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Stanley Howard Solvey AT6172  
C.S.P. Corcoran • 3B03-113 Low  
4001 King Avenue  
Corcoran, CA 93212-8800  
PETITIONER/MOVANT IN PRO SE

UNITED STATES SUPREME COURT

Stanley H. Solvey,

Petitioner,

v.

Jeffery Macomber, et. al.

Respondents.

Case No. 24-6928

PETITIONER'S MOTION/APPLICATION FOR BAIL/  
OWN RECOGNIZANCE, PENDING ADJUDICATION OF  
EXTRAORDINARY (HABEAS) WRIT RULE 20.4

U.S. SUPREME COURT RULE 36

TO: THE INDIVIDUAL JUSTICE OF THE NINTH CIRCUIT AND RESPONDENTS JEFFERY  
MACOMBER AND ROB BONTA :

Petitioner, Stanley H. Solvey, hereby respectfully moves/applies the  
Individual Justice of the Ninth Circuit, for a Rule 36(3)(b) Bail/Own Recogniz-  
ance consideration. The basis for this motion/application is, Petitioner, on  
a Rule 20.4 Extraordinary Writ (Habeas), is suffering irreparable harm from  
further confinement, as He is struck-out (California's 3-Strike Law) bases on  
a statutorily "Wrongful Conviction", on a serious felony prior conviction used  
to strike him out. (P.C. § 667(b)-(1)).

This Motion/Application is supported by this motion/application, the Record  
below (Case Numbers: NAO49324; NAO44414; NAO44292; SA083379, All minute orders  
of above in Superior Court of Los Angles County: Judicial Notice requested of  
Court Records of proceedings and actions, F.R.E. 201 Cal. Evid. Code §452], the  
filed Rule 20.4 Extraordinary Writ in this U.S. Supreme Court, Petitioner's  
attached Declaration and Memorandum of Points and Authorities.

Respectfully Submitted,

*Stanley H. Solvey* 4-10-2025  
Stanley H. Solvey, Petitioner/Movant in Pro Se

RECEIVED  
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SUPREME COURT, U.S.

Stanley Howard Solvey AT6172  
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PETITIONER/MOVANT IN PRO SE

UNITED STATES SUPREME COURT

Stanley H. Solvey,

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v.

Jeffery Macomber, et. al.,

Respondents.

Case No. 24-6928

PETITIONER'S DECLARATION IN SUPPORT OF  
MOTION/APPLICATION FOR BAIL/OWN  
RECOGNIZANCE PENDING RULE 20.4  
EXTRAORDINARY (HABEAS) WRIT

RULE 36(4)(b)

I, Stanley H. Solvey, declare the following:

1. I am over the age of 18.
2. I am the Petitioner in the above entitled action, proceeding in Pro Se and In Forma Pauperis.
3. I declare these facts based on personal knowledge or on information/law I believe to be true and correct.
4. Petitioner/Movant, solvey ("Solvey") is struck-out within the purview of California Penal Code §667(b)-(i) (all statutory references hereafter are to this penal code), to a sentence of 65 to life in case number (SA083379; LAX Court)
6. One of the two serious felony priors used to trigger this alternative sentencing scheme is two cases (NA044414 & NA044292) consolidated into one case (NA049324), an "Unlawful Conviction".
7. On 5-31-2001, criminal proceedings were reinstated on 2 cases (NA044414 & NA044292) upon competency determinations (P.C. §1368) and triggered the 10 days for Preliminary Hearing pursuant to P.C. §859b.
8. On 6-14-2001, the day scheduled for Preliminary Hearing, the prosecutor D.D.A. Jodi Castano, moved to dismiss for lack of witnesses purview of §1385, "Interest/Furtherance of Justice".

1 Solvey was ordered released on Own Recognizance (§1318).

2 9. The order to "Release" Solvey on Own Recognizance ("O.R.") never happened  
3 (P.C. §1388(c)), nor did he remain on OR upon the refiling of consolidated felony  
4 complaint/information (§1388(c)).

