U.S. Congress, or 2) DELIBERATELY MIS-STATES the provisions of the statute for some other reason?

* IN RE 18 USC § 3142, THE CONGRESSIONAL BAIL REFORM ACT OF 1984 (ET AL):

• IS A STATUTE THAT WAS INTENTIONALLY "NARROWLY DRAFTED" BY CONGRESS TO PREVENT MANIPULATION, TO ENSURE THE UNIFORM APPLICATION (OF), AND TO DETER CHALLENGES TO."

[CONT'D]

#06/#18

JAMES MICHAEL FAYED (PRO-SE)
AK 3340, C.S.P. - SAN QUENTIN, 94964

CASE NO.: "22-0594"

• Respondent's oft-related statement that: "FAYED WAS LAWFULLY OBTAINED BY FEDERAL AUTHORITIES"; FAICS AT THE FIRST STEP FOR THE FOLLOWING REASONS:

I) TO QUALIFY FOR "PRE-TRIAL DETENTION" UNDER 18 USC § 3142, you + FIRST AND FOREMOST + MUST BE CHARGED WITH AN ENUMERATED OFFENSE THAT MEETS THE QUALIFICATIONS FOR FURTHER CONSIDERATION UNDER "ENUMERATED QUALIFICATIONS SUPPORTING PRE-TRIAL DETENTION."

II) Petitioner WAS CHARGED IN FEDERAL COURT WITH A -ONE COUNT VIOLATION OF 18 USC § 1960, by a single page - SIX MONTH-OLD INDICTMENT, LITERALLY UNSOLICITED ONLY HOURS BEFORE petitioner WAS BEFORE THE FEDERAL-BAR AND IN FEDERAL CUSTODY. THE CHARGE [WAS NOT] AN ENUMERATED FEDERAL OFFENSE..

[CONT'D]

#07/#14

1 JAMES MICHAEL FAYED (PRO-SE)
2 #AK 3340, C.S.P. - SAN QUENTIN.
3 SAN QUENTIN, CALIF. 94969
4

5 CASE NO: "22-0594"

6
7 10) Respondent's STATEMENT: "THAT PRE-
8 TRIAL DETENTION WAS SIMPLY A MATTER
9 THAT REQUIRED A HEARING IN U.S.

10 DISTRICT COURT"; is entirely and
11 completely CONTRARY to the PROVISIONS,
12 the obligatory (AW) PROVISIONS OF:
13 • 18 USC § 3142

14
15 • CONTRARY to the ATTORNEY GENERAL'S
16 POSITION, Petitioner's charge in
17 FEDERAL COURT does NOT even qualify
18 for [STEP ADVANCEMENT] to the
19 LEVEL OF: 3142 (c)(e)(f)..

20
21 11) Respondent's CLAIM "That Petitioner's
22 FEDERAL HABEAS is + BARRED + AS
23 UNEXHAUSTED, IS NOT SUPPORTED BY
24 THE RECORD, OR CONTROLLING CASE-LAW
25 'U.S.' U.S. SUPREME COURT, and/or
26 "RULES OF THE COURT" - CALIF. SUPREME
27 COURT..

28 [CONT'D]

#08/#14

1 JAMES MICHAEL FAYED (PRO-SE)
2 #AK 3340, C.S.P. - SAN QUENTIN.
3 SAN QUENTIN, CALIF. 94969

4
5 CASE NO: "22-6594"

6
7 • Petitioner herein will summarize (with
8 GREAT BREVITY SO AS TO NOT BURDEN
9 THIS BODY UN-NECESSARILY) the
10 deficiencies in the following Argument
11 of the Attorney General.

12
13 * IN RE PAGE-NINE, BRIEF IN OPPOSITION,
14 - THROUGH -

15 " " Page - Eleven " "

16
17 aa) Petitioner's CLAIMS IN FEDERAL HABEAS
18 + ALL + ORIGINATE FROM THE RECORD OF
19 FEDERAL (AND) STATE ACTIONS AGAINST
20 Petitioner.

21 • THE CALIF. SUPREME COURT HAS REVIEWED
22 AND RULED ON THESE FEDERAL CLAIMS.

23 • AS PER CA. SUPREME COURT RULES;
24 THESE CLAIMS WILL-NOT BE REVIEWED,
25 AND, THESE CLAIMS BEING "ON THE RECORD"
26 ARE PRECLUDED FROM INCLUSION IN
27 A STATE HABEAS PETITION.

28
#09/#14

1 JAMES MICHAEL FAYED (PRO-SE)

2 #AK3340, C.S.P. - SAN QUENTIN.

3 SAN QUENTIN, CALIF. 94969

4
5 CASE NO: "22-6594"

6
7 bb) "PLACE-HOLDER" STATE HABEAS Petition
8 status is entirely IRRELEVANT FOR
9 THE FOLLOWING REASONS:

10
11 1) THE FEDERAL CLAIMS IN PETITIONER'S
12 FEDERAL HABEAS ARE RESTRICTED FROM
13 INCLUSION IN A STATE HABEAS.

