

24-7196

ORIGINAL

IN THE
Supreme Court of the United States

Supreme Court U.S.
FILED
MAR 18 2025
OFFICE OF THE CLERK

Jacob Bellinsky,
Petitioner,

v.

Rachel Zinna Galán,
Respondent.

On Extraordinary Habeas Corpus Appeal
to the Colorado Supreme Court

**PETITION FOR WRIT OF CERTIORARI
WITH APPENDIX**

**SUPPLEMENTAL MOTION FOR LEAVE
TO PROCEED IN FORMA PAUPERIS**

Pursuant to Supreme Court Rule 39, the Petitioner, Rabbi Jacob Bellinsky, self-represented, requests that the Court grant him leave to proceed in forma pauperis in this separate case.

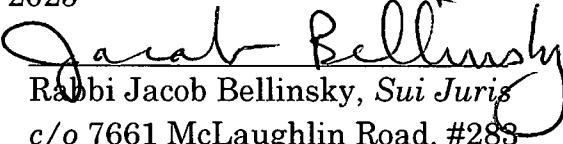
In support of this Motion, the Petitioner avers that:

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1. Petitioner is unable to afford the cost of these proceedings.
2. Petitioner was granted leave to proceed in forma pauperis in the courts below.
3. Petitioner was appointed advisory counsel in the court below. Pursuant to Supreme Court Rule 39.1, where the court below appointed counsel for an "indigent" party, no affidavit or declaration is required, but the motion must cite the provision of law under which counsel was appointed, *or* a copy of the order of appointment must be appended to the motion.
4. A copy of the order appointing advisory counsel, dated February 5, 2024, is appended to this motion as Attachment 1.
5. An original Motion for Leave to Proceed In Forma Pauperis was filed on March 18, 2025, with the combined petition addressing both case 2024SC691 and 2024SA214. Per the Clerk's letter of April 8, 2025, these matters must be presented as separate petitions, each requiring its own in forma pauperis application.

WHEREFORE, Petitioner respectfully requests that he be allowed to proceed in forma pauperis without payment of filing fees or service of notice fees for this separate petition addressing case 2024SA214, and for such other relief as the Court deems just and proper.

Respectfully submitted this 5th day of May 2025


Rabbi Jacob Bellinsky, *Sui Juris*
c/o 7661 McLaughlin Road, #283
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Phone: (303) 883-7706

COUNTY COURT, ELBERT COUNTY, COLORADO
Court Address:
751 UTE AVE., P.O. BOX 232, KIOWA, CO, 80117

DATE FILED: February 5, 2024 11:20 AM

The People of the State of Colorado v. JACOB BELLINSKY

△ COURT USE ONLY △

Case Number: 2022M 143
Division: 1 Courtroom:

Order:Forthwith Request for Advisory Counsel

The motion/proposed order attached hereto: GRANTED.

Thomas Ramunda has accepted appointment as advisory counsel for the purposes of the Sentencing Hearing.

Issue Date: 2/5/2024



Theresa Michelle Slade
District Court Judge

DISTRICT COURT, ELBERT COUNTY, COLORADO
Court Address: 751 Ute Ave, Kiowa, CO 80117

By Special Limited* Filing

Rabbi Jacob Bellinsky

Victim/Witness/Whistleblower

Rabbi Jacob Bellinsky
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E-mail: jbellinsky@gmail.com

COURT USE ONLY

Case Number: 22M143

**BY SPECIAL LIMITED* PARTICIPATION
FORTHWITH REQUEST FOR ADVISORY COUNSEL**

**Note: Filing is limited solely to securing due process and preventing further manifest injustice pertaining to a wrongful conviction on known-void charges in known-void cases.*

I, Rabbi Jacob Bellinsky (herein "Father"), as a crime victim, witness, and whistleblower of many state and federal crimes committed against my eight children and me in connection with 18th JD cases #22C59, #22M152, and #22M143 (and 1st JD cases #2015DR7 and #2022C36810), come now by special limited* participation¹ to request forthwith appointment of advisory counsel at state expense, and without awaiting any response from the involved DAs + all named together with several 18th JD judges as defendants in a pending federal lawsuit (1:23-cv-03461) – pursuant to C.R.S §13-5-301, on the following grounds:

1. Incorporated by reference are all filings, including Father's criminal complaints, affidavits, and other documents, in Elbert County 18th JD cases #22C59, #22M152, and #22M143 (and Gilpin/Jefferson Counties/Colorado 1st Judicial District cases #2015DR7 and #2022C36810).
2. Colorado statute grants the court broad discretion to rule on 'motions' without awaiting response from opposing parties (C.R.S §13-5-301). Additionally, case law affirms a court's discretion to rule on fee waiver applications *sua sponte* based on sufficiently pleaded hardship, without necessitating hearings or responses (see *Viles v. Scofield*, 128 Colo. 185, 261 P.2d 148 (1953)).
3. The United States Supreme Court has recognized a trial court's broad discretion in appointing advisory counsel, even when an alleged 'criminal defendant' has no constitutional right, in order to protect the integrity and fairness of proceedings (see *Mayberry v. Pennsylvania*, 400 U.S. 455, 468 (1971)).

¹ In no way as the 'defendant' to the false accusations, false charges, or false and wrongful 'conviction' in the above-captioned void case, or as the 'respondent' in any of the underlying void cases, and in no way submitting to the jurisdiction of this court or any court in Colorado's 1st or 18th Judicial Districts or to the authorities of the officers of said courts.

4. Colorado courts have also recognized the trial court's discretion to appoint uncompensated advisory counsel to assist self-represented ('pro se') defendants in the interests of fairness and justice (see *Romero v. People*, 694 P.2d 1256, 1265 (Colo. 1985)).

5. The Colorado Constitution in Article II, Section 16 expressly guarantees an alleged 'criminal defendant' *"the right to appear and defend in person and by counsel,"* further supporting discretion to appoint advisory counsel in these highly contested matters, both of substantial private and public interest and concern.

6. Appointment of advisory counsel where a self-represented ('pro se') alleged 'criminal defendant' faces loss of liberty furthers due process rights under both Federal and Colorado law (U.S. Const. Amends. V, XIV; Colo. Const. Art. II, Sec. 25).

7. Father is currently under extreme financial hardship having been unemployed since August 2022 and lacking any income. (See attached form JDF 208 as Exhibit 1 recently filed with Douglas County Office of the Public Defender for reference only).

8. Father no longer owns any real property after the additional wholesale theft of remaining equity in his former home following its sale late last month and he only retains minimal personal assets of little to no value (including a 2001 Chevy Suburban worth approximately \$300.00).

9. Due to said circumstances and demonstrated economic hardship, Father cannot obtain private counsel or pay any court fees and costs (see "FORTHWITH REQUEST TO WAIVE ALL FILING, TRANSCRIPT FEES, & COSTS" filed contemporaneously with this request for state-paid advisory counsel).

10. Therefore, Father requests state-paid advisory counsel to assist him with preparations for the upcoming known-void 'sentencing hearing' on March 4, 2024, including presenting available defenses against known-false charges and wrongful conviction, and/or other assistance with any relevant court filings, documents, and/or possible appeals seeking various types of remedy and relief from 'judgment'.
WHEREFORE, as pleaded in the foregoing, Father faces extreme economic hardship, and to protect his due process rights and to ensure the fairness and integrity of any further void proceedings, Father respectfully requests this court exercise its discretion to forthwith appoint state-paid advisory counsel without awaiting response from opposing parties pursuant to C.R.S §13-5-301 and other authority.

Date: January 26, 2024

Victim/Witness/Whistleblower:
Rabbi Jacob Bellinsky; c/o 7661 McLaughlin Rd., #283, Falcon, CO 80831

CERTIFICATE OF SERVICE

I certify that on January 26, 2024 the original was emailed to the Court (ElbertClerk@judicial.state.co.us) and a true and accurate copy was served by email to the DA's office to: ikellner@da18.state.co.us; rtaylor@da18.state.co.us; EWilson@da18.state.co.us; and da18@da18.state.co.us; and to 18th Judicial District Chief Judge Michelle A. Amico to: michelle.amico@judicial.state.co.us.

Rabbi Bellinsky