5 10. From 6-15-2001 to 7-11-2001, Solvey remained in Los Angeles County Jail  
6 "Unlawfully", after the court ordered his release, [and continued to remain in  
7 L.A. Co. Jail "Unlawfully" (purview of §1388(c)) until "illegal Plea" on 11-19-  
8 2001.] No court dates, no Preliminary Hearing, No arraignment, No Plea, No  
9 waiver, No Status Conference, NOTHING during the time period 6-15-2001 to 7-11-  
10 2001. "Unlawful Imprisonment".

11 11. On 7-12-2001, Solvey was arraigned in Superior Court of Long Beach, Dept.  
12 E, as 1 of 60 for Jury Trial, with no preliminary hearing, no personal waiver of  
13 preliminary hearing, no evidence of probable cause to hold to answer. NO

14 "FUNDAMENTAL JURISDICTION" OF SUPERIOR COURT OVER SOLVEY. People v. Pompa-Ortiz,  
15 27 Cal. 3d 519; P.C. §872. *PEOPLE V. RICHARDSON, (2021) 65 CAL APP 5TH 360, HN 5*  
*HN 6*  
*HN 8*

16 12. On 11-19-2001, after 130 days of threats and coercion amounting to duress,  
17 while unlawfully detained/imprisoned, in an 'act without the occurrence of certain  
18 procedural prerequisites to confer "FUNDAMENTAL JURISDICTION" upon the Superior  
19 Court, the Court accepted a Plea from Solvey that had no Factual Basis, stipulated  
20 or otherwise, (P.C. §1192.5), an 'act' in "excess of jurisdiction," AND NO FUNDAMENT-

21 AL JURISDICTION (NA049324), that Plea was to a charge that Solvey was statutorily  
22 and factually innocent of committing, P.C. §288(a), when the alleged victim

23 Suzie Hart was over the age of 14, not under. DOB 5-13-1985; Incident date 1-17-

24 2000. *JUDICIAL NOTICE OF AGE OF SUZIE HART & DATE OF INCIDENT*  
*REQUESTED. (SEE: MINUTE ORDERS NA049325 PAGE 5.)*

25 13. On 9-24-2024, Solvey learned (Knowledge) of the alleged "Unlawful Convict-  
26 ion" when he obtained the minute orders (NA049324), after trying for months to  
27 obtain them.

28 14. On 9-27-2024, Solvey filed the first of three Petitions for Writ of Habeas

1 Corpus' (Same Case Number NA049324), to which, Hon. Chet Taylor, Dept S23, Order-  
2 ed the Respondent file an Informal Response (C.R.C., Rule 4.551(b)(2) and gave  
3 a sua sponte extension of 30 days, on the Rule's 15 day due time, for Informal  
4 Response (C.R.C., Rule 4.551(b)(6))

5 15. To date, (4-7-2025) Solvey has not received the Informal Response or ~~the~~  
6 Order the Show Cause briefs on Petitions times 2, as Ordered by 2 courts (NA049324  
7 & SA083379) (Ordered: 10-7-2024 in SA083379; 12-2-2024 in NA049324). No Court  
8 admonishments or sanctions for failing to obey a court order. This significant  
9 delay amounts to irreparable harm.

10 16. Solvey posits Judicially Noticeable facts (Requesting Judicial Notice on  
11 People v. Pompa-Ortiz, 27 Cal. 3d 519), of No Preliminary Hearing; No Fundament-  
12 al Jurisdiction; Excess of Jurisdiction (People v. Richardson, 65 Cal. App. 5th  
13 360, Requesting Judicial Notice of Precedent) when taking Plea with no factual  
14 basis (P.C. §1192.5, Judicial Notice Requested); and No Hold To Answer Order  
15 by Magistrate (P.C. §872), overall, no fundamental jurisdiction due to lack of  
16 preliminary hearing or hold to answer order by way of stipulation or personal  
17 waiver.