14
15 2) THE "PLACE-HOLDER" PETITION IN
16 STATE COURT IS UNIQUE TO THIS STATE.
17 IN FACT, IT IS DUE TO THE FACT
18 THAT THE STATE OF CALIFORNIA'S REFUSAL
19 TO PROVIDE HABEAS ATTORNEYS [CAUSES]
20 PETITIONER TO HAVE A PLACE-HOLDER IN
21 THE FIRST PLACE.

22
23 3) THESE ACTIONS OF THE STATE OF
24 CALIFORNIA CREATE A "ROAD-BLOCK" TO
25 REVIEW OF CAPITAL VERDICTS FOR THEIR
26 LEGALITY AT THE FEDERAL LEVEL, THUS
27 SUSPENDING "THE GREAT WRIT" IN
28 VIOLATION OF: ARTICLE-ONE, SECT-NINE
(U.S. CONST.)

10 / # 14

1 JAMES MICHAEL FAYED (PRO-SE)
2 #AK3340, C.S.P. - SAN QUENTIN.
3 SAN QUENTIN, CALIF. 94969
4

5 CASE NO: "22-6594"
6

7 cc) The state and especially the
8 County of LOS ANGELES CALIFORNIA,
9 aggressively pursue CAPITAL JUDGMENTS
10 often at "ANY AND ALL COSTS". Yet,
11 this same state (and) county REFUSE
12 to FUND and provide Habeas Attorneys
13 to pursue CAPITAL APPEALS..
14

15 • THE ACTIONS OF THE STATE OF
16 CALIFORNIA WILFULLY and INTENTION -
17 ally + IMPED and prevent, with
18 DELIBERATE INTENT + CAPITAL APPELLATES
19 PURSUIT OF FEDERAL REVIEW and
20 FEDERAL HABEAS JURISPRUDENCE
21

22 dd) The Attorney General of the
23 State of CALIFORNIA, by ALL MEANS
24 POSSIBLE, uses the full weight of
25 his office to ROAD-BLOCK CAPITAL
26 APPEALS at the "DIRECT-APPEAL",
27 and prevent FEDERAL REVIEW of
28 CAPITAL JUDGMENTS..

[CONT'S]

#11/#14

JAMES MICHAEL FAYED (PRO-SE)
#AK 3340, C.S.P. - SAN QUENTIN,
SAN QUENTIN, CALIF. 94967

CASE NO: "22-6594"

eg) As this Court recently stated
in:

"SHOOD vs. TWYFORD, 142 S. CT.
2037, Writ of Certiorari from the
U.S.C.A. - 6th C.C.A.;"

• "CONGRESS ENACTED AEDPA (ANTI-TERRORISM
EFFECTIVE DEATH PENALTY ACT) TO REDUCE
delays IN THE EXECUTION OF STATE AND
FEDERAL CRIMINAL SENTENCES, PARTICULARLY
IN CAPITAL CASES..."

• "A FEDERAL COURT MAY NEVER NECESSARILY
PROLONG A HABEAS CASE, PARTICULARLY
GIVEN THE ESSENTIAL NEED TO PROMOTE
FINALITY OF STATE CONVICTIONS..."

* The state refuses to provide HABEAS Attorneys,
The U.S. District Court refuses to hear
Petitioner's federal Habeas as unexhausted
IN STATE COURT...

{CONT'D}

#12/14

1 JAMES MICHAEL FAYED (PRO-SE)
2 #AK 3340, C.S.P. - SAN QUENTIN.
3 SAN QUENTIN, CALIF. 94969

4
5 CASE NO: "22-0594"

6
7 * Petitioner, a sixty-year old
8 wrongfully convicted and innocent
9 resident of California's Death Row,
10 finds himself a victim of this
11 absurd situation, a "STOP-NO, GO,
12 NO, STOP -- who's on first, I don't
13 know, NO - he's on second"
14 scenario.

15
16 • What more could the state of California
17 do to prevent review of CALIAC
18 verdicts? They are doing all they
19 can and then even more, for good
20 measure.

21
22 • If this set of circumstances does
23 not describe: "A Post-Conviction
24 Process that fails to protect Petit-
25 ioner's rights (AND) IS effectively
26 UNAVAILABLE", Petitioner is at
27 a LOSS OF UNDERSTANDING.

28 [CONT'D]

#13/14

JAMES MICHAEL FAYED (PRO-SE)
#AK3340, C.S.P. - SAN QUENTIN
SAN QUENTIN, CALIF. 94969

CASE NO: "22-0594"

* CONCLUSION:

• Petitioner respectfully submits
[THIS] "Reply to Brief in Opposition"
for consideration herein:


Supreme Court of the United States

• Petitioner extends his gratitude to
this Court for taking the time to
Review Petitioner's case..

• Petitioner ONCE AGAIN HOPES AND PRAYS
THIS BODY GRANTS (THIS) "WRIT OF
CERTIORARI" pending, AND ANY OTHER
further relief this Court deems
appropriate.

05 MAY, 2023

[DATE]


[BY] JAMES MICHAEL FAYED
• PRO-SE •

#14/#14