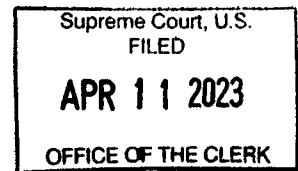


22A904
No. 22-7193



IN THE
SUPREME COURT OF THE UNITED STATES

Rafael Trevino

vs.

U.S Bank National Association as Trustee for Truman, as Trustee, et al.

EMERGENCY APPLICATION FOR STAY PENDING DECISION OF THE
SUPREME COURT OF THE UNITED STATES

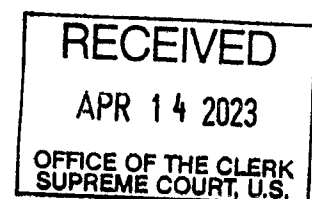
Rafael

Trevino

440 NE 4th Avenue, Unit 414

Fort Lauderdale, Florida. 33301

(212) 300-5195



Emergency Application for Stay.

The Petitioner, Rafael Trevino respectfully asks to this Honorable Court to grant an order to STAY on the Connecticut Appeal / Superior Court docket number 45313 pending decision by United States Supreme Court.

i) Brief History

On February 10, 2022, The Superior Court of the judicial district of Stamford-Norwalk granted the motion for Judgement, Strict Foreclosure to the plaintiff US Bank NA on the property located at 16 Hedge Brook Lane, Stamford, CT.06903.

On February 18, 2022, the Petitioner, Rafael Trevino filed an Appeal to the Appellate Court: Granted.

On September 6, 2022, the case was argued at the Appellate Court in Hartford, Connecticut.

On September 13, 2022, the Appellate Court panel:

Hon. William H. Bright

Hon. Eliot D. Prescott

Hon. Joseph H. Pellegrino

This Honorable panel decided, *Opinion Per Curiam*:

“The judgment is affirmed, and the case is remanded for the purpose of setting new law days.”

On September 14, 2022, the Defendant-Appellant filed a Motion to Reconsideration

En Banc.

On October 19, 2022. The Motion for re Reconsideration *En Banc*: Denied.

On November 17, 2022, the Defendant-Appellant filed a Petition for Certification to the Supreme Court of the State of Connecticut.

January 3, 2023: Petition Denied.

January the 10th 2023, Rafael Trevino filled a motion to Stay pending decision by U.S. Supreme court at the State of Connecticut Appellate Court: Denied.

ii) The specific facts upon which the Petitioner relies.

1. Where according to the U.S. Constitution, all citizens have the right to a trial before a jury; Seventh Amendment Annotated:

“In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.”

2. Whether the trial court (Spader, W) abused its discretion in not taking into consideration the facts exhibited on the payments done by the Petitioner, Rafael Trevino to US BANK during the life of the mortgage.

3. Whether the trial court (Spader, W) wrongly accepted the US Bank foreclosure statement without taking into consideration the Petitioner's request for the monthly statement copies to US BANK, the title holder of the property, where

payments are shown.

4. The Petitioner, Rafael Trevino filed an Appeal: The Honorable Appeal Court cleared the foreclosure decision taken at the Superior Court without any consideration of the FRAUDULENT predatory loan and modification committed by the Respondent, US Bank, or Rushmore Loan Management, a hedge fund, acting behind the Trust and real owner of the debt.

5. Defendant-Appellant filed a petition for certification to the Connecticut Supreme Court: *Denied*.

iii) Legal grounds:

Connecticut Practice Book § 71-7:

When the state Supreme Court denied a petition for certification from the Appellate Court and stay in existence at the time of such denial shall remain in effect for twenty days. Any party to the action wishing to extend the such stay of execution or to otherwise obtain a stay of execution pending a decision in the case by the United States Supreme Court shall file a motion for stay with the appellate clerk directed to the Appellate Court. The filing of the motion shall operate as a stay pending the Appellate Court's decision thereon.

Connecticut General Statutes Title 36A. The Banking Law of Connecticut § 36a-746e. Prohibited acts by a lender

In the making of a high-cost home loan, no lender shall:

(2) Sell or otherwise assign such loan without furnishing the following statement to

the purchaser or assignee: "Notice: This is a loan subject to special rules under the Connecticut Abusive Home Loan Lending Practices Act. Purchasers or assignees of this loan could be liable for all claims and defenses concerning the loan that the borrower could assert against the lender.

Seventh Amendment

Where according to the U.S. Constitution, all citizens have the right to a trial before a jury; Seventh Amendment Annotated:

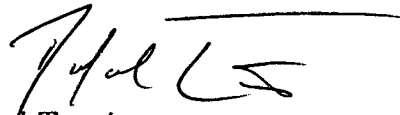
"In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law."

IV) Conclusion

I, Rafael Trevino, the petitioner, kindly ask this HONORABLE COURT to act and stop the lower state court order proceeding on the foreclosure of the property listed in this case, having set the new Law Day to May 16th, 2023.

Respectfully submitted,

By:



Rafael Trevino.

440 NE 4th Avenue, UNIT 414

Fort Lauderdale, FL 33301

ratre@me.com

212-300-5195