18 17. Applying the Law to the judicially Noticeable facts (Court Records on  
19 Proceedings and Action, as determined by Minute Orders, L.A. County Jail Transpor-  
20 tation Records; Subpoenas; and "Destroyed" transcripts= Spoliage), there was  
21 No Preliminary Hearing Held, and No Waiver (Personal) of such, the Conviction  
22 (NA049324) is "Illegal" and "Wrongful", and must be expunged., and damage remedied.  
23 Once NA049324 is expunged, resentencing will occur on SA083379, with a maximum  
24 exposure of 14 years, and possible exposure of 9 years if the nickel serious  
25 felony enhancement is stricken pursuant to §1385(c)(2)(D), (E), or (H). P.C. §§  
26 1170(b) applies and 1170.1 applies. The middle term is presumptive, and "Second  
27 Strike" doubling applies §667(e)(1) with case no. NA022865 triggering that Law.  
28 Solvey will be 4 years over due for release with §667(a) Nickel imposed; or 9

1 years overdue for release if stricken pursuant to §1385(c)(2)(D), (E) or (H).  
2 Further, lower term of sentencing range due to mitigating circumstances may  
3 apply on the SA083379 resentencing §1170(b)(6)<sup>(A)-(C)</sup>. Solvey has 12 years (144 months)  
4 of actual confinement, and at 66% credit earning, adds 6 more years (72 months)  
5 for a total of 18 years (216 months) (P.C. §2931).

6 18. On 3-28-2025, Solvey constructively filed a Petition for Writ of Habeas  
7 Corpus on the 'other' (1 of 2) Serious Felony Prior Conviction (P.C. §211) in  
8 case number NAO22865, alleging I.A.C. and Brady violations. Pending as to  
9 decision that would affect resentencing on SA083379 Bank Robbery case in LAX  
10 Courthouse in that "Second Striker" wouldnt apply (P.C. §667(e)(1)), further  
11 lowering Solvey's exposure at Resentencing, below 9 years exposure.

12 19. Solvey is being met with bad faith on all 3 sides (D.D.A.; IDCO Counsel:  
13 Courts) in that his jurisdictional and Statutory time limits for responding  
14 to Habeas Petitions are being overlooked, with no sanction or admonishment.  
15 Rule 36(4)(b) Own Recognizance should lie with this Court and Individual Justice  
16 to protect Petitioner Solvey's Constitutional rights, *PREVENT IRREPARABLE HARM.*

17 I, Stanley H. Solvey, declare the foregoing facts to be true and correct  
18 based on personal knowledge and law, and information I believe to be true,  
19 under the penalty of perjury.

20 Executed In: Corcoran, California

21 Executed On: 4-7-2025

22 Executed By:

*Stanley H. Solvey*

23 Stanley Howard Solvey

24 Petitioner/Movant in Pro Se



1 Solvey Howard Solvey AT6172  
2 C.S.P. Corcoran • 3B03-113Low  
3 4001 King Avenue  
4 Corcoran, CA 93212-8800  
5 PETITIONER/MOVANT IN PRO SE

6 UNITED STATES SUPREMEM COURT

7 Stanley H. Solvey,

8 Petitioner,

9 v.

10 Jeffery Macomber, et. al.,

11 Respondents.

Case No. 24-6928

PETITIONER'S MEMORANDUM OF

POINTS AND AUTHORITIES IN

SUPPORT OF RULE 36 MOTION/APPLICATION

FOR BAIL/OWN RECOGNIZANCE

12 U.S. Supreme Court Rule 36(4)(b), states," An initial order respecting the  
13 custody or enlargement of the prisoner, and any recognizance or surety taken,  
14 shall continue in effect pending review in the court of appeals and in this Court  
15 unless for reasons shown to the court of appeals, this Court, or a judge or  
16 Justice of either court, the order is modified 'or an independent order respect-  
17 ing custody, enlargement, or surety is entered'". The last part of this subsect-  
18 ion with 'subquotes', gives individual Justices the power to fix bail or O.R. to  
19 any Petitioner on pending Habeas Petition.

