

RULE 20 petition For An EXTRAORDINARY WRIT OF HABEAS CORPUS.

No. _____

24-6100

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED

NOV 27 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

In Re

TRACY R. GODFREY

(Your Name)

— PETITIONER

RULE 20

ON PETITION FOR A WRIT OF HABEAS CORPUS

PETITION FOR WRIT OF HABEAS CORPUS

TRACY R. GODFREY

(Your Name)

700 CONLEY LK. RD.

(Address)

DEERLODGE MT 59722

(City, State, Zip Code)

NONE

(Phone Number)

RULE 20 PETITION FOR AN EXTRAORDINARY WRIT OF HABEAS CORPUS.

QUESTION(S) PRESENTED

MULTIPLE PUNISHMENTS FOR MCA § 46-18-502

RULE 20 PETITION FOR AN EXTRAORDINARY WRIT OF HABEAS CORPUS.

LIST OF PARTIES

- ☐ All parties appear in the caption of the case on the cover page.
- ☐ All parties **do not** appear in the caption of the case on the cover page. A list of
all parties to the proceeding in the court whose judgment is the subject of this
petition is as follows:

RELATED CASES

RULE 20 PETITION for AN EXTRAORDINARY WRIT of HABEAS CORPUS.

TABLE OF CONTENTS

OPINIONS BELOW.....	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	
STATEMENT OF THE CASE	
REASONS FOR GRANTING THE WRIT	
CONCLUSION.....	

INDEX TO APPENDICES

APPENDIX A

APPENDIX B

APPENDIX C

APPENDIX D

APPENDIX E

APPENDIX F

RULE 20 PETITION FOR AN EXTRAORDINARY WRIT OF HABEAS CORPUS.

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

N/A

STATUTES AND RULES

MCA § 46-18-502

OTHER

MCA § 46-18-904 (3) "THE COURT MUST RESSENTENCE THE PERSON AS ORDERED BY THE SRD."

RULE 20 PETITION FOR AN EXTRAORDINARY WRIT OF HABEAS CORPUS.

IN THE SUPREME COURT OF THE UNITED STATES, WASHINGTON DC.
IN RE TRACY R. GODFREY S CAUSE #
S RULE 20 PETITION FOR EXTRAORDINARY
S WRIT. 28 USC § 1651(A).

THE FOLLOWING EXCEPTIONAL CIRCUMSTANCES WARRANT THE EXERCISE
OF THE COURT'S DISCRETIONARY POWERS IN AID OF THE COURT'S
APPELLATE JURISDICTION. ADEQUATE RELIEF CANNOT BE OBTAINED
IN ANY OTHER FORM OR FROM ANY OTHER COURT AS TRACY R. GODFREY
IS BARRED FROM ALL COURTS.

I TRACY R. GODFREY HAVE RECEIVED MULTIPLE PUNISHMENTS
FOR THE OFFENSE OF MCA § 46-18-502 PFO IN DC 99-114 RAYMOND CO. MT.
ON NOV. 27TH 2000 A 10 YEAR SENTENCE WAS IMPOSED.
ON OCT 16TH 2013 A 60 YEAR SENTENCE WAS IMPOSED.

AS IS EVIDENCED BY 24-2406 (ATTACHED) THE 9TH CIRCUIT
IS REFUSING TO RECOGNIZE THAT THIS IS A VIOLATION
OF MY RIGHT TO BE FREE OF DOUBLE JEOPARDY FOR
THE SAME OFFENSE OF MCA § 46-18-502 PFO.

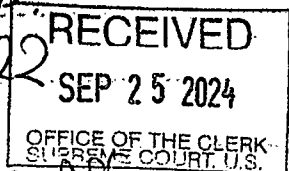
ANY JURIST OF REASON CAN SEE THIS IS TRUE.
THIS COURT MUST GRANT IMMEDIATE RELEASE FROM PRISON.

