

DEC 26 2023

No. **23A599**

In The
Supreme Court of the United States

William Phillip Neidinger
Appellant - Defendant

v.

UNITED STATES OF AMERICA
Appellee - Plaintiff :

On Application for Stay of Prison Sentence

United States Court of Appeals
For the Ninth Circuit
Case No: 22-10118

D. C. No.: 3:20-CR-00009-MMD-CLB
U.S. District Court for Nevada, Reno

**Update per new Trial Court Action to Application to Associate
Justice Elena Kagan Allotted to the Ninth Circuit**

WILLIAM P. NEIDINGER
Sui Juris, In Forma Pauperis
In Proper Person
2300 Wedekind Rd. #48
Reno, Nevada 89512
P.O. Box 4173
Incline Village, NV 89450
(in case one address goes away)
775-338-1442
wpneidinger@gmail.com

This update is in response to Trial Court's action of 12/21/2023.

Trial transcript (multiple trials) has been replete with documentation of each issue raised previously being struck down, or violations imposed, as a matter of personal style on the part of Judge Howard D. McKibben, including a whole new narrative to hide all the judicial fraud and law-fare of his local colleagues over the last 22 years that lead to the facts of this case, compulsion that all professional participants had to follow the new narrative, and PSR creatively written to new narrative thereby enhancing guideline, sentencing upper end of that to punish me for making him "loose his touch" and having to use two trials. By these means, he effectively took ownership of all the roles of judge, jury and executioner. With Ninth Circuit only being presented same false narrative and thereby refusing to remand, he took effectively ownership of appellate authority as well. And with his ruling of 12/21/23 – imposing his own interpretation of an outdated USMS letter of Assignment as current U.S. Marshal Service and Federal Bureau of Prisons records and allocation of resources – he is now arguably Impersonating a U.S. Marshal, raising issues both for myself and the Bureau of Federal Prisons.

The Ninth Circuit has ruled that mandate has been issued – "no further filings will be considered in this closed case" (11/27/2023).

District Court ruling of 12/21/23 attached. Self-surrender date Jan.4th, 2024.

Also see *Trop v Dulles*, 356 U.S. 86 (1958), a case of desertion in wartime, the Supreme Court ruled that the defendant could be executed, but deprivation of citizenship (as is overwhelming context here) was Cruel and Unusual.

I am most humbly and earnestly requesting that you Stay the Federal prison sentence indefinitely – even if I do not get a Writ of Certiorari – this sentence only serves to continuing ongoing lower level court and legal minion persecution well into a third decade, by excuse of demonstrably false color of criminal history doubling guideline, which eliminates all possibility of doing the behavior that the court represents that it wants to encourage, and makes a matter of life and death Necessity the behavior it represents to proscribe - as more than three months at this point would effectively kill the last vestiges of the identity that the court pretends that I should operate exclusively within, which would be midterm honest guideline. Again this is driven by a last minimal “visible means of support” issue. Not that I ever intended to cause any problems, but even if I had, further sentencing would best incorporate some form of alternate arrangement. And you can do this because - regardless of if I ever get an innocent verdict from a fully educated fair trial – so assuming full guilt – this is still Cruel and Unusual.

24th day of December, 2023



WILLIAM P. NEIDINGER

Sui Juris, In Forma Pauperis, In Proper Person

775-338-1442 wpneidinger@gmail.com



United States Marshal Service

District of Nevada

May 3, 2022

Dear William Neidinger:

This letter serves as official notification of your designated Federal Bureau of Prisons facility.

You shall surrender for service of sentence at:

Facility Name: **FCI Terminal Island**
Address: **1299 SEASIDE AVENUE, SAN PEDRO, CA 90731**
Telephone No.: **310-831-8961**
Website: **<http://www.bop.gov>**

Surrender Date: **7/20/2022**
Surrender Time: **before 12:00 p.m.**

USMS No.: **56185-048**
Case No.: **3:20-cr-9**

Alternatively, you may also surrender directly to the U.S. Marshals at:
400 S Virginia Street, #201, Reno, NV 89501

If you plan to surrender to the U.S. Marshals, please call (775) 686-5780 at least one business day ahead of time. Failure to surrender by your ordered date and time can result in the issuance of a warrant for your arrest and additional charges.

Sincerely,

A handwritten signature in black ink, appearing to read "Madison Murphy".

Madison Murphy
Investigating Analyst

No.

IN THE SUPREME COURT OF THE UNITED STATES

William Phillip Neidinger — PETITIONER

VS.

U.S.A. — RESPONDENT(S)

PROOF OF SERVICE

I, NICHOLAS ST JON, do swear or declare that on this date,

DECEMBER 26, 2023, as required by Supreme Court Rule 29 I have served the enclosed **UPDATE TO APPLICATION FOR STAY OF PRISON SENTENCE**, with a copy of **DISTRICT COURT RULING OF 12/21/2023** (I have no other evidence of surrender date or location as of today) on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days. **Also** a courtesy email is being sent 12/4/23 in hopes of working with opposing counsel and her submissions.

USPS OVERNIGHT DELIVERY

The names and addresses of those served are as follows:

Elizabeth B. Prelogar
Counsel of Record
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

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

Executed on DEC 26, 2023

Nicholas St Jon

(Signature)