20 In the Precedent, In Re Johnson, 72 S. Ct. 1028, "Power of Individual justice  
21 of Supreme Court of the United States to fix bail pending review of Habeas Corpus  
22 proceedings in Court of Appeals and Supreme Court, if 'special reasons were shown  
23 justifying an exercise of that power', an individual justice has power to grant  
24 bail in situations where Court might act under this rule."

25 U.S. Supreme Court Rule 22, is the procedural vehicle for Motion/Application  
26 to an Individual Justice. Petitioner shall file this Motion/Application with the  
27 Clerk, who shall transmit it promptly to the Justice concerned if an individual  
28 Justice has authority to grant the sought relief.

Petitioner's contentions in his Rule 20.4 Petition of Extraordinary (Habeas) Writ, has merit and will adequately meet the requisite burden on Rule 20.4 Writs with judicially noticeable facts of court records that are indisputable. The expungment of the Serious Felony Prior Conviction used to strike-out Petitioner will place him either 4 or 9 years overdue for release, or more depending on resentencing factors and the possibility of striking the remaining Serious Felony used as a Nickel Enhancement within the purview of P.C. §667(a) and P.C. §1385(c)-(2)(D), (E), or (H), mitigating circumstances. If stricken, 9 years overdue for release. If not, 4 years overdue. P.C. §1170(b)(6)(A) factors may allow Judge to sentence Petitioner Solvey to the Lower Term placing him even far more overdue for release. Trauma and Exploitation, Human Trafficking.

Accordingly, based on the Wrongful Conviction, and False Imprisonment, and a multitude of other constitutional violations that warrant this conviction to be reversed and dismissed for want of Preliminary Hearing and Speedy Trial, statute P.C. §859b, this conviction will be expunged. Expungement places Petitioner Solvey grossly overdue for release, not to mention the 8+ 2 years already served on Wrongful Conviction (3-26-2000 to 12-17-2007 plus two 1 year parole violations), this Court, fixing a Bail/Own Recognizance is appropriate and justifies exercising of that power (Bail/OR).

Respectfully Submitted,

Stanley H. Schrey 4-10-2025

Stanley Howard Solvey

Petitioner/Movant in Pro Se

Hensley v. Municipal Court, San Jose-Milpas judicial Dist., 411 U.S. 345 HN 2

Petitioner is faced with no speedy Habeas review but rather a procedural maze

56 ALR 2d 668

1 + 2 COPIES = COURT  
1 COPY = A.G.  
1 COPY = I/M

# 24-6928

SIGN X4

TOTAL 4 COPIES

4-25-2025 CONF DATE

**PROOF OF SERVICE BY MAIL**

**BY PERSON IN STATE CUSTODY**

(Fed. R. Civ. P. 5; 28 U.S.C. § 1746)

I, STANLEY H. SOLVEY, declare:

I am over 18 years of age and a party to this action. I am a resident of C.S.P. CORCORAN

Prison,

in the county of KINGS,

State of California. My prison address is: 4001 KING AVENUE,

CORCORAN, CA. 93212-8800.

On 4-10-2025,  
(DATE)

I served the attached: PETITIONER'S MOTION/ APPLICATION FOR  
BAIL/O.R. Rule 36(4)(b) UPON INDIVIDUAL JUSTICE  
RULE 22  
(DESCRIBE DOCUMENT)

on the parties herein by placing true and correct copies thereof, enclosed in a sealed envelope, with postage thereon fully paid, in the United States Mail in a deposit box so provided at the above-named correctional

institution in which I am presently confined. The envelope was addressed as follows:

UNITED STATES  
SUPREME COURT  
1 FIRST STREET  
WASHINGTON D.C. 20543

ROB BONTA - ATTY GENERAL  
1300 "I" STREET  
P.O. BOX 944255  
SACRAMENTO, CA.  
94244-2550

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 4-7-2025  
(DATE)

Stanley H. Solvey  
(DECLARANT'S SIGNATURE)

STANLEY SOLVEY

PETITIONER/MOVANT IN PRO SE