/ 9-16-24

/ TRACY R. GODFREY 41852

700 CONLEY LK. RD

DEER LODGE, MT. 59722



I SWEAR UNDER PENALTY OF PERJURY I CANNOT AFFORD
THE COST OF A FILING FEE.

/ TRACY R. GODFREY 41852

RULE 20 PETITION FOR AN EXTRAORDINARY WRIT OF HABEAS CORPUS.

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF MANDAMUS

Petitioner respectfully prays that a writ of mandamus issue.

OPINIONS BELOW

☐ For cases from federal courts:

The opinion of the United States court of appeals appears at Appendix N/A to the petition and is

☒ Reported at 24-2406; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix N/A to the petition and is

☒ Reported at 9:24-CV-00040-DCL; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☐ For cases from state courts:

The opinion of the highest state court to review the merits appears at Appendix N/A to the petition and is

☐ reported at CP 13-0258; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the 21 DIST COURT. court appears at Appendix N/A to the petition and is

☒ Reported at DC 99-114; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

RULE 20 PETITION FOR AN EXTRAORDINARY WRIT OF HABEAS CORPUS.

JURISDICTION

☐ For cases from federal courts:

The date on which the United States Court of Appeals decided my case was 9-13-24.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from state courts:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

RULE 20 PETITION FOR AN EXTRA ORDINARY WRIT OF HABEAS CORPUS.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

US CONST 5TH AMEND MULTIPLE PUNISHMENTS ARE PROHIBITED.
MT CONST ART II § 25 NO PERSON SHALL BE PUT AGAIN IN
JEOPARDY FOR THE SAME OFFENSE PREVIOUSLY TRIED IN ANY JURISDICTION.
SEE: RULE 20 PETITION FOR EXTRAORDINARY RELIEF

MCA § 46-18-904 (3) MANDATES: "THE COURT SITTING IN ANY
CONVICTING COUNTY SHALL RESENTENCE THE PERSON AS
ORDERED BY THE SENTENCE REVIEW DIVISION." ON
NOV 27TH 2000 IN DC 99-114 THE SENTENCE REVIEW
DIVISION (SRD) ORDERED: "THE 10 YEAR PFO SENTENCE
SHALL REMAIN THE SAME."

3 YEARS AFTER THIS SENTENCE EXPIRED THE
21ST JUDICIAL DISTRICT COURT RAVANNA CO. MT. IMPOSED A 60 YEAR
PFO. (MCA § 46-18-502) SENTENCE. ON REMAND, FROM OP 13-0258.

MCA § 46-18-108 (4) MANDATES: "IF TRUE, THE ACCUSED MUST
BE SENTENCED AS PROVIDED BY THE LAW (MCA § 46-18-502 PFO)"

MCA 46-18-905 MANDATES: "THE DECISION IN EACH CASE
IS FINAL."

REWRITING FOR AN EXTRAORDINARY WRIT OF HABEAS CORPUS

STATEMENT OF THE CASE

I TRACEY R. GODFREY HAVE BEEN SENTENCED TWICE FOR THE SAME OFFENSE OF MCA § 46-18-502 PERSISTANT FELONY OFFENDER (P.F.O.) IN VIOLATION OF U.S. CONST. AMEND V AND MONTANA CONSTITUTION ARTICLE II § 25.

RULE 20 PETITION FOR AN EXTRAORDINARY WRIT OF HABEAS CORPUS.

REASONS FOR GRANTING THE PETITION

THE CONSTITUTIONS OF BOTH MT. AND U.S.A. PROHIBIT MORE THAN ONE PUNISHMENT FOR THE SAME OFFENSE.

EXH 20 PETITION FOR AN EXTRAORDINARY WRIT OF HABEAS CORPUS.

CONCLUSION

The petition for a writ of habeas corpus should be granted.

Respectfully submitted,

TRACEY R. GLOFFREY

Date: 9-16-24